

IN THE HIGH COURT OF NEW ZEALAND
ROTORUA REGISTRY
I TE KŌTI MATUA O AOTEAROA
TE ROTORUA-NUI-A-KAHUMATAMOMOE ROHE

CIV-2025-463-_____

Between **TAMATI KRUGER as trustee of TŪHOE – TE URU
TAUMATUA TRUST**
First Plaintiff

And **TŪHOE TRUST CUSTODIAN TRUSTEE COMPANY LTD**
Second Plaintiff

And **DONNA MASON**
First Defendant

And **RITCHIE CONTRACTING LTD**
Second Defendant

And **ALAN MAURICE RITCHIE**
Third Defendant

And **PERSONS UNKNOWN**
Fourth Defendant

UNDERTAKING AS TO DAMAGES

Dated: 18 February 2025

Solicitor acting:

BUDDLE FINDLAY

Barristers and Solicitors, Wellington

Solicitor Acting: **Paul Beverley**

Email: paul.beverley@buddlefindlay.com

Tel 64 4 462 0406 Fax 64 4 499 4141 PO Box
2694 DX SP20201 Wellington 6011

Counsel instructed:

MRG van Alphen Fyfe

Stout Street Chambers

Monique.vanalphenfyfe@stoutstreet.co.nz

Tel 021 489 289

PO Box 117, Wellington 6140

UNDERTAKING AS TO DAMAGES

1. The plaintiffs, TAMATI KRUGER as trustee of TŪHOE – TE URU TAUMATUA TRUST and TŪHOE TRUST CUSTODIAN TRUSTEE COMPANY LTD, undertake to the Court that, should one or any of the defendants sustain damage as a result of the granting of the orders sought in the plaintiffs' application for an interlocutory injunction, being damage which in the opinion of the Court the plaintiffs ought to pay, the plaintiffs will comply with any order of the Court for the payment of damages.

Dated: 18 February 2025



Tamati Kruger

Chairman, Tūhoe – Te Uru Taumatua Trust

Director, Tūhoe Trust Custodian Trustee Company Ltd