IN THE WAITANGI TRIBUNAL
TE ROHE POTAE INQUIRY DISTRICT

WAI 898
WAI 784
WAI 1147
WAI 1203
WAI 1447
WAI 1482
WAI 1824

IN THE MATTER of the Treaty of Waitangi Act 1975

AND

IN THE MATTER of Te Rohe Potae Inquiry District (Wai 898)

MEMORANDUM OF COUNSEL SEEKING LEAVE TO CROSS-EXAMINE DR LOVERIDGE IN HEARING WEEK TWO

Dated: this 19th day of November 2012

RECEIVED
Waitangi Tribunal
19 Nov 2012
Ministry of Justice
WELLINGTON

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MAY IT PLEASE THE TRIBUNAL:

1. This Memorandum of Counsel is filed on behalf of the following claims ("the Claimants"):

   (a) The Wai 784 claimants Rodney Graham and others on behalf of themselves and the Kauwhata Treaty Claims Komiti and Nga Uri Tangata o Ngati Kauwhata ki Te Tonga;

   (b) The Wai 1147 claimants Michael John Le Gros, Grace Ngaroimata Le Gros, Cedric Powhiriwhiri Tanoa and Tahuri Te Ruruku for themselves and for and on behalf of the descendants of Tanoa Te Uhi and the descendants of Te Whiutahi who wish to be included;

   (c) The Wai 1203 claimants Lois Jean Tutemahurangi, Ihaia Te Akau and Piripi Tutemahurangi for and on behalf of themselves and the descendants of Tutemahurangi and Waikura and the descendants of Te Tarapounamu;

   (d) The Wai 1447 claimants Ihaia Corbet Te Akau, Dominic Otimi and Edwin Ashford on behalf of themselves and Ngati Hinemihi;

   (e) The Wai 1482 claimants Richard Edward Orzecki, Ropata William Miratana and Patricia Ngatakutai Jacobs on behalf of themselves, and of Te Kotahitanga o te Iwi o Ngati Wehi Wehi; and

   (f) The Wai 1842 claimants Glennis Rawiri on behalf of herself and her whanau.

2. This Memorandum is filed in response to the Tribunal Directions dated 31 October 2012 (Wai 898,#2.5.141), directing that leave be sought to cross examine technical witnesses by midday, 19 November 2012.

3. The purpose of this Memorandum of Counsel is to seek leave to cross-examine Dr Loveridge during Week Two Hearings.

Leave to Cross-Examine Dr Loveridge

4. Counsel respectfully seek leave to cross examine Dr Loveridge on the following reports:

   (a) The Crown and the opening of the King Country, 1882-1885 (Wai 898, #A41); and

   (b) "In accordance with the Will of Parliament" The Crown the four tribes and the Aotea Block, 1885-1889 (Wai 898, #A68).

5. In particular, Counsel will focus on the issue of Crown pre-emption.

6. Counsel will require approximately 30 minutes for cross examination of Dr Loveridge, subject to witness response.

Dated at Wellington this 19th day of November 2012

Peter Johnston / Eve Rongo
Counsel for the Claimants