
RE: 3234219 - Employment Relationship Problem - Notice of Direction - Nathan Corrigan & PRIME FOCUS SECURITY LIMITED, Levi Menzies

7 messages

Daniel Church <Daniel@catherinestewart.co.nz>

Mon, Mar 25, 2024 at 8:48 AM

To: Auckland Era <aucklandera@era.govt.nz>

Cc: Catherine Stewart <catherine@catherinestewart.co.nz>, Jonothan Whyte <jonothan@catherinestewart.co.nz>, Javana Schiphorst <javana@catherinestewart.co.nz>, Lawrence Anderson <Lawrence@andersonlaw.nz>, "keleranayacakalou@gmail.com" <keleranayacakalou@gmail.com>

Mōrena

We have received the attached documentation from the liquidator over the weekend.

Can this please be passed on to the Member following the directions issues last week.

On a separate note, Javana Schiphorst is leaving our practice so I will be taking over this matter. Please therefore ensure that I am included in all correspondence going forward.

Ngā mihi | Kind regards

Daniel Church BA LLB (Hons)

Senior Staff Barrister

Hobson Towers West

Level 3, 26 Hobson Street

Auckland City 1010

Phone: 021 194 7227

EMPLOYMENT LAW SPECIALIST | BARRISTER
Catherine Stewart

www.catherinestewart.co.nz

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From: no-reply-dispute@era.govt.nz <no-reply-dispute@era.govt.nz>**Sent:** Friday, March 22, 2024 10:04 AM**To:** Javana Schiphorst <javana@catherinestewart.co.nz>**Subject:** 3234219 - Employment Relationship Problem - Notice of Direction - Nathan Corrigan & PRIME FOCUS SECURITY LIMITED, Levi Menzies

>> This is an automated email. Please do not reply. <<






File no: 3234219

Nathan Corrigan & PRIME FOCUS SECURITY LIMITED

Please find attached Directions of the Authority or Minute of the Authority. Please review the document carefully as it contains important information. If there is no documentation attached, you will receive it by post or you can log in to ERA Online <https://dispute.era.govt.nz> to view it.

If you do not have online access to the case, you can request access by calling Auckland 09 970 1550 Wellington 04 915 9550 Christchurch 03 964 7850. When you have online access, you can view messages sent to you and submit additional documentation.

5 attachments

-  **Prime_Focus_Security_Ltd_-_Annual_Report.pdf**
975K
-  **Prime_Focus_Security_Ltd_-_Balance_Sheet (1).pdf**
29K
-  **Prime_Focus_Security_Ltd_-_Balance_Sheet.pdf**
28K
-  **Prime_Focus_Security_Ltd_-_Profit_and_Loss (1).pdf**
32K
-  **Prime_Focus_Security_Ltd_-_Profit_and_Loss.pdf**
33K

Auckland Era <aucklandera@era.govt.nz> Mon, Mar 25, 2024 at 1:05 PM
To: Daniel Church <Daniel@catherinestewart.co.nz>
Cc: Catherine Stewart <catherine@catherinestewart.co.nz>, Jonathan Whyte <jonathan@catherinestewart.co.nz>, Javana Schiphorst <javana@catherinestewart.co.nz>, Lawrence Anderson <Lawrence@andersonlaw.nz>, "keleranayacakalou@gmail.com" <keleranayacakalou@gmail.com>

Thank you. Your email is received by ERA.

Kind Regards,

Nikki Bhalla

Authority Officer

Employment Relations Authority | Te Ratonga Ahumana Taimahi

Auckland Office | Tāmaki Makaurau Rohe

aucklandera@era.govt.nz | +64 (0)9 970 1550 | Level 3, [167B Victoria Street West, Auckland 1010](#)

[Quoted text hidden]

Auckland Era <aucklandera@era.govt.nz> Fri, Jun 7, 2024 at 3:06 PM
To: Daniel Church <Daniel@catherinestewart.co.nz>
Cc: Catherine Stewart <catherine@catherinestewart.co.nz>, Jonathan Whyte <jonathan@catherinestewart.co.nz>, Javana Schiphorst <javana@catherinestewart.co.nz>, Lawrence Anderson <Lawrence@andersonlaw.nz>, "keleranayacakalou@gmail.com" <keleranayacakalou@gmail.com>

Good afternoon parties,

Parties to confirm if they had any comment to make on the documents received from the liquidator in March 2024.

Kind Regards,

Nikki Bhalla

Authority Officer

Employment Relations Authority | Te Ratonga Ahumana Taimahi

Auckland Office | Tāmaki Makaurau Rohe

aucklandera@era.govt.nz | +64 (0)9 970 1550 | Level 3, 167B Victoria Street West, Auckland 1010

The Authority has issued a consolidated, revised and updated practice note, which is available here: <https://www.era.govt.nz/assets/Uploads/practice-direction-of-era.pdf>

From: Auckland Era
Sent: Monday, March 25, 2024 1:05 PM
To: Daniel Church <Daniel@catherinestewart.co.nz>
Cc: Catherine Stewart <catherine@catherinestewart.co.nz>; Jonathan Whyte <jonathan@catherinestewart.co.nz>; Javana Schiphorst <javana@catherinestewart.co.nz>; Lawrence Anderson <Lawrence@AndersonLaw.nz>; keleranayacakalou@gmail.com
Subject: RE: 3234219 - Employment Relationship Problem - Notice of Direction - Nathan Corrigan & PRIME FOCUS SECURITY LIMITED, Levi Menzies

Thank you. Your email is received by ERA.

Kind Regards,

Nikki Bhalla

Authority Officer

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Auckland Office | Tāmaki Makaurau Rohe

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From: Daniel Church <Daniel@catherinestewart.co.nz>

Sent: Monday, March 25, 2024 8:48 AM

To: Auckland Era <aucklandera@era.govt.nz>

Cc: Catherine Stewart <catherine@catherinestewart.co.nz>; Jonathan Whyte <jonathan@catherinestewart.co.nz>; Javana Schiphorst <javana@catherinestewart.co.nz>; Lawrence Anderson <Lawrence@AndersonLaw.nz>; keleranayacakalou@gmail.com

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Auckland Era <aucklandera@era.govt.nz>

Fri, Jun 7, 2024 at 3:39 PM

To: Lawrence Anderson <Lawrence@andersonlaw.nz>, Daniel Church <Daniel@catherinestewart.co.nz>

Cc: Catherine Stewart <catherine@catherinestewart.co.nz>, Jonathan Whyte <jonathan@catherinestewart.co.nz>, Javana Schiphorst <javana@catherinestewart.co.nz>, "keleranayacakalou@gmail.com" <keleranayacakalou@gmail.com>

Thank you. Your email is received by ERA.

Kind Regards,

Nikki Bhalla

Authority Officer

Employment Relations Authority | Te Ratonga Ahumana Taimahi

Auckland Office | Tāmaki Makaurau Rohe

aucklandera@era.govt.nz | +64 (0)9 970 1550 | Level 3, [167B Victoria Street West, Auckland 1010](#)

From: Lawrence Anderson <Lawrence@AndersonLaw.nz>

Sent: Friday, June 7, 2024 3:09 PM

To: Auckland Era <aucklandera@era.govt.nz>; 'Daniel Church' <Daniel@catherinestewart.co.nz>

Cc: 'Catherine Stewart' <catherine@catherinestewart.co.nz>; 'Jonathan Whyte' <jonathan@catherinestewart.co.nz>; 'Javana Schiphorst' <javana@catherinestewart.co.nz>; keleranayacakalou@gmail.com

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I await the Applicant's comments first and will seek to reply to any comments made by the Applicant if any.

Regards,

Lawrence Anderson

0276 529 529

AndersonLaw.nz

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Daniel Church <Daniel@catherinestewart.co.nz>

Fri, Jun 14, 2024 at 11:38 AM

To: Auckland Era <aucklandera@era.govt.nz>, Lawrence Anderson <Lawrence@andersonlaw.nz>
Cc: Catherine Stewart <catherine@catherinestewart.co.nz>, Jonothan Whyte <jonothan@catherinestewart.co.nz>, Jin Park <jin@catherinestewart.co.nz>, "keleranayacakalou@gmail.com" <keleranayacakalou@gmail.com>

Kia ora Nikki

Thank you for the opportunity to provide comment.

The documents are of somewhat limited utility, however, it is clear from the balance sheets and from the P&L that the First Respondent company was still profitable between April and September 2022, before it liquidated shortly after the Applicant first filed his Statement of Problem. Further, it is evident that the Second Respondent withdrew \$194,588.20 in drawings from the business, which accords with the Applicant's evidence that he withdrew money to avoid potential legal liability to.

The annual report for the year ended 31 March 2021 does not tell us anything useful. The annual report for the year ended 31 March 2022 has not been provided, which is surprising when the company continued trading until 7 September 2022.

At the time we were sent these documents, the liquidator advised that these five documents were all that the liquidator had, and that the Respondents had not been helpful in this regard. This is despite the Second Respondent's obligations as director to have kept fulsome business records. The Authority is invited to draw whatever inferences from this it considers appropriate.

Ngā mihi | Kind regards

Daniel Church BA LLB (Hons)

Senior Staff Barrister

Hobson Towers West

Level 3, 26 Hobson Street

Auckland City 1010

Phone: 021 194 7227

EMPLOYMENT LAW SPECIALIST | BARRISTER
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Auckland Era <aucklandera@era.govt.nz> Fri, Jun 14, 2024 at 11:58 AM
To: Daniel Church <Daniel@catherinestewart.co.nz>, Lawrence Anderson <Lawrence@andersonlaw.nz>
Cc: Catherine Stewart <catherine@catherinestewart.co.nz>, Jonothan Whyte <jonothan@catherinestewart.co.nz>, Jin Park <jin@catherinestewart.co.nz>, "keleranayacakalou@gmail.com" <keleranayacakalou@gmail.com>

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Auckland Era <aucklandera@era.govt.nz> Fri, Jun 14, 2024 at 12:44 PM
To: Lawrence Anderson <Lawrence@andersonlaw.nz>, Daniel Church <Daniel@catherinestewart.co.nz>
Cc: Catherine Stewart <catherine@catherinestewart.co.nz>, Jonothan Whyte <jonothan@catherinestewart.co.nz>, Jin Park <jin@catherinestewart.co.nz>, "keleranayacakalou@gmail.com" <keleranayacakalou@gmail.com>

Thank you. Your email is received by ERA.

Kind Regards,

Nikki Bhalla

Authority Officer

Employment Relations Authority | Te Ratonga Ahumana Taimahi

Auckland Office | Tāmaki Makaurau Rohe

aucklandera@era.govt.nz | +64 (0)9 970 1550 | Level 3, 167B Victoria Street West, Auckland 1010

From: Lawrence Anderson <Lawrence@AndersonLaw.nz>

Sent: Friday, June 14, 2024 12:24 PM

To: 'Daniel Church' <Daniel@catherinestewart.co.nz>; Auckland Era <aucklandera@era.govt.nz>

Cc: 'Catherine Stewart' <catherine@catherinestewart.co.nz>; 'Jonothan Whyte' <jonothan@catherinestewart.co.nz>; 'Jin Park' <jin@catherinestewart.co.nz>; keleranayacakalou@gmail.com

Subject: RE: 3234219 - Employment Relationship Problem - Notice of Direction - Nathan Corrigan & PRIME FOCUS SECURITY LIMITED,Levi Menzies

Hi,

My comments are this...

The Liquidator has received three unsecured creditor claims totalling \$7,901.49, the schedule of creditors for which do not include the Applicant's name. At the Investigation Meeting I raised the issue as to whether the Catherine Stewart law office had sought to add the Applicant to the list of unsecured creditors. It was confirmed, firstly that Javana Shiphorst did not know what that was or how to do it, secondly it follows that it was not done and still not done. The first liquidators report explains the process to do that. Good work team.

Next, as I went into submissions with the Member orally and speaking to the points raised in the Statement in Reply for the Second Respondent, I pointed out that the First Respondent (in liquidation) should it seek to recover money's owing to it from the Second Respondent, that any cause of action that may allege/arise is between those parties, and has nothing to do with the Applicant.

This application is centered around seeking orders that the Second Respondent takes steps to make the First Respondent (in liquidation) pay, which he cannot in terms of s 248 of the Companies Act 1993 as I explained, and that the Second Respondent has no personal liability to the Applicant.

The Application against the Second Respondent is far over-reaching and there is no legal basis to entertain it.

I remind the Authority that the Second Respondent takes no position as to the affairs of the First Respondent (in liquidation).

I also remind the Authority of my submission that should the Second Respondent not be ordered to do anything, having spent a full day Investigation Meeting and all paperwork filed directly related to the Applicant's claims against the Second Respondent (including the lengthy irrelevant evidence of Brett Young to do with the group of men who were looking at a potential unrelated business venture at some irrelevant time, and all those TXT messages that went with it that were provided as a surprise on the day of the Investigation Meeting), the Second Respondent should be entitled to contribution to costs.

Regards,

Lawrence Anderson

0276 529 529

AndersonLaw.nz

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