

OUTCOME DETAILS

**Supreme Court - Civil
at Supreme Court Sydney
on 19 July 2022**

2018/00076580-010 / Cross Summons 004: Robert Watson and Erica Gay as the legal personal representatives for the estate of the late John Eugene Gay v Gunns Plantations Limited (in Liquidation)

2018/00076580-009 / Cross Summons 003: Wayne Leonard Chapman v Andrew Gray (KPMG Partner)

2018/00076580-022 / Cross Summons 005: Robin Gray v Catlin Australia Pty Ltd

2018/00076580-023 / Cross Summons 006: Robin Gray v Wayne Leonard Chapman

2018/00076580-026 / Cross Summons 007: Catlin Australia Pty Ltd v Andrew Gray (KPMG Partner)

2018/00076580-004 / Cross Summons 001: Andrew Gray (KPMG Partner) v Gunns Plantations Limited (in Liquidation)

2018/00076580-027 / Cross Summons 008: Chubb Insurance Australia Limited v Andrew Gray (KPMG Partner)

2018/00076580-001 / Summons: Giabal Pty Ltd v Gunns Plantations Limited (in Liquidation)

HH makes orders in terms of short minutes of order initialled and dated today's date.

Short Minutes of Order

The Court orders that:

1. Pursuant to rule 12.1(b) of the Uniform Civil Procedure Rules 2005 (NSW), Robin Gray, being the Eighth Defendant and Fifth Cross-Claimant in respect of the Third Cross-Claim filed on 5 September 2018, have leave to file a Notice of Discontinuance in the form provided to the solicitors for the Tenth and Eleventh Defendants on 30 May 2022.

2. On the condition that a Notice of Discontinuance is filed in accordance with paragraph 1 above, pursuant to s 64 of the Civil Procedure Act 2005 (NSW) (CPA), the Eighth Defendant have leave to file an Amended Sixth Cross-Claim Summons and Cross-Claim Statement in the form provided to the solicitors for the Tenth and Eleventh Defendants on 5 May 2022.

3. Pursuant to s 65 of the CPA, the amendments to the Amended Sixth Cross-Claim Statement that concern the Seventh Cross-Defendant and the Eighth Cross-Defendant be taken to have commenced on 5 September 2018.

4. The Seventh and Eighth Cross-Defendants to the Amended Sixth Cross-Claim Statement are to file and serve any amended Commercial List Cross-Claim Response by 16 August 2022.

Justice M Ball

Signed

Date