

**IN THE DISTRICT COURT**

**NORTH SHORE**

**CIV-2018-044-1629**

**UNDER THE** Property Law Act (2007)

**IN THE MATTER OF:** Breach of [Lease] Contract;

**BETWEEN:** **DENNIS ARTHUR SMITH**, Beneficiary, of  
Taumarunui,  
*Plaintiff*

**AND:** **IAN JAMES PLOWMAN** Nurseryman,  
Cockle Bay, Auckland,  
*First Defendant*

**AND:** **NIKAU GROVE NURSERY LIMITED** a duly  
incorporated company having its registered office at  
35 Advene Rd, Cockle Bay, 2014, New Zealand and  
carrying on business as a Nursery at 51 Smith Road,  
Kumeu,  
*Second Defendant*

**AND:** **HELEN IRENE MITCHELL** Retired, of 53 Smith Road,  
Kumeu, Auckland,  
*Third Defendant*

**AND:** **SEA CONTAINERS NZ LIMITED** a duly incorporated  
company having its registered office at 36 Newton  
Street, Mount Maunganui, 3116, New Zealand and  
carrying on business selling & hiring containers,  
*Fourth Defendant*

## **LIST OF DOCUMENTS**

**Filed by:** Dennis Arthur Smith, Plaintiff.

**Address for Service [updated]:** dennis@dennis.nz

P O Box 2, Taumarunui, 3946 NZ

To the Registrar of the District Court at North Shore

**and**

To Ian James Plowman, Nikau Grove Nursery Limited and Helen Irene Mitchell

This document lists and describes the documents relied on by the Plaintiff:

Item Number	Title of document (if applicable)	Description of document
1	A1 - Trespass Notice - Plowman & Mitchell	A1 - Trespass Notice signed by First Defendant (Ian Plowman) in the name of Second Defendant (Nikau Grove Nursery [Ltd]) & Third Defendant (Helen Irene Mitchell) 8/11/2018
2	A2 - Gmail - Lease Confirmation	A2 – Email from Plaintiff containing lease details & confirmation of receipt
3	A3 - Gmail - Plans for 51 Smith	A3 – Email describing planned use long term
4	A4 - Gmail - Head lease possibility	A4 – Email terminating head lease possibility
5	A5 - Power Account	A5 – Power Account dated 24 September 2018
6	A6- Gmail - RE_ land 51 Smith Rd Kumeu	A6 – Termination letter from landlord and discussions
7	A7- Gmail - Tenancy 51B Smith Rd	A7 – Trespass of landlord & warning of costs
8	A8- IMG_20181015_0001	A8 – Trespass from landlord
9	A9- Ian Plowman Tresspass Notice	A9 – Trespass of landlord & warning
10	A10- Gmail - 51 Smith Rd	A10 – Landlord letter with demands
11	A11- Gmail - Squatter	A11 – Landlord letter with threats
12	A12- Gmail -	A12 – Landlord letter with threats

	occupation termination	
13	A13- Gmail - Notice of liability for potential losses	A13 – Email to landlord with warnings
14	A14 – List of JPG Photos	A14 – List of JPG Photos with damage & lockouts
15	A15 – List of MP3s	A15 - List of MP3s with lockouts & damage
16	A16- WTW - Breach of Residential Tenancies Act 1968	A16 - Notice of Breach
17	A17- Ian Plowman Police Report 25-10-18	A17 – Police Report
18	A18- Gmail - Confirmation	A18 – Police recommendations
19	A19- Ian Plowman Criminal Tenancy Acts - Details	A19 – Police Report
20	A20- Ian Plowman assaults	A20 – Police Report - Assaults
21	A21- Nikau Grove _ Plant Nursery & Garden Centre _ Auckland	A21 – Landlord website
22	A22- Nikaugrove.co.nz (Active) _ Domain Name Commission	A22 - www.nikaugrove.co.nz ownership details
23	A23- WTW - Huapai Police2	A23 – Police Report
24	A24- IMG_20180924_0003 (2)	A24 – Power analysis 13/9/2018
25	A25- IMG_20180924_0005	A25 – Meter reading 13/9/2018

26	A26- IMG_20181101_ 0001 (1)	A26 - Meter reading 10/10/2018
27	A27- IMG_20181101_ 0003 (2)	A27 – Power Invoice 31-10-2018
28	A28- WTW - Huapai Police	A28 – Police Report
29	A29- WTW - Second Breach of Residential Tenancies Act 1968 (2)	A29 - Second Notice of Breach
30	A30- Ian Plowman Tresspass Notice	A30 – Tresspass notice with map defining 51B Smith Rd
31	A31- Vector Report	A31 – Report from Vector describing three callouts, illegal works & unsafe power
32	A32- Engineer's Report	A32 – Engineer's report detailing damage and costs to machinery, tools and container
33	A33- Food & Personal Costs	A33 – Cost analysis on food & other personal items lost/damaged
34	A34- 111 Recording Transcript	A34 – Transcript of 111 phone call, 20/11/2018
35	A35. Gmail - First container.pdf	A35 - Sea Containers emails 2/8/2019 purchasing Container
36	A36- Gmail - RE_ Tenancy Application_ 4159555	A36 - Advisory to Tenancy Tribunal of transfer
37	A37. GTS v Ian Plowman - Warning Sea Containers	A37 - Gold Tick Services Ltd claim of title/warning to SCL
38	A38. Civil Proceedings Current	A38 - Warning email PDF to SCL
39	A39. Threat to repossess Container	A39 - Threat from Plowman to have Sea Containers repossess Container
40	B1- 111	B1 – MP3 recording of 111 phone call,

	Recording	20/11/2018
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..... day of March, 2019

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Signature of Dennis Arthur Smith

Plaintiff