

IN THE DISTRICT COURT
WELLINGTON REGISTRY

CIV NO 2018-085-258

UNDER THE

DEFAMATION ACT 1992

BETWEEN

VIVIENNE KAREN HOLM of 21A Cunliffe Street,
Wellington, Public Servant

Plaintiff

AND

GRACE HADEN of 5 Somes Place, Napier
Superannuant

First Defendant

AND

TRANSPARENCY NEW ZEALAND LIMITED, a duly
incorporated company having its
registered office at 5 Somes Place, Napier

Second Defendant

JOINT AFFIDAVIT OF DOCUMENTS FOR
DEFENDANTS
12 October 2018

Filed by Grace Haden first defendant on her own behalf
and on behalf of the second defendant Transparency
New Zealand Ltd. Both of 5 Somes place Poraiti Napier
0272868239

Grace@Verisure.co.nz

I, Grace Haden of Poraiti, Napier , superannuant , affirm—

1. I am the First Defendant and sole director and shareholder of the Second Defendant.
2. I make this affidavit under an order for standard discovery under rule 8.7 dated 29 August 2018
3. The documents disclosed are or have been in that our control and are—
 - a. Documents on which we rely
 - b. There are no documents that we know of which adversely affect our case
 - c. All of the documents adversely affect the plaintiff's case
 - d. There are no other parties involved
4. We understand the obligations imposed by the discovery order.
5. In order to fulfil those obligations, I have diligently searched for all documents required to be discovered under the discovery order, and I have also made enquiries with the law society, this issue has now been resolved with the Plaintiff having provided the document which removes all doubt.
6. There are relevant documents which are being withheld from me by way of privacy requests By the private security licencing authority and emails which I suspect exist at the MSD which are emails relating to the first defendant written by the second defendant .
7. In the Schedule of this affidavit, I list the documents that I am required to discover.
8. In Part1 of the Schedule, I list other documents known to me that have never been in my control but that I know would be discoverable if I had control of them.
9. To the best of my knowledge and belief, this affidavit is correct in all respects and carries out my obligations under the discovery order.

Affirmed at: Napier

Grace HADEN for herself and for TRANSPARENCY NEW ZEALAND LIMITED

Before me:

12 October 2016

SCHEDULE OF DOCUMENTS for both defendants

1. Law society decision Vivienne Holm 4 July 2011
2. Interview notes Sally Quigley Law society and Holm 11 May 2011
3. Legal complaints decision Holm 11/3/2013
4. Nicholas WRIGHT narrative of facts 1.3.2011
5. Emails from WRIGHT <http://www.transparency.net.nz/wp-content/uploads/2012/07/emails-from-WRIGHT.pdf>
6. Emails from Vivienne PARRE / HOLM <http://www.transparency.net.nz/wpcontent/uploads/2011/04/2-emails-from-vivienne-parre1.pdf>
7. Blog regarding phone call from Netsafe <http://www.transparency.net.nz/2016/12/08/vivienne-holm-seeks-help-fromnetsafe/>,
8. 2017 contact through web blog by HOLM
9. First Defendants response via web site to that contact 10 December 2017
10. January 2018 Complaint by HOLM against first defendants private investigators licence <http://www.transparency.net.nz/wp-content/uploads/2018/03/COMPLAINTDATED-23-JANUARY-2018-1.pdf>,
11. First defendants response to this complaint http://www.transparency.net.nz/wpcontent/uploads/2018/03/response-to-complaint_.pdf
12. Holms submissions to PSLA <http://www.transparency.net.nz/wpcontent/uploads/2018/03/Vivienne-Holm-submissions.pdf>
13. First Defendants response to the PSPLA <http://www.transparency.net.nz/wp-content/uploads/2018/03/submissions-inresponse-.pdf>
14. Emails with regards to the ongoing defamation threat by HOLM <http://www.transparency.net.nz/wpcontent/uploads/2018/03/emails-coa-.pdf>
15. Emails to HOLM attempting to resolve the issue <http://www.transparency.net.nz/wp-content/uploads/2018/09/redress-emails.pdf>
16. Google web page results for Vivienne HOLM showing her motivation for taking defamation action <https://www.lumendatabase.org/notices/16567636>
17. Blog post addressing issue which Holm ignores <http://www.transparency.net.nz/2018/03/19/vivienne-holm-avoids-questions/>
18. Bob Harveys CV <http://www.transparency.net.nz/wp-content/uploads/2012/10/harvey-CV-2007.pdf>
19. Neil WELLS CV
20. Exploring the feasibility of an SPCA type operation being an adjunct of Waitakere City” <http://www.transparency.net.nz/wpcontent/uploads/2012/10/ne-WELLS-26-august-1994.pdf>
21. Waitakere city council document lobbying for legislation <http://www.transparency.net.nz/wpcontent/uploads/2012/10/21-9-1994-wcc1.pdf>
22. Pilot programme <http://www.transparency.net.nz/wp-content/uploads/2012/10/enhancing-animal-welfare.pdf>

23. Tom Didovich affidavit <http://www.transparency.net.nz/wp-content/uploads/2012/03/affidavits-supplied-may-2007-didovich.pdf>
24. Proposal to Waitakere city council <https://anticorruptionnz.files.wordpress.com/2010/01/consultant-for-waitakere-city1.pdf>
25. WELLS accreditation body
26. Graeme Coutts signs constitution for RNZSPCA change
27. Bob Kerridge letter 1995 <http://www.transparency.net.nz/wp-content/uploads/2012/10/spca-1995.pdf>
28. chief Veterinary officer Barry O Neil, approves WELLS <http://www.transparency.net.nz/wp-content/uploads/2012/10/14-june-1995.pdf>
29. pilot contract <http://www.transparency.net.nz/wp-content/uploads/2012/10/pilot-contract.pdf>
30. WELLS invoices <http://www.transparency.net.nz/wp-content/uploads/2012/10/invoices-for-training.pdf>
31. WELLS solicits other councils for the provision of animal welfare services <http://www.transparency.net.nz/wp-content/uploads/2012/10/WELLS-solicits-councils.pdf>
32. WELLS wishes to expand concept <http://www.transparency.net.nz/wp-content/uploads/2012/10/expanding-the-waitakere-pilot.pdf>
33. WELLS business plan for territorial animal welfare services <http://www.anticorruption.co.nz/wp-content/uploads/2012/01/Territorial-authority-Animalwelfare-services.pdf>
34. Neil WELLS volunteers to draft the bill [http://www.transparency.net.nz/wp-content/uploads/2012/10/New-Zealand-Hansard -Wednesday-June-16-1999.pdf](http://www.transparency.net.nz/wp-content/uploads/2012/10/New-Zealand-Hansard-Wednesday-June-16-1999.pdf)
35. WELLS independent advisor to select committee <http://www.anticorruption.co.nz/wp-content/uploads/2012/04/select-committee-report.pdf>
36. Resultant animal welfare act section 121 <http://www.legislation.govt.nz/act/public/1999/0142/59.0/DLM51251.html>
37. Section 122 <http://www.legislation.govt.nz/act/public/1999/0142/59.0/DLM51252.html>
38. Fraudulent application to the crown <http://anticorruptionnz.files.wordpress.com/2012/08/full-application-awinz.pdf>
39. Fraudulent notice of intent <http://www.transparency.net.nz/wp-content/uploads/2012/08/13-notice-of-intent.pdf>
40. Fraudulent funding application <http://www.transparency.net.nz/wp-content/uploads/2012/02/community-well-being-fund.pdf>
41. Gazette notice for fictional organisation <https://gazette.govt.nz/notice/id/2001-go307>
42. Certificate of incorporation 27 April 2006 for trust which the first defendant was a trustee of
43. 21 June 2006 Letter from ministry economic developments
44. 26 June 2006 Letter from Brookfield's to the trustees of the legally incorporated AWINZ http://www.transparency.net.nz/wp-content/uploads/2012/03/LETTER_TRUSTEES.pdf
45. 25 march 2000 letter from WELLS to minister <http://www.transparency.net.nz/wp-content/uploads/2012/03/25-march-2000.pdf>

46. Trust deed AWINZ 1.3.2000 sent to defendants
47. Trust deed 1.3.2000 sent to MAF
48. Incorporation docs Ark angel trust available through societies on line register
49. Incorporation documents National animal welfare trust available through societies on line register
50. Statement of claim allegedly prepared and researched by Holm
51. WELLS to MAF 8/10/2008 seeking withholding of OIA <http://www.transparency.net.nz/wp-content/uploads/2012/11/MAF-to-WELLS-re-OIA-request.pdf>
52. Capes to WELLS 26/09/2011 advising of ombudsman's involvement with the release of documents
53. 29/8/2011 BAYVEL to WELLS regarding release of crucial documents
54. Audit report which exposes the AWINZ trust as being a fraud 20 July 2009 <http://www.transparency.net.nz/wp-content/uploads/2012/02/audit-report.pdf>
55. Trustees deed AWINZ 5 December 2006
56. Minutes of WELLS, COUTTES and HOADLEY'S first ever meeting 10 May 2006
57. Lord Dowding fund funds solicitation by WELLS 14 March 2005
58. WELLS email to Waitakere city council ceo 5 April 2006
59. Telephone meeting 13 July 06 WELLS AWINZ
60. 14 august 06 meeting minutes WELLS AWINZ
61. 15 May 2000 WELLS misleads MAF
62. Email AWINZ and the bill 11 Feb 1999 <http://www.transparency.net.nz/wp-content/uploads/2012/11/AWINZ-and-the-Bill.pdf>
63. Lawyer for MAF reads through background to AWINZ without questioning its lack of existence <http://www.transparency.net.nz/wp-content/uploads/2012/10/AWINZ-relationship-unclear.pdf>
64. a 1998 version of "AWINZ " <http://www.transparency.net.nz/wp-content/uploads/2012/10/WELLS-writes-re-awinz-plus-deed.pdf>
65. affidavit of Tom Didovich May 2007 <http://www.transparency.net.nz/wp-content/uploads/2012/03/affidavits-supplied-may-2007-didovich.pdf>
66. affidavit Neil WELLS May 2007 <http://www.transparency.net.nz/wp-content/uploads/2012/10/affidavits-supplied-may-2007-WELLS.pdf>
67. AWINZ IRD <http://www.transparency.net.nz/wp-content/uploads/2012/10/awinz-IRD.pdf>
68. WELLS Invoices 1999 <http://www.transparency.net.nz/wp-content/uploads/2012/10/invoices-1999.pdf>
69. Invoice for prospective trustees <http://www.anticorruptionnz.files.wordpress.com/2010/01/invoice-re-trustees.pdf>
70. Collaboration email WELLS and Didovich <https://anticorruptionnz.files.wordpress.com/2010/01/WELLS-email-apr-98.pdf>
71. Didovich proposal to council <http://www.transparency.net.nz/wp-content/uploads/2012/10/N-trust-proposal-98-full.pdf>

72. Legal opinions obtained by Didovich <http://www.transparency.net.nz/wp-content/uploads/2012/10/kpmg-17july-draft.pdf>
73. MOU Didovich and WELLS <https://anticorruptionnz.files.wordpress.com/2010/01/mou-waitakere.pdf>
74. WELLS Job application Waitakere city council <http://www.transparency.net.nz/wp-content/uploads/2012/10/4-oct-2005-job-application.pdf>
75. WELLS and mayors relationship and WELLS appointment <http://www.transparency.net.nz/wp-content/uploads/2012/10/council-appointment-WELLS.pdf>
76. documents showing rebranding of Waitakere city council premises 2006
77. 2006 donation request <http://www.anticorruption.co.nz/wp-content/uploads/2012/01/donation-request.pdf>
78. donation receipt <http://www.transparency.net.nz/wp-content/uploads/2012/11/donation.pdf>
79. WELLS provides diversion for donation to fictional trust <http://www.transparency.net.nz/wp-content/uploads/2012/10/information-ed.pdf>
80. MAF confused between AWINZ and council <http://www.transparency.net.nz/wp-content/uploads/2012/10/final-draft-audit-2008.pdf>
81. WELLS misdirects minister with regards to Inc <http://www.transparency.net.nz/wp-content/uploads/2012/03/29-jan-2001.pdf>
82. Gazette notice and correspondence regarding AWINZ inc <http://www.transparency.net.nz/wp-content/uploads/2012/10/21-december-2000.pdf> and <https://gazette.govt.nz/notice/id/2001-go307>
83. Gazette amendment <https://gazette.govt.nz/notice/id/2001-go1534>
84. 25 may 2011 WELLS letter to law society
85. MAFs expectation that WELLS declares conflict of interest <http://www.transparency.net.nz/wp-content/uploads/2012/10/expectation-that-WELLS-declares-conflict.pdf>
86. Nick WRIGHT committed patient reference in court judgement [WRIGHT v ATTORNEY-GENERAL \(NEW ZEALAND POLICE\) \[2017\] NZHC 2865 \[22 November 2017\]](#)
87. law society decision <https://www.justice.govt.nz/assets/Documents/Decisions/2016-NZLCDT-24-Waikato-Bay-of-Plenty-Standards-Committee-v-Mr-M.pdf>
88. Law society decision <https://www.justice.govt.nz/assets/Documents/Decisions/2016nzcldt34-waikatobayofplenty-standardscommittee-v-mr-m.pdf>
89. Lord DOWDING funds solicitation <http://www.transparency.net.nz/wp-content/uploads/2011/07/lord-dowding.pdf>
90. Charities register AWINZ CC11235 content located on the on line register for this “ charity “
91. Brookfields invoices to the generic AWINZ <http://www.transparency.net.nz/wp-content/uploads/2018/09/brookfields-invoices.pdf>
92. Police letter re AWINZ 3/5/2013 <http://www.transparency.net.nz/wp-content/uploads/2018/09/AWINZ-corruption-letter-sfo.pdf>

93. MOU AWINZ MAF
94. Email CHRISTINE SCHOFIELD 19 sept 2016
95. MALLONS letter to LCRO 24 January 2018
96. Email from Law society 26.1.2018 referring to disestablished law societies
97. Affirmation of Vivienne Holm 26 September 2018

PART 1


THESE DOCUMENTS HAVE NOT BEEN IN THE CONTROL OF THE DEFENDANTS BUT WHICH WE KNOW WOULD BE DISCOVERABLE IF WE HAD CONTROL OF THEM.

1. Communication with Google and its associated providers as to the motive for these proceedings the objective to have her name removed from web sites. 25 May 2018
2. Communications by HOLM with PSPLA.: - the PSPLA has claimed privilege over these documents despite affecting the privacy of the first defendant.
3. Email Communications by HOLM to third parties with regards to the First defendant.
4. Communications of the Plaintiff with the law society which prompted the email from Ms Schofield 19 September 2016 and Mr Mallon's letter 24.1.2018

I, Grace Haden, of Poraiti, Napier, superannuant, affirm—

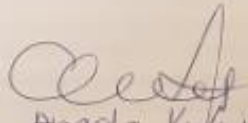
1. I am the First Defendant and sole director and shareholder of the Second Defendant.
2. I make this affidavit under an order for standard discovery under rule 8.7 dated 29 August 2018.
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 - a. Documents on which we rely
 - b. There are no documents that we know of which adversely affect our case
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9. To the best of my knowledge and belief, this affidavit is correct in all respects and carries out my obligations under the discovery order.

Affirmed at: Napier


Grace HADEN for herself and for TRANSPARENCY NEW ZEALAND LIMITED

Before me:

12 October 2018


Angela Kennington

Angela Kennington
Deputy Registrar
District Court
Napier

A Deputy Registrar of the
High/District Court at Napier

Schedule 1
EJD
WJ

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7. Blog regarding phone call from Netsafe <http://www.transparency.net.nz/2016/12/08/vivienne-holm-gets-help-fromnetsafe/>
8. 2017 contact through web blog by HOLM
9. First Defendants' response via web site to that contact 10 December 2017
10. January 2018 Complaint by HOLM against first defendants private investigators licence <http://www.transparency.net.nz/wp-content/uploads/2018/03/LO/PL&INTOACTD-28-JANUARY-2018-1.pdf>
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