

IN THE HIGH COURT OF NEW ZEALAND
ROTORUA REGISTRY

I TE KŌTI MATUA O AOTEAROA
TE ROTORUA-NUI-A-KAHUMATAMOMOE ROHE

CIV-2025-463- 19

Between **TAMATI KRUGER AS TRUSTEE OF TŪHOE – TE URU
TAUMATUA TRUST**, the governance entity for Ngāi Tūhoe,
Taneatua
First Plaintiff

And **TŪHOE TRUST CUSTODIAN TRUSTEE COMPANY LTD**,
an incorporated company having its registered office at 12
Tūhoe Street, Taneatua
Second Plaintiff

And **DONNA MASON**, occupation unknown, Ōmuriwaka
First Defendant

And **RITCHIE CONTRACTING LTD**, an incorporated company
having its registered office at 502 Reid Road, RD 7,
Papamoa
Second Defendant

And **ALAN MAURICE RITCHIE**, director, Papamoa
Third Defendant

And **PERSONS UNKNOWN**
Fourth Defendant

NOTICE OF PROCEEDING

Dated: 19 February 2025

BUDDLE FINDLAY

Barristers and Solicitors
Wellington

Solicitor Acting: **Paul Beverley**
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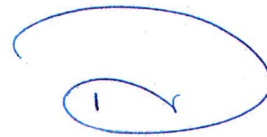
Counsel Instructed: **MRG van Alphen Fyfe**
Stout Street Chambers
Email: Monique.vanalphenfyfe@stoutstreet.co.nz
Tel 021 489 289 PO Box 117, Wellington 6140

To the Defendants:

This document notifies you that you must file in this registry of the court a statement of defence to the plaintiffs' claim (a copy of which is served with this notice). You must do this within 25 working days after the date on which you have been served with this notice. If you do not, the plaintiff may at once proceed to judgment on the plaintiffs' claim, and judgment may be given in your absence.

If a trial of the proceeding is necessary, it will be held in this court at Rotorua at a time to be fixed by the court.

Date: 19 February 2025



Paul Beverley

Solicitor for the first and second plaintiffs

If you file a statement of defence in the court, you must also provide the plaintiffs with initial disclosure of documents in accordance with [rule 8.4](#).

If you file a statement of defence in the court, you will be notified of the date and time of the first case management conference.

The purpose of the conference is to assist the parties in the just, speedy, and inexpensive determination of the proceeding, to make directions as to the conduct of the proceeding, and, where practicable, to make interlocutory orders. The parties will also be assisted to identify, define, and refine the issues in dispute.

You must prepare for and attend the first case management conference. You will be expected to have discussed with the plaintiff the matters set out in [Schedule 5](#) of the High Court Rules. You or your solicitor must file a memorandum relating to the procedural matters set out in [rule 7.3](#) of the High Court Rules.

Date: 25 February 2025

(Registrar/Deputy Registrar)



Lesley Taare
Deputy Registrar
Rotorua High/District Court

Note: Please carefully read the memorandum attached to this notice.

Memorandum

Advice

1. Although you do not have to employ a solicitor for the purpose of this proceeding, it is recommended that you consult a solicitor about this matter immediately. However, a company or other corporation that wants to defend this proceeding or appear at any hearing must consult a solicitor immediately because—
 - (a) it can only carry on a proceeding in the court by a solicitor; and
 - (b) it cannot appear to conduct a proceeding except by counsel (unless there are exceptional circumstances).

Legal aid

2. If you cannot afford to meet the cost of the proceeding, you may be entitled to assistance under the [Legal Services Act 2011](#) and regulations made under that Act.
3. The plaintiffs are not in receipt of legal aid for the purpose of this proceeding.

Statement of defence

4. If the last day for filing your statement of defence falls on a day on which the registry of the court is closed, you may file your statement of defence on the next day on which that registry is open.
5. In calculating the time for filing your statement of defence you must disregard the period that commences with 25 December and ends with 15 January.
6. If you file a statement of defence, you must serve a copy of it on the plaintiffs and on any other defendant who has given an address for service. This must be done within the same period of time you have for filing the statement of defence.

Counterclaim

7. If you have a counterclaim against the plaintiffs, you must file a statement of that counterclaim in the registry of the court, and serve it on the plaintiffs and on any other person against whom the same claim is made. This must

be done within the same period of time you have for filing a statement of defence.

Witnesses

8. Summonses for the attendance of witnesses will be issued on application at the registry of the court.

Registry hours

9. The registry hours of the court are from 9 am to 5 pm, except on court holidays.

Date: 25 February 2025

Signature: 
(Registrar/Deputy Registrar)

Lesley Taare
Deputy Registrar
Rotorua High/District Court