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**In the High Court of New Zealand
Auckland Registry**

**I Te Kōti Matua O Aotearoa
Tāmaki Makaurau Rohe**

CIV-2019-404-2682

under the **Judicial Review Procedure Act 2016**

between

Averil Rosemary Norman and Warwick Bruce Norman, directors of Auckland

Applicants

and

Tūpuna Maunga o Tāmaki Makaurau Authority, a body established under section 106 of the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014

First Respondent

and

Auckland Council, a unitary authority established under the Local Government (Auckland Council) Act 2009

Second Respondent

RULE 9.73(5)(b) MEMORANDUM OF COUNSEL FOR
APPLICANTS

21 April 2020

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emailed 21/4/20

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MEMORANDUM OF COUNSEL FOR APPLICANTS

1. This memorandum is filed in accordance with r 9.73 of the High Court Rules, as amended by the High Court (COVID-19 Preparedness) Amendment Rules 2020.
2. The applicants respectfully seek a direction under r 9.73(4) that the unsworn affidavits of Philip Blakeley and Andrew Barrell dated 21 April 2020 filed with this memorandum (a) be accepted for filing in this proceeding and (b) be read and used in this proceeding.
3. In terms of r 9.73(5)(b)(i), the affidavits presented for filing with this memorandum contain the same evidentiary matter as the intending deponents would have sworn or affirmed had the emergency not existed.
4. In terms of r 9.73(5)(ii), sworn or affirmed versions of these affidavits will be filed as soon as circumstances reasonably permit.

Dated 21 April 2020



R J Hollyman QC / JWH Little
Counsel for the Applicants