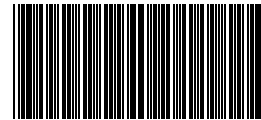




Filed: 7 September 2018 1:45 PM



D00011F6Y4

Commercial List Response

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	John Eugene Gay
First Cross Defendant	Gunns Plantations Limited (in Liquidation)
Second Cross Defendant	Gunns Limited (in Liquidation)(Receivers & managers Appointed)
Number of Cross Defendants	10

FILING DETAILS

Filed for	Wayne Leonard Chapman, Cross Defendant 3 Rodney John Loone, Cross Defendant 4 Leslie Ralph Baker, Cross Defendant 5 Robert Henry Graham, Cross Defendant 6 Robin Gray, Cross Defendant 7 Paul Desmond Teisseire, Cross Defendant 8
Filed in relation to	Cross-Claim 4
Legal representative	Michael Barrett
Legal representative reference	
Telephone	0412271916

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.

Commercial List Response (GPL - Cross Claim Response (Gay Cross Claim) 07.09.18.pdf)

[attach.]

Form 19 (version 2)
UCPR 21.10

COMMERCIAL LIST CROSS-CLAIM RESPONSE

COURT DETAILS

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

TITLE OF PROCEEDINGS

First Plaintiff	Giabal Pty Ltd ACN 009 863 807
Second Plaintiff	Geoffry Edward Underwood
First Defendant	Gunns Plantations Ltd (in Liquidation) ACN 091 232 209
Number of defendants (if more than two)	11

TITLE OF THIS CROSS-CLAIM

First Cross-Claimant	John Eugene Gay
First Cross-Defendant	Gunns Plantations Ltd (in Liquidation) ACN 091 232 209
Number of Cross-Defendants (if more than two)	10

PREPARATION DETAILS

Prepared for	Wayne Leonard Chapman , the Third Cross-Defendant Rodney John Loone , Fourth Cross-Defendant Leslie Ralph Baker , Fifth Cross-Defendant Robert Henry Graham , Sixth Cross-Defendant Robin Gray , Seventh Cross-Defendant Paul Desmond Teisseire , Eighth Cross-Defendant
Legal representative	Michael Barrett Thomson Geer
Legal representative reference	MB:4125531
Contact name and telephone	Michael Barrett Tel: 08 8236 1130
Contact email	mbarrett@tglaw.com.au

PRELIMINARIES

- 1 The terms defined in the Amended Commercial List Statement filed by the Plaintiffs on 6 August 2018 (**ACLS**) and in the Amended Commercial List Responses filed by the Third, Fifth, Sixth, Seventh, Eighth and Ninth Defendants on 24 August 2018 (**ACLRs**) have the same meaning in this document, unless otherwise stated.

A. NATURE OF DISPUTE

- 1 The Third, Fourth, Fifth, Sixth, Seventh and Eighth Cross-Defendants (**Cross-Defendants**) agree with the general description of the nature of the dispute.

B. ISSUES LIKELY TO ARISE

- 1 The Cross-Defendants agree that the issues identified by the Cross-Claimants are likely to arise in the Cross-Claim.

C. CROSS-DEFENDANTS RESPONSES TO CONTENTIONS

- 1 As to paragraph 1 of the Cross-Claimant's Contentions:
 - a. the Third Cross-Defendant repeats against the Cross-Claimants the responses made by the Third Defendant in paragraphs 4, 14-52, 56-64, 69, 73-76, 82-84, 91-94 and 101-103 of section C of the ACLR;
 - b. the Fourth Cross-Defendant repeats against the Cross-Claimants the responses made by the Fifth Defendant in paragraphs 6, 14-52, 56-64, 69, 73-76, 82-84, 91-94 and 101-103 of section C of the ACLR;
 - c. the Fifth Cross-Defendant repeats against the Cross-Claimants the responses made by the Sixth Defendant in paragraphs 7, 14-52, 56-64, 69, 73-76, 82-84, 91-94 and 101-103 of section C of the ACLR;

- d. the Sixth Cross-Defendant repeats against the Cross-Claimants the responses made by the Seventh Defendant in paragraphs 8, 14-52, 56-64, 69, 73-76, 82-84, 91-94 and 101-103 of section C of the ACLR;
 - e. the Seventh Cross-Defendant repeats against the Cross-Claimants the responses made by the Eighth Defendant in paragraphs 9, 14-52, 56-64, 69, 73-76, 82-84, 91-94 and 101-103 of section C of the ACLR; and
 - f. the Eighth Cross-Defendant repeats against the Cross-Claimants the responses made by the Ninth Defendant in paragraphs 10, 14-52, 56-64, 69, 73-76, 82-84, 91-94 and 101-103 of section C of the ACLR.
- 2 The Cross-Defendants deny the matters alleged in paragraph 2 of the Cross-Claimant's Contentions.
 - 3 The Cross-Defendants deny the matters alleged in paragraph 3 of the Cross-Claimant's Contentions.
 - 4 The Cross-Defendants deny that the Cross-Claimants are entitled to the relief sought in paragraph 4 of the Cross-Claimant's Contentions, or any relief against the Cross-Defendants.

D. QUESTIONS APPROPRIATE FOR REFERRAL TO A REFERREE

- 1 None.

E. MEDIATION STATEMENT

- 1 The Cross-Defendants agree with the Cross-Claimants' position with respect to mediation.

SIGNATURE

Signature of legal representative



Capacity

Michael Barrett, Solicitor

Date of signature

7 September 2018

PARTY DETAILS**PARTIES TO THIS CROSS-CLAIM****Cross-Claimants****John Eugene Gay**

First Cross-Claimant

Cross-Defendants**Gunns Plantations Ltd (in Liquidation)**

First Cross-Defendant

**Gunns Ltd (in Liquidation) (Receivers and
Managers Appointed)**

Second Cross-Defendant

Wayne Leonard Chapman

Third Cross-Defendant

Rodney John Loone

Fourth Cross-Defendant

Leslie Ralph Baker

Fifth Cross-Defendant

Robert Henry Graham

Sixth Cross-Defendant

Robin Gray

Seventh Cross-Defendant

Paul Desmond Teisseire

Eighth Cross-Defendant

Andrew Gray

Ninth Cross-Defendant

Mathew Gary Wallace

Tenth Cross-Defendant