

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

**CIV-2008-404-006222**

BETWEEN                                 LISA MARIE COLLEEN MANDIC AND  
   STEPHEN NEIL DOHNT  
   Plaintiffs

AND                                        THE CORNWALL PARK TRUST  
   BOARD  
   Defendant

Judgment:     23 December 2009 at 3:00 pm

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**JUDGMENT OF COURTNEY J  
AS TO COSTS**

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This judgment was delivered by Justice Courtney  
on 23 December 2009 at 3:00 pm  
pursuant to R 11.5 of the High Court Rules.

Registrar / Deputy Registrar  
Date.....

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[1] In this proceeding the plaintiffs sought a number of declarations as to the proper construction of their lease with the defendant, The Cornwall Park Trust Board. With one exception, I declined to make any of the declarations sought.

[2] The defendant seeks an order for costs on a 2B basis pursuant to R 14.3 and Schedule 2 of the High Court Rules. The amount calculated is \$13,040.00

[3] The plaintiffs accept that this is a proper calculation of costs. Given the respective extent of the parties' success I find that the appropriate course is to award costs in favour of the defendant on the basis proposed. I therefore make an award of costs in favour of the defendant of \$13,040.00.

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P Courtney J