

**IN THE HIGH COURT OF NEW ZEALAND
AUCKLAND REGISTRY**

**I TE KŌTI MATUA O AOTEAROA
TĀMAKI MAKAURAU ROHE**

CIV-2022-404-1993

UNDER Part 7 of the High Court Rules 2016 and Part 15A of
the Companies Act 1993

IN THE MATTER OF **RUAPEHU ALPINE LIFTS LIMITED
(ADMINISTRATORS APPOINTED)**

AND of an application by **JOHN HOWARD ROSS FISK**
and **RICHARD JOHN NACEY**, as Administrators of
**RUAPEHU ALPINE LIFTS LIMITED
(ADMINISTRATORS APPOINTED)**

Applicants

SECOND JOINT MEMORANDUM OF COUNSEL

Dated: 20 December 2022

BUDDLE FINDLAY

Barristers and Solicitors
Auckland

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MAY IT PLEASE THE COURT:

1. This memorandum is filed in conjunction with an updating memorandum of counsel for the applicants and a further affidavit in support, seeking directions on the scope of the Court's orders dated 24 November 2022. Those orders were made on a without notice interlocutory application by John Fisk and Richard Nacey as administrators (**Administrators**) of Ruapehu Alpine Lifts Ltd (in administration). Counsel have previously filed a joint consent memorandum dated 18 November 2022 in this proceeding.
2. ANZ Bank New Zealand Limited (**ANZ**) and Crown Regional Holdings Limited (**CRHL**) have been served with a copy of the updating memorandum dated 19 December 2022 and the third affidavit of John Fisk in support dated 19 December 2022. ANZ and CRHL consent to the directions sought in the memorandum dated 19 December 2022.
3. The Court may well consider it can determine the issue raised by the Administrators on the papers. However, counsel for ANZ and CRHL are available to appear at short notice if that would assist the Court.

Dated: 20 December 2022



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M Kersey

Counsel for ANZ Bank New Zealand Limited



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M D Arthur

Counsel for Crown Regional Holdings Limited