

UNDER section 174 of the Companies Act 1993
IN THE MATTER of the Muse on Allen Restaurant
BETWEEN **JOZSEF GABOR SZEKELY**
Plaintiff
AND **MUSE ON ALLEN LIMITED**
First Defendant
AND **SAMUEL RAYMOND NORTH**
Second Defendant
AND **DEBBIE VIVIAN NORTH**
Third Defendant
AND **MALCOLM LESLIE NORTH**
Fourth Defendant

THIRD URGENT MEMORANDUM OF COUNSEL FOR THE FIRST DEFENDANT

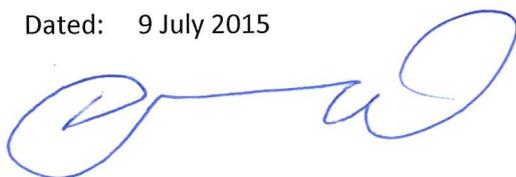
Dated: 9 July 2015

Judicial Officer: Unknown

MAY IT PLEASE THE COURT:

1. In this memorandum, I refer to:
 - 1.1. His Honour Justice Williams' minute dated 3 July 2015; and
 - 1.2. the affidavit of Judith Louella Jane Burge sworn 9 July 2015.
2. His Honour Justice Williams stated at paragraph [2] of his minute that "the plaintiff is warned that he must desist from allowing any further disclosure and procure his private investigator from doing the same".
3. I brought this order to Grace Haden's attention by way of email, copied to the Court Registrar, on that same date.
4. However, despite this clear order from the Court, Ms. Haden has seen fit to further proliferate the First Defendant's confidential documents via a website (transparency.net.nz) operated by another corporate entity of hers, Transparency New Zealand.
5. The details of this further disclosure are set out in the affidavit of Judith Louella Jane Burge filed in conjunction with this memorandum.
6. In my submission, these actions show a flagrant disregard for the authority of this honourable Court.
7. I respectfully request that the Court immediately:
 - 7.1. order Ms. Haden and Transparency New Zealand Limited to remove the article in question and all other documents relevant to this proceeding from the website "transparency.net.nz";
 - 7.2. order Ms. Haden, Transparency New Zealand Limited, the Plaintiff, or other persons or entities associated with them to refrain from making any further disclosure of documents relevant to this proceeding at least until the matter has been determined at the hearing set down for 22 July 2015;
 - 7.3. order Ms. Haden, Transparency New Zealand Limited, and the Plaintiff to immediately file an affidavit providing a full list of parties to whom they, or other persons or entities associated with them, have disclosed documents relevant to this proceeding; and
 - 7.4. sanction the Plaintiff and Ms. Haden as the Court sees fit for this clear breach of Court orders.

Dated: 9 July 2015



D M Abricossow
Counsel for the First Defendant