IN THE DISTRICT COURT
AT AUCKLAND

CIV-2009-004-000020

BETWEEN	HALLETT DESIGN SOLUTIONS LIMITED Plaintiff
AND	PA WILLIAMS Defendant

IN THE DISTRICT COURT
AT AUCKLAND

CIV-2008-004-002897

BETWEEN	PA WILLIAMS Plaintiff
AND	JG HALLETT Defendant

Appearances: JG Hallett in Person
PA Williams QC in Person

Minute: 11 September 2009

MINUTE OF JUDGE RODERICK JOYCE QC

Purpose of minute

[1] These two proceedings came before me in an evaluation conference list on 26 August 2009.

[2] After some discussion with Mr Hallett and Mr Williams I indicated my intention to take the time necessary to review each of the proceedings with a view to

issuing such directions as in the Court's consideration would be conducive to their proper disposition and that is the object of this minute.

The fees claim

[3] In CIV-2009-004-000020 Mr Hallett's company Hallett Design Solutions Limited (HDS) seeks to recover from Mr Williams an amount of $7,515.25 being fees for architectural services (including the provision of plans or drawings) rendered to Mr Williams between 2003 and 2005.

[4] The response of Mr Williams is to deny any such entitlement and to say that what HDS was actually engaged to achieve, but failed to obtain, was the issue of local authority consent to a proposed subdivision of land owned by Mr Williams at Surrey Crescent, Auckland, and that had HDS obtained that consent Mr Williams would have paid it $30,000.

[5] From now on I refer to this proceeding as "the fees claim".

The defamation claim

[6] In CIV-2008-094-001717 Mr Williams sues Mr Hallett in defamation on account things published of Mr Williams by Mr Hallett in a book entitled "New Zealand, A Blackmailer's Guide" which are identified as being defamatory and maliciously so.

[7] From now on I refer to this proceeding as "the defamation claim".

History of fees claim

[8] The fees claim began in the Disputes Tribunal where it endured a long and tortuous history before, on 8 December 2008, a referee transferred same to this Court.

[9] The Tribunal's transfer order included the recitation of the following:

(a) Mr Hallett's claim alone was 204 paragraphs (24 pages).

(b) Mr Williams filed a defence which attached 15 documents.

(c) Mr Williams filed a variety of affidavits from different persons, which included a copy of Mr Hallett's book, "New Zealand, Blackmailer's Guide".

(d) At the hearing on 21 November 2008, Mr Williams called (or at least wished to call) about six witnesses.

(e) Mr Williams insisted that Mr Hallett's credibility in general was relevant to the case.

(f) Just before the hearing on 21 November 2008, Mr Williams served defamation proceedings on Mr Hallett.

(g) The defamation proceedings related to Mr Hallett's "Blackmailer's" book, which referred to Mr Williams and, in particular, fees which (the book stated) Mr Williams had not paid (see pages 189, 190) (understood to be the fees in issue in the Disputes Tribunal claim).

(h) On 21 November 2008, the hearing was adjourned to 5 December to give Mr Williams an opportunity to cross-examine Mr Hallett.

(i) Following the adjournment, Mr Hallett filed an uninvited affidavit dated 1 December 2008 (16 pages, plus exhibit).

(j) On 5 December, Mr Williams filed a memorandum in reply (11 pages) and a copy of an affidavit filed by Mr Hallett in proceedings against the Police, Auckland District Court and Auckland City Council (250 paragraphs, plus numerous exhibits).

(k) On 5 December, the Referee declined to continue the hearing without reading Mr Hallett's affidavit and Mr Williams' memorandum and invited submissions on transfer of the Disputes Tribunal claim to the District Court.

(l) Mr Williams did not oppose transfer; and Mr Hallett opposed transfer.

27 May 2009 conference

[10] At an evaluation conference on 27 May 2009 a Judge of this Court made timetable orders that:

(a) HDS file an amended statement of claim by 4 June;

(b) Any statement of defence or counter-claim (if necessary) be filed by 20 June;

(c) Both parties to attempt informal discovery by 25 June;

(d) Further evaluation conference after 25 June.

[11] Prior to that conference, Mr Hallett had filed a memorandum and what he described as an interlocutory application, both dated 22 May 2009.

[12] The memorandum began by categorising the claim itself as "a simple debt matter". It then descended into a string of extraneous to that issue, difficult to follow, disturbing and troubling because of the absence of any apparent sense or utility in, let alone justification for, allegations aimed in the main at Mr Williams.

[13] The so-called interlocutory application sought no identifiable interlocutory relief, touched variously and extraordinarily on the alleged agreement between the parties for architectural services, and then descended into a generally incomprehensible diatribe (including vilification of Mr Williams) with, at the end, a claim for "compensation of $199,000 … sought for slavery".

[14] A consideration of the statement of claim originally lodged by Mr Hallett for HDS, when first the fees dispute between him and Mr Williams was transferred from the Tribunal, made readily comprehensible the 27 May direction (see [10] above) that HDS file an amended statement of claim.

[15] I say that because the first such pleading filed in this Court, which ran to 97 paragraphs, not only strayed far from the possibly relevant points but, in so doing, broke such up into more bits than could ever be their component whole before ending with a claim for relief that was entirely irrational; one affirmed by Mr Hallett, speaking of himself as:

> A living – breathing – sole Aggrieved Injured Party only in [his] standing as beneficiary of the Original Jurisdiction **for all private or admiralty/maritime non-common/equity law purposes Supersedeas** [sic] **Bond No. 196130997 applies.**

Remedial statement of claim

[16] On 27 May 2009, HDS filed an amended statement of the fees claim which, in terms of its description of the relief HDS considered it to be entitled to and the grounds for that, made (leaving aside the extent to which the relief claimed might be available in fact and law) reasonable enough sense. It certainly stood out from the previous HDS material as a document helpfully free of sheer irrelevancies, troubling or otherwise.

29 July 2009 conference

[17] The fees claim was subsequently scheduled for a further conference on 29 July 2009. Prior to this conference Mr DCS Reid, Solicitor, filed a brief memorandum for Mr Williams. This memorandum made reference to the earlier-mentioned book (a copy of which is with the court file) in terms that it demonstrated "a penchant of (Mr Hallett) for making scurrilous statements".

[18] Mr Hallett responded with a document that further hammered the name of Mr Williams and which spoke of the book in terms that everything in it was "legally considered to be clear, substantive and true".

[19] The 29 July conference duly proceeded before another Judge of this Court. At the end of that conference that Judge recorded that the counter-claim included with the statement of defence to the fees claim was, if based on defamation, inadequately pleaded.

[20] This was a reference to a statement of defence and counter-claim in the fees claim dated 2 March 2009. Paragraphs 1 through 5 of that responded to the allegations concerning the fees claim. But paragraphs 6 through 11 were in these terms:

> 6. That the plaintiff lacks any credibility and has criminally libelled a long list of leading New Zealanders including members of the Judiciary and the Disputes Tribunal and including the Rt Hon Helen Clarke (sic) MP, Hon Margaret Wilson, Hon Dame

Silvia Cartwright, Angela D'Audney, Mother Aubert, Rt Hon David Lange, Patrick Mahoney [sic], Sir Peter Blake, Rt Hon Norman Kirk, Charles Sturt, Paul Holmes, Kevin Ryan, QC, Rt Hon Chief Justice Dame Sian Elias, Sir Robert Jones, Brian Edwards, Dame Kiri Te Kanawa, Rt Hon Jenny Shipley, Hon Annette King MP, Sir Roger Douglas, Rt Hon Anand Satyanand, Sir Geoffrey Palmer, Christine Rankin, Judge Williamson, Hon Phil Goff MP, Hon Justice Eichelbaum, Frank Haigh, Hugh Fletcher, Hon John Banks and His Honour Judge Gittos.

7. That the proceedings as brought by the plaintiff in the Disputes Tribunal and this Honourable Court have caused the defendant to spend a large amount of his professional time replying to the outrageous lies by the plaintiff.

8. The defendant has also been compelled to call professional witnesses.

9. The plaintiff physically assaulted a professional defence witness, namely, Christopher Reid, and has made untrue but hurtful allegations against other defence witnesses.

10. The plaintiff's conduct throughout these proceedings has been shameful and deceitful.

11. The plaintiff has in a similar fashion endeavoured to dishonestly obtain money from several other people by providing building plans without instructions and subsequently threatening to sue for fees he is not entitled to.

The defendant therefore counterclaims against the plaintiff for judgment against the plaintiff as follows:

a. The sum of Twenty Thousand Dollars ($20,000.00) for the defendant's professional time expended as aforesaid;

b. A further sum to be assessed for the costs of the defendant's witnesses;

c. Any further or other relief that this Honourable Court deems just and equitable.

[21] I discuss this pleading later.

26 August 2009 conference

[22] In a document lodged on the day of a later scheduled 26 August 2009 conference, a document described as "statement of claim for the evaluation conference of 26 August 2009", Mr Hallett (for HDS), after rehearsing the essence of the fees claim in the first paragraph and expressing his opposition to the

suggestion of the earlier Judge that the fees and defamation claims might be heard on the same occasion, set about expressing a ragbag of insulting observations about that judge before returning to his vilification of Mr Williams.

[23] This, the most recent, "statement of claim" was supported by an affidavit of Mr Hallett that opened with these prefatory words:

> I, a free man, known as, **Joseph-Gregory** of patronymical consanguity comes from the family of Hallett under the tribes of Israel, that name a memorial to my immortal-living-breathing-soul of mankind dwelling in the greater universe, for now sojourning at Parnell of Auckland (hereinafter also known as "Undersigned", "HALLETT DESIGN SOLUTIONS LIMITED", "me", "myself", "I", "Greg") do under my own four-fold commercial liability (as per my Indemnity Bond attached), by My mark and seal in red ink, sincerely avow that in my correct and proper public capacity as a heir and beneficiary to the Original Jurisdiction, being of age of majority, competent to testify (if required), a self realised free man born upon, and of the land (not in the Admiralty), do affirm to the Almighty Creator whom most people call God, through Jesus Christ, His only begotten Son with him as My principal witness, doing so, as I shall be judged at the great Day of Judgement
>
> …

[24] Mr Hallett wanted the fees claim returned to the Disputes Tribunal to continue where it had left off (which the pertinent Act does not permit) and proposed that the defamation claim be abandoned or "go through a judicial review".

[25] In terms of remedies, there was now a claim for $7 million in compensation for "financial assassinations" and the observation that "all that has occurred to date is processional distraction, replete with the assistance of compromised members of the judiciary".

[26] On the topic of the judiciary I note that, five days before the 26 August conference, Mr Hallett had filed a memorandum, variously absurd in its content and insulting of the judiciary from the Chief Justice down, a memorandum that - the further one read it - was one drawn deeper into an unhelpful morass.

[27] During the conference itself Mr Hallett handed up another document called "discovery for evaluation conference of 26 August 2009 (Williams)", seeking such as materials concerning Terry Sinclair/Clark, Mr Asia, Mr Big and others as well as

identification of all members of the judiciary whom Mr Williams had "compromised" - and so on in that kind of vein it went.

Defamation claim

[28] Reverting now to the defamation claim, I note that in December last Mr Hallett (with a manipulation of the intitulement which I will not trouble to replicate) had filed in response to Mr Williams' statement of claim a document described as being a "counter-affidavit of plain truth…"

[29] The proceeding had thereafter received no obvious to the Court attention from either party in the period leading up to the 26 August 2009 conference.

[30] The 90 paragraph "counter-affidavit" document contains its own extraordinary self-description of Mr Hallett; words that purport to be a response to the statement of claim, but which come nowhere near offering that; and touches upon such as the Royal Titles Act 1974, the Coronation Oath and the New Zealand Parliamentary Prayer.

[31] And so on in variously unfathomable directions it goes, before descending into a scurrilous diatribe in reference to Mr Williams.

[32] Most certainly it constitutes no defence at all to the claim made. And some biblical references that it contains do nothing to relieve the various and appalling allegations that it makes.

Rules

[33] To the extent that they will be incorporated by reference into the new District Court Rules, the revised (with effect from 1 February 2009) High Court Rules will provide in respect of the striking-out or staying of proceedings a comprehensive (within one) rule set of provisions which at the moment, in the District Court, are reflected in reference to "pleadings" in r 209 and in reference to "proceedings", in r 481.

[34] Rule 1.12.3 of the new District Court Rules will also specifically empower the Court to, on its own initiative, give any directions that it thinks fit in the interests of justice.

[35] Coming back to the present, DCR 209 provides that:

> … Where a pleading … is … an abuse of the process of the Court … the Court may at any stage of the proceeding, on such terms as it thinks fit, order that the whole or any part of the pleading be struck out.

[36] And in the also current until 1 November, DCR 481 we have this:

> … Where in any proceeding it appears to the Court that in relation to the proceeding generally or in relation to any claim for relief in the proceeding … the proceeding is an abuse of the process of the Court … the Court may order that the proceeding may be stayed or dismissed generally or in relation to any claim for relief in the proceeding.

The element of overlap here will be obvious.

[37] Of course the High Court enjoys, alongside its powers variously created by statutes, regulations and rules, an inherent jurisdiction. This allows it to fill gaps where adjectival rules fail usefully or sufficiently to provide and it may, on appropriate occasion, be used to recognise previously not appreciated or recognised substantive remedies when justice so demands.

[38] The District Court has no such jurisdiction. But it is recognised as having the benefit of an inherent power to regulate and control proceedings that come before it as circumstances may in all justice demand. (See the now ensuing discussion in this area.)

[39] Rule 193 of the Family Court Rules 2002 (which is equivalent of the current District Court r 209 and 481) contains an explicit power to strike out a pleading which is an abuse of the Court's process in terms that such an order "may be made by the Court … on its own initiative", or on an interlocutory application for the purpose.

[40] The present District Court rr 209 and 481 do not specifically empower the Court to act on its own initiative.

[41] It cannot, however, be the case that this Court has no power to act where, notwithstanding that the parties themselves may have done nothing about it, an abuse of the Court's process is so plain as to demand a remedy.

[42] When the Family Court Rule was compared with the then High Court Rule 186, it was said in *Re Coyne (dec'd); Coyne v Haines* [2005] NZFLR 678 at 683, that:

> [21] … R 186 preserves, of course, the inherent jurisdiction of the High Court. Rule 193 does not purport to limit the inherent jurisdiction of a District Court or Family Court to control its own processes or to prevent an abuse of process. The power of the Court to act on its own motion to strike out proceedings for want of prosecution is an example of the exercise of that inherent jurisdiction …

[43] One has only to consider the situation where the litigant or litigants choose, for whatever reasons, to tolerate (at least to the extent of making no apposite application) an abuse of the Court's process to recognise that it must, like any other Court of record superior or inferior, have the ability to step in. I am in no doubt of that ability and for both those common sense and on account the following authority-based reasons.

[44] *Watson v Clarke* [1990] 1 NZLR 715, 718 contains a detailed discussion of the inherent power of the District Court, beginning with this citation from Alderson B in *Cocker v Tempest* (1841) 7 M & W 502, 503:

> The power of each Court over its own process is unlimited; it is a power incident to all Courts inferior as well as superior; were it not so, the Court would be obliged to sit still and see its own process abused for the purpose of injustice.

- This, better expressed, is the very point I make in [43] above.

[45] And from *R v Connelly* [1964] AC 1254, at 1354:

> Are the Courts to rely on the Executive to protect their process from abuse? … The Courts cannot contemplate for a moment the transference to the Executive of the responsibility for seeing that the process of law is not abused.

[46] Speaking with specific reference to an inferior Court's power, *R v Jewitt* (1985) 20 DLR (4^{th}) 651, 658 held that:

> …there is a residual discretion in a trial Court Judge to stay proceedings where the compelling of an accused to stand trial would violate the fundamental principles underlying the community's sense of fair play and decency. A Judge of an inferior Court could do so to prevent abuse of a Court's process through oppressive or vexatious proceedings.

[47] The Canadian Supreme Court added the qualification that this power should only be exercised in the "clearest of cases".

[48] At p 720 of *Watson*, the difference between 'inherent power' and 'inherent jurisdiction' was summed up as:

> [Inherent jurisdiction] connotes an original and universal jurisdiction not derived from any other source, whereas the [inherent power] connotes an implied power such as the power to prevent abuse of process, which is necessary for the due administration of justice under powers already conferred. …the District Court has an implied power within that jurisdiction as conferred by statute. It is not an inherent jurisdiction but a power which exists within that statutory jurisdiction.

[49] Robertson J went on to hold at p 721 that

> The District Court has an inherent power to prevent abuse of its own process although not an inherent jurisdiction to do so.

[50] I therefore accept that the District Court may make a stay or strike out order of its own volition or initiative when a proceeding or pleading patently constitutes an abuse of the Court's process.

A parallel case

[51] In *Van Der Kaap v Attorney-General* 10 PRNZ 162 Hammond J said at 165:

> … The function of a statement of claim is to clarify and define the issues for the Court as well as to inform the opposing party: *Thomson v Westpac Banking Corp (No 2)* (1986) 2 PRNZ 505. Rule 186 of the High court Rules

> provides that the Court embarrassment, or delay or is otherwise an abuse of process. The words "prejudice", "embarrassment" and "delay" are to be given a liberal meaning and include proceedings which are scandalous and irrelevant: *Re Miller* (1884) 54 LJ Ch 205, *Murray v Epsom Local Board* [1897] 1 Ch 35, and *Hill v Hart-Davis* (1884) 26 Ch D 470.
>
> The Court has taken a cautious approach to r 186. The jurisdiction is sparingly utilised. If the pleading itself is not capable of amendment to cure the defect and the Court's decision will dispose of the whole matter, striking out is a suitable remedy. In most cases the Court will order an amendment of the pleading rather than strike it out: *Marshall Futures Ltd (in liq) v Marshall* [1992] 1 NZLR 316; (1991) 3 PRNZ 200.
>
> This Court also has a general jurisdiction to expunge scandalous matter in any proceedings. The matter must be both scandalous and irrelevant. This jurisdiction is based on the English practice: see *Cunningham v Takapuna Tramway and Ferry Co Ltd* [1920] NZLR 137, 138. There Cooper J discussed the inherent jurisdiction to remove affidavits; and see also the decision of Fisher J in *Guest v Guest* [1992] NZFLR 637.
>
> Allegations of dishonesty and outrageous conduct are not scandalous if relevant to the issue: *Everett v Prythergch* (1841) 12 Sim 363, *Rubery v Grant* (1872) LR k13 Eq 443. The sole question whether a pleading contains scandalous material is whether the matter alleged to be scandalous would be admissible in evidence to show the truth of any allegation in the pleading which is material with reference to the relief prayed: *Christie v Christie* (1873) 8 Ch App 499, 503.
>
> In light of these principles I have no difficulty in holding that the statement of claim and the present application in this case are permeated with scandalous and irrelevant material. And the manner in which the material is presented is inextricably intertwined. Any editing is going to leave, at best, a mishmash of unconnected material. Nothing short of a wholesale redrafting would suffice in this case.

- And, of course, these observations are of equal application to any other form of clearly offending pleading.

Pleadings likewise (or similarly) offending here

[52] Not only the statements of claim identified in schedule A but also the other pleadings mentioned in that schedule are aptly to be described as Hammond J described the pleading before him.

[53] I deliberately refrain from setting out examples of these pleadings' shortcomings in the body of this judgment for that would be to rehearse in print that

which should never have been put in print in the first place. It need only be said that a reading of them will make self-evident the abuse.

[54] The pleadings in Schedule A are not only disgraceful and scandalous in their content (not to mention laced with numerous irrelevancies) but also there is no way in which anything which might be useful in them can be untangled from the rest.

[55] Like the plaintiff in the case that was before Hammond J, HDS (through Mr Hallett) has gone far beyond any permissible boundaries in the way its pleadings have been prepared and advanced.

[56] But, like Hammond J, I am at this stage reluctant to deny HDS its day in court altogether.

[57] But if Mr Hallett wishes HDS to have the opportunity further to pursue and proceed to a hearing of the fees claim, then that can only be in terms of a statement of claim and any other pleadings that meet, approximately at least, the rules' requirements and which are free of any abusive element.

[58] As earlier identified, the first amended statement of claim filed on 27 May 2009 sufficed in that respect. It would have continued to do so had not Mr Hallett cancelled it out by filing the outrageous, irrational and well-nigh entirely incomprehensible document presented for the 26 August 2009 conference.

Consequential orders (fees claim)

[59] It is, then, with all that has so far been discussed and described in mind that I make the following orders:

(i) The fees claim is stayed until further order of the Court.

(ii) The documents identified in schedule A are to be removed from the Court's working file and kept in a sealed form by the registry in terms that their unsealing will be by judicial direction only.

(iii) If HDS wishes to continue to pursue its fees claim then it will have the opportunity to resurrect the statement of claim that was filed on 27 May 2009 which, whatever its flaws, would suffice for the litigation purpose.

(iv) That opportunity may be exercised by HDS signifying to the Court that it so requests. Such request is to be in writing and entirely unembellished with comment or observation beyond the fact of the request, and a copy of same is to be served on Mr Williams.

(v) That request is then to be referred to me or, should I then be unavailable for a significant period of time, to the Civil Liaison Judge. If it is in order (including in terms of a complete absence of such embellishment) I will (and I anticipate that Judge would) issue a minute formally recognising that the 27 May 2009 statement of claim is once more extant.

(vi) Given the scandalous nature of much other material to be found within the court files (particularly the materials accumulated when the fees claim was before the Disputes Tribunal) I direct that any search of the fees claim court file (including the Tribunal file) is to be restricted to any the parties to this proceeding.

Defence to fees claim

[60] Should HDS choose to take advantage of (iv) above, the issue of Mr Williams' statement of defence will arise.

[61] The previously discussed defence and counter-claim filed on 2 March 2009 remains as the only defence document on the file.

[62] As has already been identified, the essence of that defence is that the bargain made between Mr Williams and HDS was one quite different from that asserted by the latter.

[63] In that state of affairs, and to save further time and expense, the Court would be content to accept paras 1-5 of that pleading as an adequate reply to the 27 May 2009 statement of claim.

[64] The same cannot readily be said of the rest of that pleading, i.e. paras 6-11 inclusive of same.

[65] The matters set out there do not identify any obvious cause of action such as would justify the counter-claim supposedly pleaded.

[66] To the contrary, they appear to show no better than the case of a defendant falling into the trap of reacting viscerally to, instead of - if not seeking to strike out – at least sensibly ignoring the shortcomings of, the opponent's pleading efforts. For example, but within the confines of s 37 of the Evidence Act 2006, veracity is an evidential, not a pleading, point.

[67] So should the Court receive, and then accede, to a request for the fees claim to continue (advice of which events will of course will be communicated to Mr Williams) he should consider the wisdom of filing and serving a defence to the 27 May 2009 statement of claim confined to an expression of the paras 1-5 that have been noted.

Defamation proceeding orders

[68] The pleading of Mr Hallett in issue here is what I take to be intended to be his statement of defence, i.e. the document filed on 15 December 2008 described as a "counter-affidavit of plain truth".

[69] It comprises a 90 paragraph meaningless diatribe including, to the extent that any kind of sense can be made of them, a variety of extraordinary allegations concerning Mr Williams, all tortuously set out and with none of them exhibiting any apparent sign of attachment to reality.

[70] It does not come within anything resembling even touching distance of a proper and useful statement of defence to a claim in defamation. Every present sign

is that its author was not so much intent on providing such a response as on seeking to take advantage of the privilege attaching to court pleadings to vilify the opposing litigant.

[71] It is another document self-evidently to be recognised as abusing the court's process. And I so say with a complete consciousness that he or she who brings a claim in defamation thereby puts character and reputation on trial.

[72] At a fundamental level, the pleading in question fails to match any of the most basic requirements of a defence to a defamation claim where (as is the presumed intention) truth is asserted as a defence.

[73] Defamation pleadings, though not a matter of entirely arcane science, are certainly a matter of art. Their preparation necessitates a good understanding of a relative host of relevant principles and points.

[74] Mr Hallett would be well advised to seek competent in the field of defamation legal advice before attempting another pleading. At the very least he should search out relevant texts on the topic and consider the Defamation Act 1992.

Removal of "counter-affidavit of plain truth" document

[75] I direct the removal from the defamation claim court file of the "counter-affidavit of plain truth" document and that it be held on the same terms as are set out in sub-clause (ii) of para [59] above.

Opportunity for Mr Hallett

[76] I will give Mr Hallett 30 working days from but exclusive of the date of this minute within which to:

(i) Take advice concerning any defence he may have to the defamation claim or to at least properly research, and thus identify, any matters which might properly be raised by way of defence; and

(ii) Lodge a pleading which meets the particular requirements of a statement of defence in a defamation proceeding and the generally relevant rules of court.

[77] Any pleading thus filed is not to be served until I have (or as the case may be the Civil Liaison Judge has) seen and approved same in chambers as fit for filing.

[78] So the registrar is to place any such before me (or, in my absence, the Civil Liaison Judge) immediately same is lodged in court.

[79] If there is any doubt as to the appropriateness or propriety of the document, I may (and I expect that the Civil Liaison Judge would) then direct service of same as a prelude to an opportunity for further argument before the Court permits a defence to be advanced on the basis thereof.

Roderick Joyce QC
District Court Judge

Schedule A

Statement of claim (and associated affidavit) dated 11 February 2009.

Memorandum by Mr Hallett dated 22 May 2009.

Interlocutory application in support of that memorandum dated 22 May 2009.

Evaluation conference of 26 August 2009 document filed 21 August 2009.

Statement of claim (and affidavit in support) dated 26 August 2009.

Discovery for evaluation conference of 26 August 2009 (Williams) document.

Memorandum of plaintiff (HDS) filed 28 August 2009.