

**IN THE EMPLOYMENT COURT  
AUCKLAND**

**[2015] NZEmpC 32  
EMPC 41/2015**

IN THE MATTER OF	challenge to a determination of the Employment Relations Authority
AND IN THE MATTER	of an application for stay of proceedings
BETWEEN	KEVIN MCDONALD & ASSOCIATES Plaintiff
AND	ALAN RUTHERFORD JOHNSON Defendant

Judgment: 18 March 2015

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**INTERLOCUTORY JUDGMENT BY CONSENT OF JUDGE M E PERKINS**

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[1] On 22 January 2015, the Employment Relations Authority issued a determination in respect of the employment relations problem between the parties which had been submitted to it.<sup>1</sup>

[2] The determination upheld Mr Johnson's claim that he had been unjustifiably dismissed by reason of redundancy and Mr McDonald's legal firm was ordered to pay Mr Johnson lost wages and compensation. Costs were reserved. Mr McDonald's legal firm has now filed a challenge to the determination and seeks a full hearing of the entire matter by way of a hearing de novo.

[3] The legal firm has also filed an application for stay of enforcement of the determination pending the outcome of the challenge.

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<sup>1</sup> *Johnson v Kevin McDonald & Associates* [2015] NZERA Auckland 15.

[4] Mr Johnson does not oppose the order for stay of enforcement of the determination. A joint memorandum of counsel has been filed confirming the position.

[5] Accordingly, by consent, pending further order of the Court, there is an order for stay of enforcement of the monetary awards contained in the determination.

M E Perkins  
Judge

Judgment signed at 4.30 pm on 18 March 2015