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**IN THE WAITANGI TRIBUNAL**
**KEI MUA I TE TARAIPIUNARA**

**WAI 3325**

**UNDER** **The Treaty of Waitangi Act 1975**

**CONCERNING** **The Climate Change Priority Inquiry**

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# MEMORANDUM OF COORDINATING COUNSEL

Dated: 6 October 2024

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Waitangi Tribunal
*7 Oct 24*
Ministry of Justice
WELLINGTON

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**TĒNĀ, E TE TARAIPIUNARA**

1. This memorandum of coordinating claimant counsel is filed in response to the Memorandum of Counsel for the Crown dated 3 October 2024.

2. The Crown memorandum deals with two issues being:

   a. Requested directions regarding the November 25-29 hearing being only for tangata whenua and not expert witnesses;

   b. Further timetabling directions sought.

3. With regard to the first issue the following response is provided on behalf of the claimants:

   a. The claimants have asked that the hearing week 25-29 November be set down for tangata whenua evidence with expert evidence to be heard at a further hearing. The 25-29 November hearing has been set down on this basis.

   b. Counsel has advised Crown Counsel that once the evidence is filed by 21 October for the 25-29 November if the Crown considers that any of the evidence falls within the category of expert evidence then these objections will be discussed and if need be directions from the Tribunal can be sought at that stage.

   c. As such at this stage there is no need for the directions sought by the Crown.

4. With regard to the second issue regarding proposed timetabling directions the following is noted on behalf of the claimants:

   a. In previous memorandum filed coordinating counsel have indicated that they are unable to provide a firm date for the filing of evidence other than for the 25-29 November 2024 hearing but an update would be provided by 21 October. This situation has not changed and as such the directions sought by the Crown that evidence of all other witness evidence be filed by 25 November 2024 is opposed as being unnecessary at this stage.

b. The other proposed timetable directions are not opposed.

Dated: 6 October 2024

Bryce Lyall
Coordinating Counsel

Michael Sharp

Tania Te Whenua