

**NOTE: This determination  
contains an order prohibiting  
publication of certain  
information**

**IN THE EMPLOYMENT RELATIONS AUTHORITY  
AUCKLAND**

**I TE RATONGA AHUMANA TAIMAHI  
TĀMAKI MAKĀURAU ROHE**

[2020] NZERA 329  
3077373  
3079461

BETWEEN	KENT JULVE Applicant in 3077373 Respondent in 3079461
AND	STROUDE LIMITED Respondent in 3077373 Applicant in 3079461

Member of Authority:	Nicola Craig
Representatives:	Kent Julve in person June Hardacre, counsel for Stroude Limited
Investigation Meeting:	On the papers
Date of Determination:	20 August 2020

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**CONSENT DETERMINATION OF THE AUTHORITY**

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**Employment Relationship Problem**

[1] The parties have advised the Authority that they have reached an agreed settlement of all issues between them. The terms and conditions of their settlement have been recorded in a confidential settlement agreement signed by the parties (the Settlement).

[2] By consent, the terms of the Settlement now become orders of the Authority and as such are final, binding and enforceable.

[3] The parties have asked the Authority to issue this consent determination as well a non-publication order to ensure the terms of the Settlement are kept confidential, except as regards the following paragraph.

[4] The parties agree that the following be recorded in this determination:

- (a) Kent Julve breached his employment agreement with Stroude Limited (Stroude) when he copied confidential information to his personal drive. The confidential information was 63 technical spreadsheets that had been developed by Stroude. This information was later provided by Mr Julve to Stroude's legal counsel; and
- (b) the parties resolved matters between themselves by way of a confidential settlement agreement which incorporates undertakings from Mr Julve that he will comply with the obligations he owes to Stroude and will not use or disclose the confidential information, and that he has ceased actions in breach of his obligations and has delivered up all confidential information and intellectual property in his possession.

#### **Non-publication order**

[5] For the purposes of preserving confidentiality, the Authority pursuant to clause 10 of the Second Schedule of the Employment Relations Act 2000 orders that the terms and content of the Settlement are subject to a non-publication order, except as set out above in paragraph 4 and as may be necessary for enforcement.

[6] For the sake of completeness, it is recorded that the non-publication order made by the Authority in its previous determination regarding information lodged by Stroude remains in force.<sup>1</sup>

**Nicola Craig**  
**Member of the Employment Relations Authority**

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<sup>1</sup> *Stroude Limited v Kent Julve* [2020] NZERA 130.