

**IN THE EMPLOYMENT COURT
AUCKLAND**

**[2015] NZEmpC 73
EMPC 13/2015**

IN THE MATTER OF a challenge to a determination of the
 Employment Relations Authority

AND IN THE MATTER of an application for stay of proceedings

BETWEEN ERIN THERESE DENT
 Plaintiff

AND WAIKATO DISTRICT HEALTH BOARD
 Defendant

Hearing: On papers filed on 24 April and 19 May 2015

Appearances: Plaintiff in person
 A Russell, counsel for defendant

Judgment: 26 May 2015

INTERLOCUTORY JUDGMENT OF CHIEF JUDGE G L COLGAN

[1] By consent, I make the following order for stay of execution of the Authority's costs determination¹ in this proceeding on the following conditions:²

- a) The plaintiff will pay \$50 per fortnight (commencing one week from the date of this judgment)³ into an interest bearing account operated by the Registrar of the Employment Court.

- b) The principal and interest in this account will constitute a contribution towards the costs owed by the plaintiff to the defendant.

¹ *Dent v Waikato District Health Board* [2015] NZERA Auckland 86.

² With technical amendments made by the Court to the form of the consent orders proposed by the parties.

³ This start date has been added by the Court to avoid any confusion about when such payments are to start.

- c) The capital and interest accrued in the account will be distributed pursuant to a direction of the Employment Court, or by the agreement (in writing)⁴ of the parties, upon the Employment Court's determination of this challenge and the related proceedings under EMPC 79/2015 and any associated files if leave is granted to challenge out of time.

GL Colgan
Chief Judge

Judgment signed at 9.30 am on Tuesday 26 May 2015

⁴ With technical amendments made by the Court to the form of the consent orders proposed by the parties.