

**UNDER**                    **the District Courts Act 1947 and**  
                                 **Part 20 of the High Court Rules**

**IN THE MATTER**   **of an appeal from the interim judgment of**  
                                 **Judge C S Blackie**

**BETWEEN**            **CAMERON JOHN SLATER**

**Appellant**

**AND**                    **MATTHEW BLOMFIELD**

**Respondent**

Hearing:                11 February 2014

Counsel:                C J Slater in person  
                                 M J Blomfield in person

Date of minute:      11 February 2014

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**MINUTE OF LANG J**

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*To:*  
C J Slater  
M J Blomfield

[1] This is an application for leave to appeal from an interim judgment delivered by Judge C S Blackie in the District Court at Manukau on 26 September 2013. The judgment was given in defamation proceedings brought by the respondent in the District Court. The interim judgment held that s 68 of the Evidence Act 2006 does not apply to blog sites, and that the appellant's blog site is not a "news medium", in terms of s 68(5) of the Evidence Act 2006.

[2] The respondent purports to challenge the jurisdiction of this Court to hear the application on the basis that the appellant has failed to comply with procedural directions made in the District Court. I am not sure how failure to comply with directions made in the District Court can affect the jurisdiction of this Court to deal with an application that has been validly filed. That issue will need to be considered when the appeal is next called.

[3] The parties seek an adjournment for one week. The application will accordingly be listed for mention in the Appeals List on 18 February 2014 at 9 am. On that date, I anticipate that a fixture will be allocated for both the protest to jurisdiction argument and the substantive application.