

Reference No. HRRT 021/2017

UNDER THE HUMAN RIGHTS ACT 1993

BETWEEN EUNJUNG CHO

Plaintiff

AND JUKYUNG LEE

First defendant

AND JK & BW LIMITED

Second defendant

AND SEUNG JAE SONG

Third defendant

CONT.

AT WELLINGTON – ON THE PAPERS

BEFORE:

Mr RPG Haines QC, Chairperson

Ms GJ Goodwin, Member

Mr RK Musuku, Member

REPRESENTATION:

Mr F Everard for plaintiff

Mr E Hong for first defendant

DATE OF HEARING: Heard on the papers

DATE OF DECISION: 16 May 2017

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DECISION OF TRIBUNAL GRANTING DEFENDANT EXTENSION OF TIME  
FOR FILING STATEMENT OF REPLY<sup>1</sup>

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<sup>1</sup> [This decision is to be cited as: Cho v Lee (Extension of Time) [2017] NZHRRT 19]

**AND**

**PYUNG-HYE SONG**

**Fourth defendant**

**AND**

**AYE NZ LIMITED**

**Fifth defendant**

## **Background**

[1] Regulation 15(1) of the Human Rights Review Tribunal Regulations 2002 provides that a defendant who intends to defend proceedings must, within 30 days after the day on which the notice of proceedings is served on him or her, file in the office of the Tribunal a statement of reply to the plaintiff's claim and must serve a copy of the statement of reply on the plaintiff and any other party.

[2] By application dated 28 April 2017 the first defendant has sought an extension of time for filing a statement of reply until 19 May 2017. The grounds of the application are:

[2.1] The solicitors for the first defendant have only one Korean speaking lawyer and that person was on annual leave until 24 April 2017.

[2.2] While a statement of reply is now in preparation the first defendant is still awaiting release of the relevant files from his previous lawyer who is no longer in practice.

[2.3] Additional time is required given the need for extensive translation of instructions and evidence from Korean to English.

[2.4] The first defendant is experiencing severe health issues.

[3] The solicitor for the plaintiff has notified the Tribunal the application is not opposed.

[4] In these circumstances the application for extension of time is granted.

## **Order**

[5] The time for the first defendant to file a statement of reply is extended to 5pm on Friday 19 May 2017.

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**Mr RPG Haines QC**  
**Chairperson**

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**Mr GJ Goodwin**  
**Member**

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**Mr RK Musuku**  
**Member**