



[5] I have carefully considered counsel's submissions in the light of *Binnie v Pacific Health Limited* [2002] 1 ERNZ 438; *Victoria University v Alton Lee* [2001] ERNZ 305 and *Harwood v Next Homes Ltd* unrep. AC 70/03 19 December 2003, Travis J.

[6] On behalf of his client, counsel seeks a contribution of 80 per cent of the costs incurred by Hampidjan which would amount to \$31,172.30. In addition he seeks reimbursements as detailed above.

***The determination***

[7] This was an uncommon matter of significant complexity which required considerable input from a range of professional advisors with specialist skills. It is accepted that the respondent engaged such advisors and analysts to properly defend itself against the applicant's allegations and to effectively present its challenge to the Authority's jurisdiction.

[8] While the investigation meeting took only one day, the extensive research, the distance and language issues indicate that a multiplier approach would be inappropriate in this case.

[9] Having weighed the issues I believe it just to award the respondent the sum of \$27,275.00 as a contribution to its reasonably incurred costs and full disbursements of \$11,509.68.

[10] The applicant is ordered to pay the respondent the sum of \$38,784.68.

Paul Montgomery  
Member of Employment Relations Authority