

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

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

CIV-2011-485-817

IN THE MATTER OF the Marine and Coastal Area
 (Takutai Moana) Act 2011

IN THE MATTER OF an application for an order
 recognising Customary Marine Title
 and Protected Customary Rights

BY the late Claude Augustin Edwards
 (deceased), Adriana Edwards and
 others on behalf of **Te Whakatōhea**

On the papers:

Counsel: T Sinclair for Whakatōhea (CIV-2011-485-817)
 R Siciliano for Te Whānau a Mokomoko (CIV-2017-485-253)
 E Whiley for Ngāti Patumoana (CIV-2017-485-253)
 C Linstead-Panoho for Ngāi Tamahaua hapū (CIV-2017-485-
 377), Te Hapū Titoko o Ngāi Tama (CIV 2017-485-377),
 Ririwhenua hapū (CIV-2017-485-272) and Ngāi Tai (CIV-2017-
 485-270)
 A Sykes for Ngāti Ira o Waioweka Rohe (CIV 2017-485-299)
 R Zwaan for Te Upokorehe (CIV-2017-485-201)

Minute: 29 November 2019

MINUTE (NO 5) OF CHURCHMAN J

[1] In accordance with the timetable directions made on 27 August 2019, the applicants' evidence was to be filed no later than 5pm on 18 November 2019. Some, but not all, of the affidavits have been filed.

[2] By a joint memorandum on behalf of eight other applicants (the Other Applicants) dated 29 November 2019, the Other Applicants have sought a variation to the timetable order to accommodate the late filing of some of the Whakatōhea applicants' evidence.

[3] Counsel for the Whakatōhea applicants, by email, has confirmed agreement to the proposal set out in [3] and [4] of the Other Applicants' memorandum.

[4] Accordingly, the timetable directions dated 27 August 2019 are varied as follows

- (a) those overlapping applicants who are part of the Whakatōhea Kotahitanga Waka will file and serve their evidence no later than **5 pm, 30 January 2020**;
- (b) all other overlapping applicants will file and serve their evidence no later than **5 pm, 30 January 2020**;
- (c) any interested parties who wish to file evidence will file and serve it no later than **5 pm, 31 March 2020**;
- (d) the Crown will file and serve its evidence by **5 pm, 26 May 2020**;
- (e) the applicant will file and serve any evidence in reply to the evidence of the overlapping applicants or the Crown by **5 pm, 28 July 2020**;
- (f) any overlapping applicants who wish to file and serve evidence in reply to the Crown will do so by **5 pm, 28 July 2020**; and
- (g) no further evidence in chief from the Whakatōhea applicants will be filed after 29 November 2019, save for reply evidence in accordance with the amended timetable set out above.

Churchman J