

In the High Court of New
Zealand
Auckland Registry
I te Kōti Matua o Aotearoa
Tamaki Makaurau Rohe

CIV 2026-404 -001264

BETWEEN

DIGITAL HOLDINGS (2017) LIMITED, a duly incorporated company whose registered office is at 266 Waiuku Road, Rd 3, Pukekohe, 2678, **DIGITAL SIGNS (2017) LIMITED**, a duly incorporated company whose registered office is at 266 Waiuku Road, Rd 3, Pukekohe, 2678, **DIGITAL ADVERTISING (2017) LIMITED**, a duly incorporated company whose registered office is at 266 Waiuku Road, Rd 3, Pukekohe, 2678, **DAVID JAQUES** of Auckland, company director

PLAINTIFFS

AND

BDO AUCKLAND LIMITED, a duly incorporated company whose registered office is at Level 4, BDO Centre, 4 Graham Street, Auckland, 1010, **BDO AUCKLAND** (trading as a firm and/or partnership) having its registered office and/ or principal place of business at Level 4, BDO Centre, 4 Graham Street, Auckland, 1010, **NICHOLAS ROBERT INNES-JONES**, of Auckland, director and chartered accountant, **ANDREW JOHN MCKAY**, of Auckland, director and chartered accountant

DEFENDANTS

NOTICE OF PROCEEDING

Solicitor of record:

Doug Cowan
Cowan Law
Level 1, 10 Heather Street
Auckland
(09) 320 4616
doug.cowan@cowanlaw.co.nz

Counsel instructed:

S A Keall, barrister
FortyEight Shortland Barristers
Level 34, 48 Shortland Street,
Auckland
0223 179 127
stevekeall@stevekeall.com



NOTICE OF PROCEEDING

To the defendants and any other person directed to be served.

This document notifies you that you must file in this registry of the court a statement of defence to the plaintiffs' claim (a copy of which is served with this notice). You must do this within 30 working days after the date on which you have been served with this notice. If you do not, the plaintiffs may at once proceed to judgment on the plaintiffs' claim, and judgment may be given in your absence.

If a trial of the proceeding is necessary, it will be held in this court at Auckland at a time to be fixed by the court.

Date:

Signature:



S A Keall

Counsel for the plaintiffs

If you file a statement of defence in the court, you must also provide the plaintiffs with initial disclosure of documents in accordance with rule 8.4.

If you file a statement of defence in the court, you must then follow the standard directions in rule 7.4. You will then be notified of the date of a judicial issues conference (see rules 7.5 to 7.5B).

Date: 18th of May 2026

Signature:



Registrar / Deputy Registrar

Note: Please carefully read the memorandum attached to this notice.

Jiawei Li
Deputy Registrar
Auckland High Court

MEMORANDUM

(general form, Form G 3, r 5.23(4))

Advice

1. Although you do not have to employ a solicitor for the purpose of this proceeding, it is recommended that you consult a solicitor about this matter immediately. However, a company or other corporation that wants to defend this proceeding or appear at any hearing must consult a solicitor immediately because:
 - (a) it can only carry on a proceeding in the court by a solicitor; and
 - (b) it cannot appear to conduct a proceeding except by counsel (unless there are exceptional circumstances).

Legal aid

2. If you cannot afford to meet the cost of the proceeding, you may be entitled to assistance under the Legal Services Act 2011 and regulations made under that Act.
3. The plaintiffs are not in receipt of legal aid for the purpose of this proceeding.

Statement of defence

4. If the last day for filing your statement of defence falls on a day on which the registry of the court is closed, you may file your statement of defence on the next day on which that registry is open.
5. In calculating the time for filing your statement of defence you must disregard the period that commences with 25 December and ends with 15 January.
6. If you file a statement of defence, you must serve a copy of it on the plaintiffs and on any other defendant who has given an address for service. This must be done within the same period of time you have for filing the statement of defence.

Counterclaim

7. If you have a counterclaim against the plaintiffs, you must file a statement of that counterclaim in the registry of the court, and serve it on the plaintiffs and on any other person against whom the same claim is made. This must be done within the same period of time you have for filing a statement of defence.

Witnesses

8. Summonses for the attendance of witnesses will be issued on application at the registry of the court.

Registry hours

9. The registry hours of the court are from 9 am to 5 pm, except on court holidays.

Date: 18th of May 2026

Signature:



Registrar / Deputy Registrar
Jiawei Li
Deputy Registrar
High Court
Auckland