OFFICIAL

IN THE WAITANGI TRIBUNAL

Wai 898

Wai 729

IN THE MATTER	of the Treaty of Waitangi Act 1975
AND	
IN THE MATTER	of Wai 898 – the consolidated inquiry for the *Te Rohe Potae* Inquiry
AND	
IN THE MATTER	of the *Ngati Rereahu* comprehensive claim, a claim filed by **Hardie Peni** for and on behalf of *Rangitoto-Tuhua / Ngati Rereahu me ona hapu*

FURTHER MEMORANDUM OF COUNSEL

Dated 21 OCTOBER 2013

RECEIVED
Waitangi Tribunal
21 Oct 2013
Ministry of Justice
WELLINGTON

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May it please the Tribunal

1. Earlier today Counsel filed a Memorandum seeking a short extension of time to finalise the Brief of Evidence of Mr Hardie Peni until 9am on 22 October 2013.

2. Regretfully, in finalising instructions, Counsel must now advise that the WAI 729 claim is not ready to proceed in Hearing Week 8. For instance additional work in the nature of a forensic analysis of certain title deeds will be necessary for the evidential case in support.

3. Accordingly Counsel now advise that the Wai 729 claimants will not be in a position to present evidence for Hearing Week 8. One hour had previously been allocated to them on Friday 8 November 2013. Counsel has conferred with the coordination committee and they are working on reallocating the vacated time.

4. The evidence in support of Wai 729 instead will be finalised and filed with the Tribunal as soon as possible, but not later than the end of November 2013.

5. Counsel and the claimant will look to secure alternative hearing time within the timetable at a later stage.

6. Counsel apologises for any inconvenience caused.

He mihi maioha hei tapiri

7. Counsel also advises, as per the request of Mr Peni, that his koroua, Jack Nathan, passed away on Friday last. Previously Mr Nathan had video recorded evidence with the view to presenting it to the Tribunal in support of the Ngati Rereahu claims, but the decision was made late last week that he was likely too frail to present it. He was the last of his generation within the wider whanau grouping, and his loss has affected the whanau tremendously. The claimant wished his participation in the Ngati Rereahu claims process to be noted in this Memorandum.

John Kahukiwa/Dayle Takitimu

Counsel for the Claimant Wai 729