

**IN THE WAITANGI TRIBUNAL**

**WAI 2357**  
**WAI 2358**

**IN THE MATTER OF**

The Treaty of Waitangi Act 1975

**AND**

**IN THE MATTER OF**

An application for an urgent hearing by Sir Graham Latimer and others in regard to Maori proprietary interests in water and geothermal resources in Aotearoa

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**MEMORANDUM OF COUNSEL REGARDING PARTICIPATION**

**Dated: 19 April 2012**

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**RECEIVED**

Waitangi Tribunal

**19 Apr 2012**

Ministry of Justice  
WELLINGTON

**TamakiLegal**  
Barristers & Solicitors

55 East Tamaki Road, Papatoetoe, Auckland  
PO Box 259-280, Botany, Manukau 2163  
P. 09 252 0194  
F. 09 279 2118

Counsel Acting: Darrell Naden & Brooke Loader

## **MAY IT PLEASE THE TRIBUNAL**

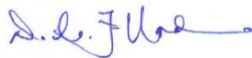
1. This memorandum of counsel is filed on behalf of:
  - a. Harry Kereopa and Evelyn Kereopa on behalf of Te Ihingarangi a hapu of Ngati Maniapoto (Wai 762);
  - b. Marama Waddell on behalf of herself, her whanau and her hapu who are members of Te Whiu, Te Uri Taniwha and Nga Uri o Wiremu raua ko Maunga Tai (Wai 824);
  - c. Morehu McDonald on behalf of Ngati Hinerangi and the Ngati Hinerangi Trust Board (Wai 1226);
  - d. Te Enga Harris on behalf of Wiremu Hemi Harris and Meri Otene whanau and on behalf of Ngati Rangi, Ngati Here, Ngati Tupoto, Ngati Hohaitoko, Ngati Kopuru, Te Rarawa and Ngati Uenuku (Wai 1531);
  - e. Rueben Taipari Mare Porter on behalf of himself, his whanau and members of Kaitangata, Nga Tahawai and Whanau Pani hapu (Wai 1968);
  - f. Piriwhariki Tahapeehi on behalf of Ngati Mahanga, Ngati Tamaoho and Ngati Apakura (Wai 1992);
  - g. The combined claim of Chappy Harrison on behalf of the Harihona whanau and Ngati Tara, and Robert Gable on behalf of the descendents of Ngati Tara (Wai 2000);
  - h. Raymond Anton Fenton and Gordon Lennox as co-claimants on behalf of themselves and on behalf of Ngati Apakura (Wai 2291)

(the "Claimants")

2. In the Tribunal's Memorandum-Directions dated 11 April 2012, we were required to confirm attendance at the forthcoming Judicial Conference to be held on Friday 20 April 2012 (Wai 2357 & 2357, # 2.5.17).
3. It was our intention that Mr Naden would be in attendance at tomorrow's Judicial Conference on behalf of the Claimants. The Registrar was notified of this by email on Monday 16 April.

4. We regret to inform the Tribunal that Mr Naden will be unable to attend the Judicial Conference due to illness. Mr Naden has been unable to attend work at all during the present week and has been advised not to travel until he recovers.
5. In any event, a solicitor from Tamaki Legal cannot attend tomorrow's judicial conference because the Ministry of Justice has not yet approved the Claimants' application for legal aid, which was filed with the Ministry on 15 March 2012. Earlier notice of our intention to attend tomorrow's judicial conference was made in anticipation that aid would have been granted by now.
6. We refer to our Memorandum of Counsel dated 13 April 2012 (Wai 2357 & 2357, # 3.1.74) which outlines our response to the Applicant's proposed hearing management plan in full. In light of our pending absence tomorrow, we ask that the submissions we have made be taken as read. That said, we reserve the right to file further submissions in relation to the proposed hearing management plan in the event that further submissions are required.

Dated at Auckland this 19th day of April 2012



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**Darrell Naden**  
**Counsel Acting**



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**Brooke Loader**