

## IN THE COURT OF APPEAL OF NEW ZEALAND

CA136/03

NOT  
RECOMMENDED

BETWEEN

NORSKE SKOG TASMAN LIMITED  
Appellant

AND

EDWARD CLARKE  
RespondentCoram: Tipping J  
Anderson J  
Glazebrook JCounsel: R J McIlraith and L J Turner for Appellant  
D G Jacobson for Respondent

Judgment (On the papers): 22 September 2003

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**JUDGMENT OF THE COURT DELIVERED BY TIPPING J**

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[1] This application for leave to appeal was heard on the papers at the request of both parties. Having considered the submissions on each side, the Court is of the view that the case is an appropriate one for leave to appeal to be granted. We make an order accordingly. The costs of the application are reserved.

Solicitors:  
Russell McVeagh, Auckland for Appellant  
Sharp Tudhope, Tauranga for Respondent