

IN THE SUPREME COURT OF NEW ZEALAND

SC 23/2009
[2009] NZSC 44

BETWEEN IAN LAYWOOD AND GARY REES
Applicants
AND HOLMES CONSTRUCTION
WELLINGTON LTD
Respondent

Court: Blanchard, Tipping and McGrath JJ
Counsel: R B Hucker for Applicants
D M Hughes and K A Van Houtte for Respondent
Judgment: 15 May 2009

JUDGMENT OF THE COURT

The application for leave to appeal is dismissed with costs of \$2,500 to the respondent.

REASONS

[1] The applicants seek leave to appeal against a decision of the Court of Appeal¹ concerning several questions raised in relation to the registration in a District Court of an adjudicator's determinations under the Construction Contracts Act 2002.

[2] Although the matters in issue are of general practical significance and would otherwise meet the criteria for leave, we find the judgment below compelling and consider that the proposed appeal has no prospect of success on any of the grounds advanced on behalf of the applicants.

¹ *Laywood v Holmes Construction Wellington Ltd* [2009] NZCA 35 (CA 83/08, Glazebrook, O'Regan and Arnold JJ).

[3] It is therefore not necessary in the interests of justice for this Court to hear the appeal.

Solicitors:
Hucker & Associates, Auckland for Applicants
Kensington Swan, Auckland for Respondent