



# New Zealand Employment Relations Authority Decisions

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## Webwonks Limited v Poninghaus (Auckland) [2016] NZERA 429; [2016] NZERA Auckland 311 (13 September 2016)

Last Updated: 1 December 2016

**Attention is drawn to the order prohibiting publication of certain information in this determination**

**IN THE EMPLOYMENT RELATIONS AUTHORITY AUCKLAND**

**[2016] NZRA Auckland 311**  
5639047

BETWEEN WEBWONKS LIMITED Applicant  
AND STEFAN PONINGHAUS First Respondent  
BEYOND D (NZ) LIMITED T/A FIRST DIGITAL

Second Respondent

Member of Authority: T.G.Tetitaha

Representatives: R Upton, counsel for Applicant

G Finnigan, counsel for Respondent

Investigation Meeting: On the papers

Determination: 13 September 2014

**CONSENT DETERMINATION OF THE AUTHORITY**

[1] Webwonks Limited has filed urgent proceedings against Stefan Poninghaus and Beyond D (NZ) Limited trading as First Digital seeking to enforce a non-compete provision in Mr Poninghaus' employment agreement.

[2] The parties attended urgent mediation and have resolved matters. Part of the resolution is that Stefan Poninghaus has agreed to honour aspects of the non-compete provision, among other things. Beyond that the terms are intended to be strictly confidential.

[3] The terms of settlement annexed to this determination contains the orders of the Authority.

[4] Pursuant to clause 10 of Schedule 2 of the [Employment Relations Act 2000](#), there is an order that the contents of the annexed terms of settlement are to be kept confidential to the parties. They may not be published in any form by any person.

[5] This determination is enforceable under [s 137\(1\)\(b\)](#) of the Employment Relations Act 2000.

**TG Tetitaha**

**Member of the Employment Relations Authority**

