



According to the Government's own independent report by Sapere, the total losses associated with the Government's negligence in letting Psa-V into New Zealand were at least \$885 million.

[4] That statement is likely to lead readers to believe that a report commissioned by the government has found that the government was negligent in causing losses of at least \$885 million. The statement therefore treats negligence by the government in relevant respects as a fact established by a report commissioned by the government, when the Crown has denied negligence and it is an issue to be determined in the proceeding.

[5] The statement contravenes the direction I earlier provided, and it is to be withdrawn from the press release as issued on behalf of the plaintiffs forthwith.

[6] If necessary, I will hear the parties when the proceedings are next called on any consequences claimed to have arisen from this overstatement of the position.

[7] I direct that this minute is to be added to those Court documents available on the appropriate websites.

**Dobson J**

Solicitors:  
Lee Salmon Long, Auckland for plaintiffs  
Crown Law, Wellington for defendant