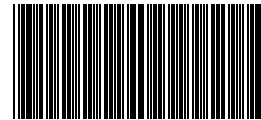




Filed: 24 August 2018 2:18 PM



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## 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	Andrew Gray
Second Cross Claimant	Mathew Gary Wallace
First Cross Defendant	Gunns Plantations Limited (in Liquidation)
Second Cross Defendant	Gunns Limited (in Liquidation)(Receivers & managers Appointed)
Number of Cross Defendants	9

### FILING DETAILS

Filed for	Gunns Plantations Limited (in Liquidation), Cross Defendant 1
Filed in relation to	Cross-Claim 1
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.

Commercial List Response (Commercial List Cross-Claim Responses (GPL)(signed).PDF)

[attach.]

**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	<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**

First Cross-claimant	<b>Andrew Gray</b> , Tenth Defendant
Second Cross-claimant	<b>Matthew Wallace</b> , Eleventh Defendant
First Cross-defendant	<b>Gunns Plantations Limited (In Liquidation) (Receivers and Managers Appointed)</b>
Number of Cross-defendants	9

**FILING DETAILS**

Filed for	<b>Gunns Plantations Limited (In Liquidation) (Receivers and Managers Appointed)</b> , First Cross-Defendant
Legal representative	Ben Renfrey, Johnson Winter & Slattery
Legal representative reference	B8450
Contact name and telephone	Ben Renfrey 08 8239 7111
Contact email	<a href="mailto:ben.renfrey@jws.com.au">ben.renfrey@jws.com.au</a>

**PRELIMINARIES**

- 1 The terms defined in the Amended Commercial List Statement filed by the Plaintiffs on 6 August 2018 (**CLS**) and in the Commercial List Response filed by the First Defendant on 20 July 2018 (**CLR**) have the same meaning in this document, unless otherwise stated.

**A NATURE OF DISPUTE**

- 1 The First Cross-Defendant, Gunns Plantations Limited (In Liquidation) (Receivers and Managers Appointed) (**GPL**) agrees with the general description of the nature of the dispute.

- 2 The First Cross-Defendant disputes the First and Second Cross-Claimants' (the Cross-Claimants) allegations in the Commercial List Cross-Claim as more fully set out below.

**B ISSUES LIKELY TO ARISE**

- 1 The First Cross-Defendant agrees that the issues identified by the Cross-Claimants are likely to arise in the proceedings.

**C FIRST CROSS-DEFENDANT'S RESPONSES TO CONTENTIONS**

- 1 The First Cross-Defendant repeats against the Cross-Claimants the responses made by the First Defendant in paragraphs 1, 14-52, 56-64, 65-67, 73-76, 79-80, 87-90 and 101-103 of section C of the CLR.

**D QUESTIONS APPROPRIATE FOR REFERRAL TO A REFEREE**

- 1 None

**E MEDIATION STATEMENT**


- 1 The First Cross-Defendant agrees with the Cross-Claimants' position with respect to mediation.

**SIGNATURE**

Signature of legal representative

Capacity

Date of signature

  
Solicitor on record  
24 August 2018.