

IN THE HIGH COURT OF NEW ZEALAND
ROTORUA REGISTRY
I TE KŌTI MATUA O AOTEAROA
TE ROTORUA-NUI-A-KAHUMATAMOMOE ROHE

CIV-2025-463-019

Between **TAMATI KRUGER as trustee of TŪHOE – TE URU
TAUMATUA TRUST**
First Applicant/ Plaintiff

And **TŪHOE TRUST CUSTODIAN TRUSTEE COMPANY LTD**
Second Applicant/ Plaintiff

And **DONNA MASON**
First Respondent/ Defendant

And **RITCHIE CONTRACTING LTD**
Second Respondent/ Defendant

And **ALAN MAURICE RITCHIE**
Third Respondent/ Defendant

And **PERSONS UNKNOWN**
Fourth Respondents/ Defendants

INTERLOCUTORY ORDER



Solicitor acting:

BUDDLE FINDLAY

Barristers and Solicitors, Wellington

Solicitor Acting: **Paul Beverley**
Email: paul.beverley@buddlefindlay.com
Tel 64 4 462 0406 Fax 64 4 499 4141 PO Box
2694 DX SP20201 Wellington 6011

Counsel instructed:

MRG van Alphen Fyfe

Stout Street Chambers
Monique.vanalphenfyfe@stoutstreet.co.nz
Tel 021 489 289
PO Box 117, Wellington 6140

To: the first respondent/defendant, the second respondent/defendant, the third respondent/defendant, and the fourth respondents/defendants

1. The interlocutory applications made by the applicants, Tamati Kruger as trustee of Tūhoe – Te Uru Taumatua Trust and Tūhoe Trust Custodian Trustee Company Ltd, on 21 February 2025 and 28 February 2025 were determined by the Honourable Justice Wilkinson-Smith on 6 March 2025.
2. The determination was made following a hearing held on 6 March 2025. SA Barker and MRG van Alphen Fyfe appeared for the applicants, OV Collette-Moxon appeared for the first respondent, and the third respondent appeared in person.
3. The following orders were made:
 - (a) A continuation of the orders made by McQueen and Gardiner J pending further order of the Court.
 - (b) Any party either named or served with or affected by the orders may apply to set aside or vary any of those orders upon three working days' notice to the other parties.
 - (c) The second and third respondents must by 5pm on Tuesday 11 March 2025 serve on the applicants an affidavit identifying:
 - (i) All assets that the second and third respondents own, and the location of those assets. This includes any bank accounts in the names of the second and third respondents (including joint accounts).
 - (ii) The quantity of timber harvested in the Matahi Forest, details of any contracts entered into for the harvesting of timber, or the sale or disposal of harvested timber, the identities of any purchaser or contractors, and details of any payments received in relation to the sale or disposal of timber.
 - (d) Any application under s 30 of Te Ture Whenua Māori Act to advise or determine representation of Ngāi Tama Tuhirae and/or Ōmuriwaka Marae to be made by 7 April 2025.
 - (e) If the third defendant Mr Alan Ritchie does not swear, file and serve the affidavit referred to above by 5 pm on Tuesday 11 March 2025, Mr



Ritchie will be barred from taking any further steps in the proceeding until the order is complied with (but must continue to comply with court orders relating to the proceeding).

- (f) The freezing orders issued by Gardiner J are varied to include joint accounts so that the order reads at 4:
 - (i) This freezing order is made in respect of any funds held in any and all bank accounts (including joint accounts) in the names of the first to third respondents, or Ōmuriwaka Māori Incorporation or Ōmuriwaka Incorporation, in New Zealand with any bank or financial institution, up to a maximum aggregate sum of \$1 million.

7 March 2025



P L J Peters
Deputy Registrar



APPENDIX 1

Matahi Forest Map

