OFFICIAL

IN THE WAITANGI TRIBUNAL **WAI 2393**

IN THE MATTER of the Treaty of Waitangi Act 1975 (as amended)

AND

IN THE MATTER of an application for an urgent hearing by **Elaine Butler** on behalf of **Ngai Te Hapu Incorporated Society**

AND

IN THE MATTER of claims by **Kihi Ngatai** for and on behalf of **Ngāi Te Rangi Iwi (WAI 540)**

MEMORANDUM OF COUNSEL FOR NGĀI TE RANGI

RECEIVED
Waitangi Tribunal
11 Oct 2013
Ministry of Justice
WELLINGTON

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MAY IT PLEASE THE TRIBUNAL

1. This memorandum is filed on behalf of Te Runanga o Ngai Te Rangi ("TRONIT").

2. Counsel refers to the Tribunal's memorandum-directions dated 3 October (Wai 2393 #2.5.15) directing parties to file submissions by 10 October 2013, to clarify:

   2.1 Their interest in this urgency application; and
   2.2 The extent they seek to participate in the hearings to determine urgency.

3. TRONIT has previously advised that it sought to be an interested party[1] and that it neither supported nor opposed the applications for urgency.

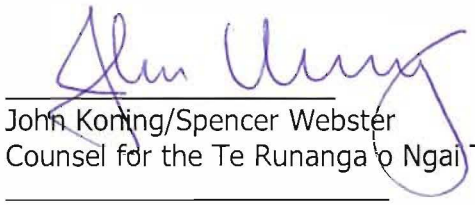
4. TRONIT further sought to participate in the applications to protect its interests to the extent necessary.[2]

5. Counsel seeks an extension to file a response to the Tribunal's directions by **Wednesday 16 October 2013** for the following reasons:

   5.1 Mr Webster has been involved in the current hearing week of the Wai 898 Te Rohe Potae Inquiry;
   5.2 Counsel has been absent on bereavement leave and only returned to work today;
   5.3 Accordingly, Counsel has been unable to confirm instructions from our clients.

6. It is submitted that this extension will not prejudice any other party. It is further submitted that the submissions will be received well in advance of the proposed judicial conference.

DATED this 11th day of October 2013



John Koning/Spencer Webster
Counsel for the Te Runanga o Ngai Te Rangi (Wai 540)

[1] Wai 2391 & Wai 2393 #3.1.5
[2] Wai 2391 & Wai 2393 #3.1.9