

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

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

CIV 2024-419-2021

UNDER	The Financial Markets Conduct Act 2013
IN THE MATTER OF	A without notice application for asset preservation orders, orders appointing receivers, and managers and receivers, and related and incidental orders
BETWEEN	FINANCIAL MARKETS AUTHORITY Applicant
AND	DU VAL CAPITAL PARTNERS LTD First Respondent

Continued...

Case Management

Teleconference: 27 August 2024

Counsel:

J Cooper KC, R S May and S T Hartley for the applicant
D Salmon KC and D Nilsson for the eighth and ninth respondents
C Gudsell KC for the sixty-seventh respondent
M D Arthur for the receivers
S L Cogan for Mr Desmond (a director of the twelfth respondent)
J Cundy for Mr Dalzell (a director of the twelfth and fourteenth respondents)
K Francis for Ms Stokes and Mr Cheong (interested parties)
B O’Callahan and D Hayes for Lindeman Investment Ltd and other minority shareholders in Du Val Property Group Ltd (interested parties)

Date: 28 August 2024

MINUTE OF CAMPBELL J

AND

DU VAL GROUP NZ LTD
Second Respondent

DU VAL IP HOLDINGS LTD
Third Respondent

DU VAL PROP TECH LTD
Fourth Respondent

COASTWAY LTD
Fifth Respondent

DU VAL CONNECT LP
Sixth Respondent

KARAPIRO CORPORATE TRUSTEES
LTD
Seventh Respondent

JOHN KENYON CLARKE
Eighth Respondent

CHARLOTTE CLARKE
Ninth Respondent

DU VAL MORTGAGE FUND LIMITED
PARTNERSHIP
Tenth Respondent

DU VAL OPPORTUNITY FUND LIMITED
PARTNERSHIP
Eleventh Respondent

DU VAL BTR GP LIMITED
Twelfth Respondent

DU VAL BUILD TO RENT LIMITED
PARTNERSHIP
Thirteenth Respondent

DU VAL PROPERTY GROUP LIMITED
Fourteenth Respondent

DU VAL INVESTMENTS LIMITED
Fifteenth Respondent

DU VAL BUILDING LIMITED
Sixteenth Respondent

Continued....

DU VAL PROPERTY GROUP LTD
Sixteenth Respondent

DU VAL LAND LIMITED
Seventeenth Respondent

DU VAL PROPERTY MANAGEMENT
LIMITED
Eighteenth Respondent

DU VAL MANAGEMENT LIMITED
Nineteenth Respondent

DU VAL GP HOLDINGS LIMITED
Twentieth Respondent

AMBLE VALLEY LIMITED
Twenty-First Respondent

APRIL ELEMENTS LIMITED
Twenty-Second Respondent

CLARKE MEDIA GROUP LIMITED
Twenty-Third Respondent

BLUE RIVER HOLDINGS LIMITED
Twenty-Fourth Respondent

FLIPPING LIDS LIMITED
Twenty-Fifth Respondent

TTPP GENERAL PARTNER LIMITED
Twenty-Sixth Respondent

TRANS-TASMAN PACIFIC
PARTNERSHIP LIMITED
Twenty-Seventh Respondent

IPM GENERAL PARTNER LIMITED
Twenty-Eighth Respondent

DIAMOND BOX LIMITED
Twenty-Ninth Respondent

WOODLE LIMITED
Thirtieth Respondent

Continued...

DU VAL CLUBS LIMITED
Thirty-First Respondent

DU VAL HC GP LIMITED
Thirty-Second Respondent

DU VAL HEALTH CLUBS LIMITED
PARTNERSHIP
Thirty-Third Respondent

DU VAL CMUF GP LIMITED
Thirty-Fourth Respondent

DU VAL COMMERCIAL AND MIXED-
USE FUND LIMITED PARTNERSHIP
Thirty-Fifth Respondent

BLUE FRAME HOLDINGS LIMITED
Thirty-Sixth Respondent

DU VAL BTR LIMITED,
Thirty-Seventh Respondent

DU VAL CMUF LIMITED
Thirty-Eighth Respondent

FARHAM LIMITED
Thirty-Ninth Respondent

FIJI LAND ACQUISITION LIMITED
Fortieth Respondent

SHRUB HOLDINGS LIMITED
Forty-First Respondent

TE AWA TERRACES LIMITED
PARTNERSHIP
Forty-Second Respondent

DU VAL GP 1 LIMITED
Forty-Third Respondent

DU VAL NEW HOMES LIMITED
PARTNERSHIP
Forty-Fourth Respondent

DU VAL GP 5 LIMITED
Forty-Fifth Respondent

Continued...

DU VAL GP 8 LIMITED
Forty-Sixth Respondent

PARRY LIMITED PARTNERSHIP
Forty-Seventh Respondent

GET STARTED LIMITED
Forty-Eighth Respondent

DU VAL EDUCATION LIMITED
PARTNERSHIP
Forty-Ninth Respondent

ORANGE PINEAPPLE LIMITED
Fiftieth Respondent

RISING HOLDINGS LIMITED
Fifty-First Respondent

TECHWAY LIMITED
Fifty-Second Respondent

TRIBAL HOLDINGS LIMITED
Fifty-Third Respondent

WATER ALLEY LIMITED
Fifty-Fourth Respondent

DU VAL GP LIMITED
Fifty-Fifth Respondent

HILLSIDE CROSSING LIMITED
PARTNERSHIP
Fifty-Sixth Respondent

DU VAL GP 4 LIMITED
Fifty-Seventh Respondent

DU VAL DEVELOPMENT FUND NO. 14
LIMITED PARTNERSHIP
Fifty-Eighth Respondent

DU VAL GP 7 LIMITED
Fifty-Ninth Respondent

EARLSWORTH LIMITED PARTNERSHIP
Sixtieth Respondent

Continued...

DU VAL GP 9 LIMITED
Sixty-First Respondent

HILL TOP APARTMENTS LIMITED
PARTNERSHIP
Sixty-Second Respondent

DU VAL GP 10 LIMITED
Sixty-Third Respondent

SUNNYVALE TERRACES LIMITED
PARTNERSHIP
Sixty-Fourth Respondent

DU VAL GP 11 LIMITED
Sixty-Fifth Respondent

EDMONTON ROAD LIMITED
PARTNERSHIP
Sixty-Sixth Respondent

C.A.P.A.C LTD (trading as iCLAW)
Sixty-Seventh Respondent

[1] I held a teleconference on this matter yesterday afternoon.

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Redacted

Redacted

Discharge of some orders

[10] At the request of the FMA, with the support of the receivers, and without any opposition, I **discharged**:

- (a) The interim asset preservation orders, including the orders appointing receivers and managers, (appearing at 3.1–3.5 and 3.7 of the sealed orders dated 1 August 2024) made in respect of the thirty-second and thirty-third respondents (Du Val HC GP Ltd and Du Val Health Clubs LP).

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A handwritten signature in blue ink, appearing to read "Neil Campbell", written over a horizontal line.

Campbell J