

**IN THE HIGH COURT OF NEW ZEALAND  
WELLINGTON REGISTRY**

**I TE KŌTI MATUA O AOTEAROA  
TE WHANGANUI-Ā-TARA ROHE**

**CIV-2011-485-000789**

UNDER THE Marine and Coastal Area (Takutai Moana) Act 2011

IN THE MATTER OF an application by CATHERINE MARJORIE  
CLARKSON & ORS for Customary Marine Title

Hearing: 19 December 2018 (via AVL at Wellington)

Counsel: No appearance for Ms Clarkson  
C B Hirschfeld and B Tupara for Te Hika o Papaūma  
L H Watson for Ngāti Kere Hapū  
J P Ferguson for Ngāti Kahungunu ki Wairarapa Tāmaki nui-a-Rua  
Settlement Trust  
C M Bollen for the Trustees of the Rangitāne Tū Mai Rā Trust  
J Mason for CM Paul  
G E Sharrock for R Dargaville for New Zealand Māori Council  
G L Melvin and Y Moinfar-Yong for Attorney-General

Hearing: 7 February 2019 (via AVL at Wellington)

Counsel: J A Hope for Applicant  
L H Watson for Ngāti Kere Hapū  
C M Bollen for the Trustees of the Rangitāne Tū Mai Rā Trust  
C B Hirschfeld for Te Hika o Papaūma  
M C L Tukapua for Ngāti Kahungunu ki Wairarapa Tamaki nui-a-Rua  
S R K Collinson for CM Paul  
G E Sharrock for R Dargaville for New Zealand Māori Council  
G L Melvin for Attorney-General

Minute: 12 February 2019

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**MINUTE OF COLLINS J  
[Application by CM Clarkson & Ors]**

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[1] I conducted the second case management conference in relation to Ms Clarkson's proceeding in two phases, the first on 19 December 2018 and the second on 7 February 2019. Transcripts for the hearings will be available online.

[2] I convened the case management conference because of delays that had been incurred by Ms Clarkson failing to adhere to timetables to have her evidence filed by 18 October 2018 in order to preserve the fixture that was set down in the Wellington High Court for the two-week period commencing 15 July 2019.

[3] In the last few days, Ms Clarkson has now briefed Mr Hope to appear as her counsel. The Court records its gratitude to Mr Hope being willing to accept instructions.

[4] Unfortunately, whilst Ms Clarkson has filed some evidence, she has not filed all of the evidence in accordance with the Court's timetable. Mr Hope will devote energies to ensuring that all of Ms Clarkson's evidence is filed and served by **18 April 2019**.

[5] The delays in obtaining all of the evidence for Ms Clarkson means that overlapping applicants will not be able to respond in sufficient time to preserve the hearing scheduled for 15 July 2019. Nor will the Crown and interested parties who are not applicants be in a position to be able to meaningfully participate in the hearing.

[6] I am therefore vacating the fixture previously set down to commence on 15 July 2019.

[7] A new date will be organised by the Registrar to take place in mid-2020 if possible.

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**D B Collins J**

Solicitors:

CG Law Ltd, Mt Maunganui for Applicant

Foster Milroy Solicitors, Hamilton for Te Hika o Papaūma

Leo Watson, Napier for Ngāti Kere Hapū

Kahui Legal, Wellington for Ngāti Kahungunu ki Wairarapa Tamaki nui-a-Rua

McCaw Lewis, Hamilton for the Trustees of Te Rangitāne Tū Mai Rā Trust

Phoenix Law Limited, Wellington for CM Paul and R Dargaville for New Zealand Māori Council

Crown Law Office, Wellington for Attorney-General