



# Employment Court of New Zealand

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## Yu v Joe and Zhou Limited [2022] NZEmpC 214 (29 November 2022)

Last Updated: 2 December 2022

IN THE EMPLOYMENT COURT OF NEW ZEALAND AUCKLAND

I TE KŌTI TAKE MAHI O AOTEAROA TĀMAKI MAKĀURAU

[\[2022\] NZEmpC 214](#)

EMPC 216/2022

IN THE MATTER OF a challenge to a determination of  
the Employment Relations  
Authority  
BETWEEN NIANHUAI YU  
First Plaintiff  
AND YULAN LUO  
Second Plaintiff  
AND JOE AND ZHOU LIMITED  
First Defendant  
AND YANSHAN ZHOU  
Second Defendant  
AND GEE LON JOE  
Third Defendant

**EMPC 320/2022**

AND IN THE MATTER OF an application for leave to extend time  
to file a challenge to a determination  
of the Employment Relations Authority  
BETWEEN JOE AND ZHOU LIMITED  
First Plaintiff  
AND YASHAN ZHOU  
Second Plaintiff  
AND GEE LON JOE  
Third Plaintiff  
AND NIANHUAI YU  
First Defendant  
AND YULAN LUO  
Second Defendant

Hearing: On the papers

NIANHUAI YU v JOE AND ZHOU LIMITED [\[2022\] NZEmpC 214](#) [29 November 2022]

Appearances: D Kim, advocate for Nianhuai Yu and Yulan Luo  
P Zheng, counsel for Joe and Zhou Ltd, Yanshan Zhou and  
Gee Lon Joe

Judgment: 29 November 2022

CONSENT JUDGMENT OF JUDGE K G SMITH

[1] These proceedings are a challenge to a substantive determination and an application to extend time to file a challenge.<sup>1</sup>

[2] By joint memorandum the parties have informed the Court that they have reached agreement on how these proceedings should be resolved and have sought orders by consent.

[3] By consent I order that:

- (a) the determination is set aside and this judgment stands in its place; and
- (b) the proceedings are discontinued with no issue as to costs.

K G Smith Judge

Judgment signed at 3.15 pm on 29 November 2022

1 *Yu v Joe and Zhou Ltd* [2022] NZERA 248 (Member Fuiava).

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