



# Employment Court of New Zealand

You are here: [NZLII](#) >> [Databases](#) >> [Employment Court of New Zealand](#) >> [2025](#) >> [\[2025\] NZEmpC 68](#)

[Database Search](#) | [Name Search](#) | [Recent Decisions](#) | [Noteup](#) | [LawCite](#) | [Download](#) | [Help](#)

## Soundhomes NZ Limited v Doughty [2025] NZEmpC 68 (3 April 2025)

Last Updated: 9 April 2025

IN THE EMPLOYMENT COURT OF NEW ZEALAND AUCKLAND

I TE KŌTI TAKE MAHI O AOTEAROA TĀMAKI MAKĀURAU

[\[2025\] NZEmpC 68](#)

EMPC 393/2024

IN THE MATTER OF	an application for a freezing order and ancillary orders
AND IN THE MATTER OF	an application to vary orders
BETWEEN	SOUNDHOMES NZ LIMITED Applicant
AND	PHILIP CARL DOUGHTY First Respondent
AND	PROCLADD EXTERIOR SOLUTIONS LIMITED Second Respondent
AND	BLACKDOG FINISHES LIMITED Third Respondent
AND	PREVENT SERVICES LIMITED Fourth Respondent

Hearing: 3 April 2025  
(Heard at Auckland)

Appearances: J Leenoh, counsel for applicant  
MC Donovan and D Montepara, counsel for  
respondents

Judgment: 3 April 2025

### JUDGMENT (NO 9) OF JUDGE KATHRYN BECK

#### (Application to vary orders)

[1] This proceeding involves freezing and ancillary orders that were made on 4 October 2024, with reasons given by Judge Corkill on 7 October 2024.<sup>1</sup> The

<sup>1</sup> *Soundhomes NZ Ltd v Doughty* [\[2024\] NZEmpC 194](#).

SOUNDHOMES NZ LIMITED v PHILIP CARL DOUGHTY [\[2025\] NZEmpC 68](#) [3 April 2025]

proceeding has come before the Court several times since then. The history is helpfully set out in Judge Corkill's most recent judgment and does not need to be repeated.<sup>2</sup>

[2] On 11 March 2025, I granted the application for an extension of those orders, together with amended ancillary orders, and provided reasons for doing so on 13 March 2025.<sup>3</sup>

[3] I directed that the orders would expire after 4 pm on 4 April 2025. A review hearing was scheduled for today.

[4] While the parties were able to agree on a short extension of the existing orders, they were not able to agree on an amendment to the ancillary orders sought by the applicant.

[5] At the hearing, the applicant sought an amendment to the ancillary orders in relation to Bank of New Zealand (BNZ) bank accounts on the basis that while BNZ had provided information in relation to the suffix 91 bank account, it had not provided the confirmation required by paragraph [10](c) as to whether there were any other accounts in existence. The applicant sought that the orders be amended to impose a three-day timeframe on BNZ to comply.

[6] BNZ is not a party to these proceedings although it is subject to the orders. It is not appropriate to impose such a timeframe without hearing from it first. There may be reasons for the apparent failure to comply to date. In any case, any issues may be able to be resolved between the parties themselves in conjunction with BNZ, as has occurred with earlier issues.

[7] Accordingly, I decline to make the amended order sought. The existing orders are sufficient.

2 *Soundhomes NZ Ltd v Doughty (No 6)* [2024] NZEmpC 252 at [2]–[11].

3 *Soundhomes NZ Ltd v Doughty (No 8)* [2025] NZEmpC 42.

## Outcome

[8] By consent, the existing orders (including the ancillary orders) are extended for one week to allow time for Ms Johnstone, the applicant's accounting expert, to complete her review of the BNZ information that has been provided and for BNZ and the other banks noted in Ms Leenoh's memorandum to comply. If no further issues arise, the freezing order will lapse upon expiry of the extended period.

[9] Accordingly, the orders continue until 4 pm on 11 April 2025, with a review hearing scheduled to take place, if necessary, on 10 April 2025.

[10] The applicant is to provide an updating memorandum to the Court by 10 am on 9 April 2025. If the respondents wish to reply to such memorandum, they must do so by 3 pm on 9 April 2025.

[11] I record that given the requirement to file an updating memorandum, it would be helpful if any response from BNZ in relation to paragraph [10](c) of the previous freezing and ancillary orders could be received before that time.

[12] This judgment and the orders authorised in it are to be served on the banks involved as soon as possible.

[13] Costs are reserved.

Kathryn Beck Judge

Judgment signed at 4.15 pm on 3 April 2025