

DUPLICATE

IN THE HIGH COURT OF NEW ZEALAND  
AUCKLAND REGISTRY

CIV: 2016-044-1215

**UNDER THE:** DEFEMATION ACT 1992

**IN THE MATTER OF:** In a Claim of Defamation

**BETWEEN** **MATTHEW JOHN BLOMFIELD**  
7 Rame Road, Auckland, Business Consultant

**Plaintiff**

**AND** **THE OWNER AND/OR ADMINISTRATOR**  
**OF WWW.LAUDAFINEM.COM**  
Address Unknown

**Defendant**

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ORDERS OF THE COURT

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Date : 28/11/2016

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Matthew Blomfield  
7 Rame Road • Greenhithe • Auckland 0632  
021362462  
matt@blomfield.co.nz



TO the owner of [www.laudafinem.com](http://www.laudafinem.com) and [www.laudafinem.org](http://www.laudafinem.org) and the email address [laudafinem@bigpond.com](mailto:laudafinem@bigpond.com).

The twitter account @Laudafinem

The Facebook page [www.facebook.com/Laudafinem](http://www.facebook.com/Laudafinem)

1. The interlocutory application of the plaintiff made by memorandum dated 23 November 2016 to vary the orders dated 13 October 2016, as first varied by further orders dated 31 October 2016, was determined by the Honourable Justice Woodhouse on 28 November 2016.
2. The determination was made without a hearing.
3. The following orders were made with further amendments:

a) Pending further order of the Court, the owner and any administrator of the website [www.laudafinem.com](http://www.laudafinem.com) and [www.laudafinem.org](http://www.laudafinem.org) (the websites) and of any Twitter, Facebook or other social media accounts associated with the websites (the social media accounts), or any other publication created or used in substitution for the websites or the social media accounts (the substitutes), and any other person capable of having material published on the websites or the social media accounts or the substitutes, and any servant or agent or company under the control of any of the foregoing, or any other person who has an association with the websites, the social media accounts, or the substitutes and knowledge of this order, shall not publish on the websites, the social media accounts or substitutes any information or material of any sort, and in any form, which directly or indirectly relates to the plaintiff Matthew John Blomfield or to any other person associated with the Plaintiff as referred to because of that association.

b) All information and material of any sort, and in any form, presently published or available on the websites, the social media accounts and the substitutes which directly or indirectly relates to the Plaintiff Matthew John Blomfield or to any other person associated with the Plaintiff and referred



to because of that association, shall forthwith be removed and shall not be made accessible on the websites or published elsewhere pending further order of the Court.

- c) Control of and access to the websites and the email address [laudafinem@bigpond.com](mailto:laudafinem@bigpond.com) (the email) and the social media accounts, the substitutes shall forthwith be transferred to and made available to Andrew Robert Gilchrist of Auckland, New Zealand, Barrister and, pending further order of the Court, Andrew Robert Gilchrist shall retain control of the websites and the email, and is to be assured of access to the websites and the email, subject to the following:

- (i) Mr Gilchrist's control of and access to the websites and the email is, subject to any further direction of the Court, limited to the following purposes:

Obtaining any and all information relating to the identification of the owner, or administrator, or user, or subscriber for the websites, including the email and any associated email addresses, subscriber details, payment data and internet protocol addresses used to connect to the account and any device identification data and including data to upload images and documents which are the subject matter of the application leading to these orders and any information from the email that would be discoverable in the normal course of these proceedings.

Giving effect to the preceding orders (a) and (b):

- (ii) As soon as Mr Gilchrist has any information identifying a person or persons, or entities, to whom notice of this proceeding should be given as a Respondent or potential Respondent, Mr Gilchrist is to file a report, and deliver a copy to the Plaintiff, recording the relevant information. The Plaintiff shall forthwith serve on the identified



persons or entities, copies of the documents filed by the Plaintiff in this proceeding to date together with a copy of this Judgement. Any such person or entity may apply on three days' notice to the Plaintiff for orders setting aside or varying the present orders, and for other orders.

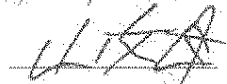
(iii) Once Mr Gilchrist is satisfied that there are no further steps properly available to him for the purposes identified in the preceding sub-paragraph (i), or by 20 March 2017, whichever occurs first, Mr Gilchrist is to file a report with the Court recording the steps taken by him, the information obtained, any information held and Mr Gilchrist's proposals as to any further orders that might properly be made in respect of the website.

- d) The Plaintiff has leave to apply for variation of the preceding orders.
- e) Mr Gilchrist's reasonable costs and disbursements shall in the first instance be met by the Plaintiff. The Plaintiff has leave to apply to recover those costs against the defendant or an interest third party against whom such an application might properly be made.
- f) The Plaintiff's costs of and incidental to this application are reserved.

Date:

28/11/16

Signature:



(Registrar/Deputy Registrar)

S MILLS

DEPUTY REGISTRAR

