IN THE HIGH COURT OF NEW ZEALAND
AUCKLAND REGISTRY

I TE KŌTI MATUA O AOTEAROA
TĀMAKI MAKAURAU ROHE

CIV-2026-404-375
[2026] NZHC 3005

UNDER	the Defamation Act 1992
BETWEEN	BRENDON NGARINO TE WAATI Plaintiff
AND	NGA-ATAWHAINGA ADRIANNA CREAGH Defendant

Hearing: On the papers

Counsel: T F Cleary and C R Ashby for Plaintiff
No appearance for Defendant

Judgment: 30 September 2026

JUDGMENT OF ANDERSON J

This judgment was delivered by me on 30 September 2026 at 4.00 pm pursuant to r 11.5 of the High Court Rules 2016.

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Registrar/Deputy Registrar

Solicitors:
Chapman Tripp, Auckland

[1] The plaintiff, Mr Te Waati, succeeded in his claim for defamation against the defendant, Ms Creagh, in an undefended summary judgment proceeding. As the successful party the plaintiff is entitled to costs.

[2] By submissions filed after the hearing Mr Te Waati seeks costs on a category 2, band B basis, fixed at $17,844, together with disbursements of $2,000.60.

[3] I have considered the schedule provided and find that the costs and disbursements sought are in order. In particular:

(a) I agree that the proceeding was of average complexity and should be allocated to category 2, with each step in Band B. The rate applied to each step is the rate in force when the step was taken. The category 2 daily recovery rate was $2,390 until 1 May 2026, and $3,300 from 1 May 2026 onwards.

(b) While the plaintiff filed a memorandum after the hearing, counsel properly treats that memorandum as part of the written submissions and not as a separate step. Nor has the plaintiff sought disbursements for courier fees where this was an additional expense because Ms Creagh had agreed to accept service by email.

Result

[4] I order that the defendant pay the plaintiff costs in the sum of $17,844, together with disbursements of $2,000.60.

Anderson J