

**Ridgeview Estate Ltd v Waiheke Island Airfields Ltd 11/10/02, Master Lang, HC
Auckland**

Successful application for summary judgment - plaintiff sought declaration that memorandum of settlement validly cancelled and ancillary orders - provision of fencing and telephone line.

Held, no defence to plaintiff's claim that fencing not carried out in accordance with original sale and purchase agreement - none the less, defendant should have opportunity to carry out inquiries to determine cost of fencing work - telephone line marked in different positions in original and final scheme plans - insufficient information on intended location to make order - orders made for payment of settlement funds into court and judicial conference.