

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

**CIV-2009-470-368**

BETWEEN                      SHERYL BERRY  
   Applicant

AND                              KESTER ATKINSON  
   Respondent

Hearing:            12 June 2009

Appearances: Mr McArthur for Applicant  
                         Mr Stemmer for Respondent

Judgment:        16 June 2009 at at 10.30 a.m.

---

**INTERIM JUDGMENT OF ASSOCIATE JUDGE DOOGUE**

---

*This judgment was delivered by me on  
16.06.09 at 10.30 a.m, pursuant to  
Rule 11.5 of the High Court Rules.*

*Registrar/Deputy Registrar*

*Date.....*

***Solicitors:***

*Beach Legal, Mt Maunganui - by facsimile: 07 575 2265*

*(Counsel: Mr G C McArthur, P O box 1011, Tauranga - by facsimile: 07 571-0322)*

*Mr Stemmer, P O Box 9070, Tauranga - by facsimile: 07 577 1806*

[1] I heard this matter on an urgent basis in the Tauranga High Court on 12 June 2009. I am advised by counsel, Mr McArthur that if an order is to be of any assistance to the applicant it is necessary for it to be issued today.

[2] I have not yet prepared a draft judgment in the matter but I intend to order, and do so order, that the caveat is not to lapse until further order of the Court. The order shall take the form of the draft which the applicant filed.

[3] I will subsequently issue a further judgment subsequently setting out my reasons for judgment.

---

J P Doogue  
Associate Judge