

I TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI
IN THE WAITANGI TRIBUNAL

Wai 3400
Wai 972
Wai 1312
Wai 1843
Wai 2389

In the Matter of the Treaty of Waitangi Act 1975

And

In the Matter of the Marine and Coastal Area (Takutai Moana) Act Coalition Changes Urgent Inquiry (Wai 3400)

And

In the Matter of a claim by Donald Tait, Edward Penetito and others on behalf of themselves, the Kauwhata Treaty Claims Komiti, Te Marae Komiti o Kauwhata Trust and Ngā Uri o Ngāti Kauwhata ki te Tonga (Wai 972)

And

In the Matter of a claim by the late Karanga Pourewa, Hinemoa Pourewa, the late Tarzan Hori, and William Hori on behalf of themselves and the descendants of Whakaki and te hapū o Ngāti Kawau (Wai 1312)

Continued ...

**JOINT MEMORANDUM OF COUNSEL REGARDING CROSS EXAMINATION
INDICATIONS**

Dated 12 Poutūterangi 2025

Mahony Horner Lawyers

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RECEIVED

Waitangi Tribunal

12 Mar 2025

Ministry of Justice
WELLINGTON

And

In the Matter

of a claim by Terence Tauroa on behalf of Te Aeto Hapū, as descendants of Te Puta and Taramainuku (Wai 1843)

And

In the Matter

of a claim by Tahua Murray, the late Rapine Hona, the late Louis Hohaia, the late Charlie Hikuwai, the late Mereihe Kool and Kawhena Paul on behalf of themselves and Ngāti Ruamahue (Wai 2389)

TĒNĀ E TE TARAIPUUNARA
MAY IT PLEASE THE TRIBUNAL

1. This Joint Memorandum of Counsel is filed on behalf of:
 - a. **Wai 972**, a claim by Donald Tait, Edward Penetito, the late Margaret Love, Shane Dean Penetito, Adeline Francis Anderson, the late Penahira Simeon, William Papanui, Kewana Emery, and Anaru Te One Himiona, on behalf of themselves, the Kauwhata Treaty Claims Komiti, Te Marae Komiti o Kauwhata Trust and Ngā Uri o Ngāti Kauwhata ki te Tonga;
 - b. **Wai 1312**, a claim by the late Karanga Pourewa, Hinemoa Pourewa, the late Tarzan Hori, and William Hori on behalf of themselves and the descendants of Whakaki and te hapū o Ngāti Kawau;
 - c. **Wai 1843**, a claim by Terence Tauroa on behalf of Te Aeto Hapū, as descendants of Te Puta and Taramainuku; and
 - d. **Wai 2389**, a claim by Tahua Murray, the late Rapine Hona, the late Louis Hohaia, the late Charlie Hikuwai, the late Mereihe Kool and Kawhena Paul on behalf of themselves and Ngāti Ruamahue.

(Claimants)

2. In Memorandum-Directions dated 18 December 2024, His Honour Judge Armstrong directed parties to file cross examination indications of the Crown's witnesses by no later than 12 March 2025.¹
3. Accordingly, Counsel respectfully seek leave to question both Ms Frances Makuini Dagg² and Mr Harry James Dale Kent.³

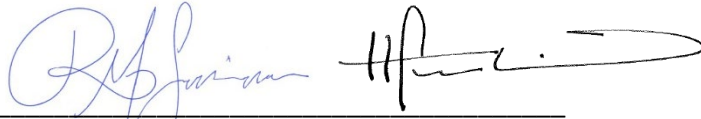
¹ Wai 3400, #2.6.3; Wai 3400, #2.6.3(a).

² Wai 3400, #B1.

³ Wai 3400, #B2.

4. Counsel will coordinate with other claimants and interested parties to ensure efficient and avoid unnecessary duplication.

Dated at Te-Whanganui-a-Tara this 26th day of Poutūterangi 2025



R M A Soriano and H T G Foubister
Counsel for the Claimants