

Filed: 5 September 2018 3:08 PM



#### **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 Wayne Leonard Chapman Second Cross Claimant Rodney John Loone

Number of Cross Claimants

First Cross Defendant Andrew Gray
Second Cross Defendant Donald H McKenzie

Number of Cross Defendants 13

**FILING DETAILS** 

Filed for Wayne Leonard Chapman, Cross Claimant 1

Rodney John Loone, Cross Claimant 2 Leslie Ralph Baker, Cross Claimant 3 Robert Henry Graham, Cross Claimant 4

Robin Gray, Cross Claimant 5

Paul Desmond Teisseire, Cross Claimant 6

Filed in relation to Cross-Claim 3

Legal representative

Legal representative reference

Michael Barrett

Telephone 0412271916

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# **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 (GPL - Cross Summons 05.09.18.pdf)

[attach.]

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Form 10 (version 6) UCPR 9.1

# **CROSS-CLAIM CROSS-SUMMONS**

**COURT DETAILS** 

Court Supreme Court of New South Wales

Division Equity

Commercial List 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 **Wayne Leonard Chapman** 

**Number of Cross-Claimants** 6

First Cross-Defendant **Andrew Gray** 

**Number of Cross-Defendants** 13

**FILING DETAILS** 

Prepared for Wayne Leonard Chapman, the First Cross Claimant

> Rodney John Loone, the Second Cross-Claimant Leslie Ralph Baker, the Third Cross-Clamant Robert Henry Graham, the Fourth Cross-Claimant

Robin Gray, the Fifth Cross-Claimant

Paul Desmond Teisseire, the Sixth Cross-Claimant

Michael Barrett, Thomson Geer Legal representative

MB:4125531 Legal representative reference Michael Barrett Contact name and telephone

Tel: 08 8236 1130

Contact email mbarrett@tglaw.com.au

#### **HEARING DETAILS**

#### **RELIEF CLAIMED**

- An order pursuant to section 3 of the *Wrongs Act 1954* (TAS) that the First to Thirteenth Cross-Defendants pay contribution to the First to Sixth Cross-Claimants in such amount as is found by the Court to be just and equitable having regard to the extent of the Cross-Defendants' responsibility for the alleged damage.
- In the alternative, an order pursuant to section 5 of the *Law Reform (Miscellaneous Provisions) Act 1946* (NSW) that the First to Thirteenth Cross-Defendants pay contribution to the First to Sixth Cross-Claimants in such amount as is found by the Court to be just and equitable having regard to the extent of the Cross-Defendants' responsibility for the alleged damage.
- In the alternative, an order pursuant to any other applicable legislation that the First to Thirteenth Cross-Defendants pay contribution to the First to Sixth Cross-Claimants in such amount as is found by the Court to be just and equitable having regard to the extent of the Cross-Defendants' responsibility for the alleged damage.
- The First to Thirteenth Cross-Defendants pay contribution to the First to Sixth Cross-Claimants in such amount as is found by the Court to be just and equitable having regard to the extent of the Cross-Defendants' responsibility for the alleged damage.
- 5 Costs.
- 6 Interest
- 7 Such further or other orders as the Court sees fit.

#### SIGNATURE OF LEGAL REPRESENTATIVE

I certify under clause 4 of Schedule 2 to the *Legal Profession Uniform Law Application Act* 2014 (NSW) 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 contribution in this cross-summons has reasonable prospects of success.

I have advised the First to Sixth Cross-Claimants that court fees may be payable during these proceedings. These fees may include a hearing allocation fee.

Signature

Capacity Solicitor on record

Date of signature 5 September 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.
- The court registry for limited procedural information.

Court forms are available on the UCPR website at www.ucprforms.justice.nsw.gov.au or at any NSW court registry.

#### **REGISTRY ADDRESS**

Street address Law Courts Building, Queens Square

184 Phillip Street

SYDNEY NSW 2000

Postal address GPO Box 3

SYDNEY NSW 2001

Telephone 1300 679 272

#### **PARTY DETAILS**

#### **PARTIES TO THIS CROSS-CLAIM**

Cross-claimants

**Wayne Leonard Chapman** 

First Cross Claimant

Rodney John Loone Second Cross-Claimant

Leslie Ralph Baker

Third Cross-Clamant

**Robert Henry Graham** 

Fourth Cross-Claimant

**Robin Gray** 

Fifth Cross-Claimant

**Paul Desmond Teisseire** 

Sixth Cross-Claimant

**Cross-defendants** 

**Andrew Gray** 

First Cross-Defendant

**Matthew Gary Wallace** 

**Second Cross-Defendant** 

Michael T Hine

Third Cross-Defendant

**Martin M Rees** 

Fourth Cross-Defendant

**Kenneth Deane** 

Fifth Cross-Defendant

Leigh C Franklin

Sixth Cross-Defendant

Nigel J Briggs

Seventh Cross-Defendant

Paul J Green

**Eighth Cross-Defendant** 

**David Howie** 

Ninth Cross-Defendant

**Donald H McKenzie** 

Tenth Cross-Defendant

John Lord

Eleventh Cross-Defendant

**Brent Murphy** 

Twelfth Cross-Defendant

Michael H Cooke

Thirteenth Cross-Defendant

# **DETAILS ABOUT CROSS-DEFENDANT[S] THAT ARE NEW PARTIES**

**Third Cross-Defendant** 

Name Michael T Hine

Address

40 Eurella Street KINGS TAS 7249

**MEADOWS** 

# **Fourth Cross-Defendant** Name Martin M Rees Address **Fifth Cross-Defendant** Name Kenneth Deane Address **Sixth Cross-Defendant** Name Leigh C Franklin Address **Seventh Cross-Defendant** Nigel J Briggs Name Address **Eighth Cross-Defendant** Name Paul J Green Address

# **Ninth Cross-Defendant**

Name David Howie

Address



# **Tenth Cross-Defendant**

Name Donald H McKenzie

Address



# **Eleventh Cross-Defendant**

Name John Lord

Address



# **Twelfth Cross-Defendant**

Name Brent Murphy

Address



### **Thirteenth Cross-Defendant**

Name Michael H Cooke

Address

