



Employment Court of New Zealand

You are here: [NZLII](#) >> [Databases](#) >> [Employment Court of New Zealand](#) >> [2023](#) >> [\[2023\] NZEmpC 55](#)

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

THL (2005) v NEN [2023] NZEmpC 55 (5 April 2023)

Last Updated: 12 April 2023

**ORDER FOR NON-PUBLICATION OF NAME AND IDENTIFYING DETAILS
OF THE PARTIES AND EVIDENCE ARE EXTENDED PENDING FURTHER
ORDERS OF THE COURT.**

IN THE EMPLOYMENT COURT OF NEW ZEALAND CHRISTCHURCH

I TE KŌTI TAKE MAHI O AOTEAROA ŌTAUTAHI

[\[2023\] NZEmpC 55](#)
EMPC 430/2022

IN THE MATTER OF	a without notice application for freezing and ancillary orders
BETWEEN	THL (2005) First Applicant
AND	THL (2015) Second Applicant
AND	THL Third Applicant
AND	THL (2019) Fourth Applicant
AND	THL (NZ) Fifth Applicant
AND	NEN First Respondent
AND	MDL Second Respondent

Hearing: 5 April 2023, by telephone

Appearances: M Kilkelly, counsel for applicants
S McKenna, counsel for
respondents

Judgment: 5 April 2023

CONSENT JUDGMENT OF JUDGE J C HOLDEN

THL (2005) v NEN [\[2023\] NZEmpC 55](#) [5 April 2023]

[1] On 19 December 2022, I granted an ex parte application for freezing and ancillary orders pursuant to [s 190\(3\)](#) of the [Employment Relations Act 2000](#) (the Act).¹ I also made an interim non-publication order over the identity of the parties, including their names and any details that would tend to identify them, and over the evidence filed, except as referred to in my judgment.²

[2] The freezing and ancillary orders were to have effect only until 5 pm on Wednesday, 1 February 2023, but, by consent, they were extended to 5 pm on Wednesday, 5 April 2023, at which time they were to lapse unless they were again continued or extended.

[3] A hearing was convened this morning, and I heard from counsel for both parties. The parties are in the process of exploring resolution of all matters. In the meantime, an extension to the current orders was sought by consent. The

timeframe sought for the extension is to align it to timetabling directions made in the Employment Relations Authority (the Authority).

[4] The parties also seek to continue the non-publication order.

[5] Counsel raised an issue regarding the first respondent's ability to obtain financial information from his bank and agreed that it would be appropriate for the Court to clarify that matter.

[6] The following orders are accordingly made:

(a) Unless otherwise ordered by the Court, the freezing and ancillary orders contained in the judgment of 19 December 2022 are extended in their present form until 5 pm on Monday, 14 August 2023. After that time, they will lapse unless they have been further extended or varied.

1 *THL (2005) v NEN* [2022] NZEmpC 235.

2 At [4].

(b) The first respondent may continue to use the account nominated by him and approved by the Court in its Minute dated 23 December 2022.

(c) If the matter is not resolved between the parties, the case will be called again in Court at 9.30 am on Monday, 14 August 2023 for the purpose of reviewing the orders.

(d) The non-publication order made continues pending further order of the Court.

[7] For clarity, the orders made by the Court do not prevent the first respondent from obtaining information regarding his bank accounts, including bank statements and transaction histories, from the banks where his accounts are held, nor do they prevent those banks from supplying that information.

[8] Costs are reserved.

J C Holden Judge

Judgment signed at 2.15 pm on 5 April 2023