

6 August 2025

[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

Your request for information under the Official Information Act 1982 [CAS-148907]

We refer to your email dated 23 June 2025 in which you requested the following information under the OIA:

1. *What is the total legal fee/costs to date (June 23) the FMA has spent on the CBL Trial?*
2. *Could you please break this down by year?*
3. *How much of this has been paid to Simpson Grierson?*
4. *How much has been spent on experts?*
5. *Could I also get a full break down of the “others costs” associated with the trial, such as travel, couriers and postage etc?*

The trial which took place from 25 June to 2 August 2024 (**CBL CD Trial**) related to the pecuniary penalty proceeding the FMA brought in respect of breaches of the continuous disclosure provisions of the Financial Markets Conduct Act 2013 by CBL Corporation Limited (**CBLC**), its directors and its chief financial officer. The FMA has also brought a separate proceeding in relation to alleged breaches in respect of CBLC’s initial public offering in 2015 (**IPO Proceeding**). More information on the FMA’s proceedings may be found on the FMA website: [CBL | Investigation | Cases | Financial Markets Authority](#).

In responding to your request, the FMA has calculated its total spend in relation to both proceedings; it is not practicable to separate out the two until June 2024 (the two proceedings being scheduled to be heard together until the High Court adjourned the hearing of the IPO Proceeding in June 2024). The FMA’s total spend on all external costs (external lawyers, experts and other external providers) since the filing of the two proceedings on 16 December 2019 and until the date of your request (23 June 2025) is **\$8,454,902.48** (exclusive of GST). This sum relates to external expenditure only and does not incorporate any pecuniary penalties or costs collected by the FMA following trial or settlements with the defendants.

Costs expended broken down by year, with reference to the proportion of those costs paid to Simpson Grierson, are set out below. All of the sums are GST exclusive.

	FY19-20	FY20-21	FY21-22	FY22-23	FY23-24	FY24-25	TOTAL
Total external costs CBL (all external providers)	470,736.48	1,246,497	1,128,358	1,953,744	2,714,337	941,229	8,454,902.48
Simpson Grierson component	135,122.99	1,019,437	742,879	1,469,792	1,151,172	951,198	5,469,600.99
Travel - litigation	-	7,838	2,225	-	-	6,047	16,109

The cost spent specifically on (non-lawyer) expert witnesses and their advice between 16 December 2019 and 23 June 2025 is **\$601,788** (excluding GST). Costs spent in the same period on external providers that are not expert witnesses (including data hosting) was **\$484,657.33** (excluding GST). Note that these costs are included within the “total external costs” in the table above and are not in addition to them.

There are no additional travel, courier or postage costs associated with the CBL proceedings since their filing on 16 December 2019. All external counsel for the FMA are based in Auckland and any court filing fees et cetera are disbursed as part of external legal fees.

If this request seeks a breakdown of fees relating specifically to the CBL CD Trial, the following breaks down the fees in relation to work specifically on the trial, and incurred during the period of the hearing of the trial from 25 June 2024 to 2 August 2024. Note all sums are GST exclusive:

- Total external legal costs (including Simpson Grierson component of \$339,621.84.): \$716,196.84.
- Expert witnesses: \$57,106.80.
- Other external providers: \$6,683.85.
- Net trial fee (after refund): \$55,652.17.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

If you have any questions about this response, please contact me.

Yours sincerely



Ariarna Hakaraia
Manager, Internal Governance