

BETWEEN VINCENT ROSS SIEMER

Applicant

AND FERRIER HODGSON AND
MICHAEL PETER STIASSNY

Respondent

Date of Minute: 5 November 2008

This is the document marked "B" referred to in
the annexed affidavit of
... Vincent Ross Siemer ...
sworn before me at Auckland this ... 12 ... day of
... January ... 20 ... 09
James Sheehan
Deputy Registrar of the High Court of New Zealand

MINUTE OF HAMMOND J

[1] This Minute is filed in response to the Minute of Blanchard J dated 3 November 2008.

[2] I regret the delay in responding to that Minute. I am presently on leave as the Robert S Campbell Visiting Fellow in Law at Magdalen College, Oxford. This Minute has been transmitted to me at Oxford, by my Associate, and I signed it and arranged for it to be couriered back to New Zealand, as promptly as I could.

[3] How this issue could have arisen is a distinct puzzle to me. I have never met Mr Stiassny personally. I have had no personal or social contact with him.

[4] In terms of litigation, in the early days of the High Court litigation concerning Paragon Oil Systems Ltd (before Mr Stiassny became involved) I heard certain litigation conducted in the High Court at Hamilton. In point of fact, that litigation was determined by me in Mr Siemer's favour. That litigation was:

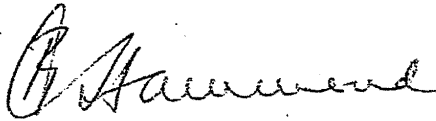
- Siemer v Paragon Oil Systems HC HAM CP80/00 18 July 2001 (oral judgment);

⊙
VRS

- Siemer v Paragon Oil Systems HC HAM CP80/00 19 July 2001 (reasons for judgment);
- Siemer v Paragon Oil Systems HC HAM CP80/00 3 September 2002 (oral judgment no 2).

[5] I have sat on, I think, some litigation in the Court of Appeal involving Mr Siemer and Mr Stiassny. Without the benefit of all my files it is not possible presently to list that litigation. If necessary, my Judge's Clerk could provide the Supreme Court with a list of those cases. On at least one occasion, Mr Siemer, to my recollection, invited me to recuse because, he said, Mr Stiassny and I were "friends". I declined to do so, because I do not know Mr Stiassny.

[6] I confirm that I have never had any dealings with Mr Stiassny other than through court proceedings.



R G Hammond J



RS