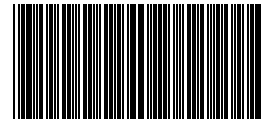




Filed: 31 August 2018 5:30 PM



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### Amended Cross-summons

#### COURT DETAILS

Court	Supreme Court of NSW
Division	Equity
List	Commercial
Registry	Supreme Court Sydney
Case number	2018/00076580

#### TITLE OF PROCEEDINGS

First Plaintiff	Giabal Pty Ltd
Second Plaintiff	Geoffry Underwood
First Defendant	Gunns Plantations Limited (in Liquidation)
Second Defendant	Gunns Limited (in Liquidation)(Receivers & managers Appointed)
Number of Defendants	11

#### TITLE OF THIS CROSS-CLAIM

First Cross Claimant	Gunns Plantations Limited (in Liquidation)
Second Cross Claimant	Gunns Limited (in Liquidation)(Receivers & managers Appointed)
First Cross Defendant	Andrew Gray
Second Cross Defendant	Mathew Gary Wallace

#### FILING DETAILS

Filed for	Gunns Plantations Limited (in Liquidation), Cross Claimant 1 Gunns Limited (in Liquidation)(Receivers & managers Appointed), Cross Claimant 2
Filed in relation to	Cross-Claim 2
Legal representative	Benjamin Renfrey
Legal representative reference	
Telephone	(08)82397158
Your reference	B8450

## **ATTACHMENT DETAILS**

In accordance with Part 3 of the UCPR, this coversheet confirms that both the Lodge Document, along with any other documents listed below, were filed by the Court.

Amended Cross-summons (Amended Second Cross-Claim Cross-Summons.pdf)

[attach.]

Form 10 (version 6)  
UCPR 9.1

## AMENDED SECOND CROSS-CLAIM CROSS-SUMMONS

### COURT DETAILS

Court	Supreme Court of New South Wales
Division	Equity
List	Commercial
Registry	Sydney
Case number	2018/76580

### TITLE OF PROCEEDINGS

First plaintiff	<b>Giabal Pty Ltd</b>
Second plaintiff	<b>Geoffry Underwood</b>
First defendant	<b>Gunns Plantations Limited (In Liquidation)</b>
Number of defendants	11

### TITLE OF THIS CROSS-CLAIM

<del>Third</del> <u>First</u> Cross-claimant	<b>Gunns Plantations Limited (In Liquidation) (First Defendant)</b>
<del>Fourth</del> <u>Second</u> Cross-claimant	<b>Gunns Limited (In Liquidation)(Receivers &amp; managers Appointed) (Second Defendant)</b>
<del>Tenth</del> <u>First</u> Cross-defendant	<b>Andrew Gray</b> (Tenth Defendant)
<del>Eleventh</del> <u>Second</u> Cross-defendant	<b>Matthew Wallace</b>  (Eleventh Defendant)

### FILING DETAILS

Filed for	<b>Gunns Plantations Limited (In Liquidation),<del>Third</del><u>First</u> Cross-Claimant</b> <b>Gunns Limited (In Liquidation) (Receivers &amp; managers Appointed), <del>Fourth</del><u>Second</u> Cross-Claimant</b>
Legal representative	Ben Renfrey, Johnson Winter & Slattery
Legal representative reference	B8450
Contact name and telephone	Ben Renfrey 08 8239 7111
Contact email	ben.renfrey@jws.com.au

### HEARING DETAILS

This cross-summons is listed at

**RELIEF CLAIMED**

- 1 Contribution from each of the Cross-Defendants under ss3(1)(c) and (2) of the *Wrongs Act 1954* (Tas), or alternatively ss 5(1)(c) and (2) of the *Law Reform (Miscellaneous Provisions) Act 1946* (NSW), or alternatively any other similar or equivalent provision of any other applicable legislation providing for contribution.
- 2 Further or alternatively, contribution from each of the Cross-Defendants in equity.
- 3 Interest up to judgment pursuant to s 100 of the *Civil Procedure Act 2005* (NSW).
- 4 Cost and interest upon costs paid prior to judgment.
- 5 Such further or other order as the Court thinks fit.

**SIGNATURE OF LEGAL REPRESENTATIVE**

I certify under clause 4 of Schedule 2 to the [Legal Profession Uniform Law Application Act 2014](#) that there are reasonable grounds for believing on the basis of provable facts and a reasonably arguable view of the law that the claim for damages in this cross-summons has reasonable prospects of success.

I have advised the cross-claimants that court fees may be payable during these proceedings. These fees may include a hearing allocation fee.

Signature



Capacity

Solicitor

Date of signature

31 August 2018.

**NOTICE TO CROSS-DEFENDANT**

If your solicitor, barrister or you do not attend the hearing, the court may give judgment or make orders against you. The court may also make orders for the payment of costs.

If you are a new party, or an existing party who has not already filed an originating process or appearance, before you can appear before the court you must file at the court an appearance in the approved form.

## HOW TO RESPOND

**Please read this cross-summons very carefully. If you have any trouble understanding it or require assistance on how to respond to the cross-summons you should get legal advice as soon as possible.**

You can get further information about what you need to do to respond to the cross-summons from:

- A legal practitioner.
- LawAccess NSW on 1300 888 529 or at [www.lawaccess.nsw.gov.au](http://www.lawaccess.nsw.gov.au).
- The court registry for limited procedural information.

Court forms are available on the UCPR website at [www.ucprforms.justice.nsw.gov.au](http://www.ucprforms.justice.nsw.gov.au) or at any NSW court registry.

## REGISTRY ADDRESS

Street address	Supreme Court of New South Wales, Law Courts Building, Queens Square, 184 Phillip Street, Sydney
Postal address	Supreme Court of New South Wales, GPO Box 3, Sydney NSW 2001
Telephone	1300 679 272

**PARTY DETAILS****PARTIES TO THIS CROSS-CLAIM****Cross-claimant****Cross-defendants**

**Gunns Plantations Limited (in Liquidation), ~~Third-First~~ Cross-Claimant**

**Andrew Gray, ~~Tenth-First~~ Cross-Defendant**

**Gunns Limited (in Liquidation)(Receivers & managers Appointed), ~~Fourth-Second~~ Cross-Claimant**

**Matthew Wallace, ~~Eleventh-Second~~ Cross-Defendant**