

Under the Employment Relations Act 2000

**BEFORE THE EMPLOYMENT RELATIONS AUTHORITY
AUCKLAND OFFICE**

BETWEEN Gregory Paul Sinclair (Applicant)
AND Local Media Group Limited (Respondent)
REPRESENTATIVES Roger Bowden, Counsel for Applicant
Phillip Howard-Smith, Counsel for Respondent
MEMBER OF AUTHORITY R A Monaghan
DATE OF DETERMINATION 3 April 2006

DETERMINATION OF THE AUTHORITY ON COSTS (NO 2)

[1] In a determination dated 7 March 2006 in the above, I declined an application to reopen the circumstances leading to a determination of costs dated 8 February 2006. Counsel for Local Media Group Limited now seeks a contribution of \$500 to the costs of the unsuccessful application to reopen. Counsel for Mr Sinclair has not commented.

[2] I agree the application to reopen was unmeritorious, and that LMG incurred further unnecessary costs in replying to it. However the difficulty was caused by the failure of counsel for Mr Sinclair to file submissions when he should have. I am not prepared to visit the result of that on Mr Sinclair.

[3] For that reason there will be no order for costs in respect of the application to reopen.

R A Monaghan
Member, Employment Relations Authority