OFFICIAL

IN THE WAITANGI TRIBUNAL

WAI 2374
WAI 2196
WAI 1699
WAI 1701
WAI 996
WAI 377

IN THE MATTER OF the Treaty of Waitangi Act 1975

AND a claim by Sir Graham Latimer on behalf of himself and the hapū of Te Paatu; Mr Haami Piripi on behalf of himself and the iwi of Te Rarawa; Mr David Potter and Mr Andre Paterson on behalf of themselves and hapū of Ngāti Rangitihi; Ms Michelle Marino and Mr Errol Churton for and on behalf of themselves and the descendants of Tāringa Kuri (Te Kaeaea); and Mr Russell Kemp on behalf of himself and the hapū, marae and whānau of Te Uri o Hau

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MEMORANDUM OF COUNSEL

14 August 2012

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Waitangi Tribunal
14 August 2012
Ministry of Justice
WELLINGTON

MAY IT PLEASE THE TRIBUNAL

1. This Memorandum is filed in relation to the Memorandum of Counsel filed yesterday, Monday 13 August 2012, by Mr Millard QC, counsel for the Ministry of Justice ("the 13 August Memorandum").

2. Counsel opposes placing the Second Affidavit of Ms Sarah Catherine Kalmakoff (affirmed 10 August 2012) and the Affidavit of Mr Peter Galvin (sworn 9 August 2012) on the Wai 2374 (and Wai 2378) Record of Inquiry. The Crown has already been provided with an opportunity to file its response to the Wai 2374 Application and has already made full use of this opportunity to file its response.[1] Counsel for the claimants was granted a right of reply.[2]

3. Counsel is unavailable today and will be out of the office until lunchtime tomorrow. Counsel would like an opportunity to respond more fully to the 13 August Memorandum and to consult with Mr Geiringer. Accordingly, Counsel respectfully seeks leave to file a substantive response to the 13 August Memorandum by the end of tomorrow, Wednesday 15 August 2012.

Dated 14 August 2012

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Janet Mason
Counsel for the Claimants

[1] Refer to documents Wai 2374, #3.1.7; Wai 2374, #A1 and #A1(a)(i) – #A1(a)(xviii); Wai 2374, #A2; Wai 2374, #3.1.15 and Wai 2375, #3.1.3; Wai 2374, #A7 and #A7(a) – (b); Wai 2374, #A8 and Wai 2375, #A4; Wai 2374, #A8(a) – (b) and Wai 2375 #A4(a) – (b); Affidavit of Sarah Catherine Kalmakoff, affirmed 28 July 2012.
[2] Wai 2374, #2.5.3.