

**IN THE EMPLOYMENT COURT OF NEW ZEALAND
AUCKLAND**

**I TE KŌTI TAKE MAHI O AOTEAROA
TĀMAKI MAKĀURAU**

**[2024] NZEmpC 2
EMPC 278/2023**

IN THE MATTER OF	an application for pre-commencement discovery
AND IN THE MATTER OF	an application for costs
BETWEEN	P.I.C. INSURANCE BROKERS LIMITED Applicant
AND	LEILANI MAREE PEPPER First Respondent
AND	GEOFFREY VICTOR COOPER Second Respondent
AND	OCEANIA INSURANCE BROKERS LIMITED Third Respondent

Hearing: On the papers

Appearances: J Baigent and A Birkinshaw, counsel for applicant
S Laphorne and D Thompson, counsel for respondents

Judgment: 12 January 2024

CONSENT JUDGMENT OF JUDGE KATHRYN BECK

[1] The court has issued a judgment in this matter. The only outstanding issue in the proceeding is costs¹.

¹ *P.I.C. Insurance Brokers Ltd v Pepper* [2023] NZEmpC 195.

[2] In the judgment, the Court upheld the application for pre-commencement discovery against the respondents and made orders against the respondents (Discovery Orders). The parties were invited to attempt to reach agreement on costs.

[3] The parties have reached a settlement in respect of the dispute to which this proceeding relates (Settlement).

[4] Pursuant to the Settlement, the parties have agreed to take no further steps in relation to the Discovery Orders or the issue of costs of this proceeding unless and until there is any breach of the Settlement.

[5] A joint memorandum of the parties seeks that the agreement be recorded by way of consent orders.

[6] I make the following orders by consent:

- (a) Costs are reserved.
- (b) The respondents are excused from compliance with the discovery timetable.
- (c) The respondents are excused from compliance with the costs timetable.
- (d) The applicant may apply for determination of the costs claim and/or enforcement of the Discovery Orders subject to [4] above.

Kathryn Beck
Judge

Judgment signed at 1.15 pm on 12 January 2024