



Employment Court of New Zealand

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Fat Prophets (NZ) Pty Limited v Gulati [2018] NZEmpC 96 (14 August 2018)

Last Updated: 20 August 2018

IN THE EMPLOYMENT COURT
AUCKLAND

[\[2018\] NZEmpC 96](#)
EMPC 150/2018

IN THE MATTER OF	A challenge to a determination of the Employment Relations Authority
BETWEEN	FAT PROPHETS (NZ) PTY LIMITED Plaintiff
AND	KARAN GULATI First Defendant
AND	VISHAL RATHOD Second Defendant

Hearing: On the papers
Appearances: T Cleary, counsel for the plaintiff
D Fleming, counsel for the defendants
Judgment: 14 August 2018

CONSENT JUDGMENT OF JUDGE K G SMITH

[1] The parties have reached agreement on all matters between them, and seek a consent judgment recording the terms of their agreement. By consent and pursuant to [s 183\(2\)](#) of the [Employment Relations Act 2000](#) (the Act), the 27 April 2018 determination¹ of the Employment Relations Authority on this matter and the costs determination of 19 June 2018² are set aside and this judgment stands in their place.

[2] The parties wish it to be noted that they each maintain their respective positions in terms of the issues that were before the Authority. No admission is made by either

1 *Gulati v Fat Prophets (NZ) Pty Ltd* [2018] NZERA Auckland 130.

2 *Gulati v Fat Prophets (NZ) Pty Ltd* [2018] NZERA Auckland 194.

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party about whether a promise was made to pay commission to the defendants. In all other respects, the terms of settlement remain confidential to the parties.

[3] An order is made under cl 12(2) of sch 3 to the Act prohibiting the publication of the contents of the agreed terms of settlement unless publication is necessary for the purposes of enforcing that agreement or this judgment.

[1] By agreement costs lie where they fall.

Judgment signed at 12.40 pm on 14 August 2018

K G Smith Judge

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