

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

CIV-2016-404-2334

UNDER

**THE LOCAL GOVERNMENT (AUCKLAND
TRANSITIONAL PROVISIONS) ACT 2010**

IN THE MATTER

of an appeal on a Question of Law under section
158 of the Act

BETWEEN

Summerset Group Holdings Limited

Appellant

AND

**The Independent Hearings Panel, C/- Auckland
Council**

First Respondent

AND

Auckland Council

Second Respondent

Memorandum of Counsel for Appellant withdrawing appeal

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May it please the Court:

1. As recorded in paragraphs 21 and 22 of the Joint Memorandum of Counsel of the parties to the preliminary scope decision, dated 27 February 2017:

- Summerset will withdraw its appeal in its entirety;
- The Council and Summerset agree that costs lie where they fall.

2. Summerset hereby withdraws appeal CIV-2016-404-2334.



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R E Bartlett QC
Counsel for Appellant

24 March 2017