

IN THE SUPREME COURT OF NEW ZEALAND

**SC 25/2006
[2006] NZSC 35**

BETWEEN PAPER RECLAIM LIMITED
 Appellant

AND AOTEAROA INTERNATIONAL
 LIMITED
 Respondent

SC 28/2006

BETWEEN AOTEAROA INTERNATIONAL
 LIMITED
 Appellant

AND PAPER RECLAIM LIMITED
 Respondent

Court: Blanchard, Tipping and McGrath JJ

Counsel: G J Judd QC and A G Rowe for Paper Reclaim Limited
 A F Grant and A A Sinclair for Aotearoa International Limited

Judgment: 2 June 2006

JUDGMENT OF THE COURT

Leave is granted to appeal on the following grounds:

In SC 25/2006

- A. Whether the Court of Appeal erred in its approach to the damages to be awarded to Aotearoa.**

In SC 28/2006

- B. Whether the Court of Appeal erred in fixing the length of the required notice at 12 months.**
- C. Whether the Court of Appeal erred in holding that the fiduciary cause of action added nothing from the point of view of the remedies to which Aotearoa was entitled.**
- D. Whether the Court of Appeal erred in amending the costs order made by the High Court.**

REASONS

[1] We are not satisfied that leave should be granted to appeal the Court of Appeal's conclusions in relation to the question of exporting via Carter Holt. That issue is particular to the facts of the present case and does not, in our view, raise any matter of general or public importance or of any general commercial significance.

[2] The application for leave to appeal on that ground is therefore declined. Costs are reserved.

Solicitors:
Morrison Kent, Auckland for Paper Reclaim Limited
Wells & Co, Auckland for Aotearoa International Limited