



Employment Court of New Zealand

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Mende Biotech Limited v Mende [2022] NZEmpC 105 (20 June 2022)

Last Updated: 26 June 2022

IN THE EMPLOYMENT COURT OF NEW ZEALAND WELLINGTON

I TE KŌTI TAKE MAHI O AOTEAROA TE WHANGANUI-A-TARA

[\[2022\] NZEmpC 105](#)

EMPC 87/2022

IN THE MATTER OF	a challenge to a determination of the Employment Relations Authority
AND IN THE MATTER OF	an application for a stay of execution
BETWEEN	MENDE BIOTECH LIMITED Plaintiff
AND	DOUGLAS ANTHONY MENDE Defendant

Hearing: On the papers

Appearances: M Osmond, advocate for plaintiff
J Parker, counsel for defendant

Judgment: 20 June 2022

CONSENT INTERLOCUTORY JUDGMENT OF JUDGE K G SMITH

(Application for a stay of execution)

[1] On 21 February 2022 the Employment Relations Authority ordered Mende Biotech Ltd to pay outstanding wages and holiday pay to Douglas Mende.¹

[2] Mende Biotech has challenged that determination.

[3] By consent the parties have asked the Court to make orders staying execution of the Authority's determination on the basis that the amount of \$35,228.11 is paid to the Registrar of this Court pending the outcome of the challenge.

¹ *Mende v Mende Biotech Ltd* [\[2022\] NZERA 46](#) ([Member](#) Loftus).

MENDE BIOTECH LIMITED v DOUGLAS ANTHONY MENDE [\[2022\] NZEmpC 105](#) [20 June 2022]

[4] I am satisfied it is appropriate for an order to be made. There will be an order staying execution of the determination of the Authority on the following conditions:

- (a) The plaintiff is to pay \$35,228.11 to the Registrar of the Court within 7 days of the date of this judgment.
- (b) The amount referred to in (a) is to be held by the Registrar in an interest-bearing account pending further order of the Court or agreement in writing by the parties.
- (c) Leave is reserved to amend or vary the order.

K G Smith Judge

Judgment signed at 10.15 am on 20 June 2022
