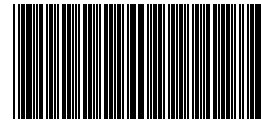




Filed: 24 August 2018 2:19 PM



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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 Limited (in Liquidation)(Receivers & managers Appointed), Cross Defendant 2
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 Response (Gunns) (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, Tenth Defendant</b>
Second Cross-claimant	<b>Matthew Wallace, Eleventh Defendant</b>
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 Limited (In Liquidation)(Receivers &amp; managers Appointed), Second Cross-Defendant</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

**PRELIMINARIES**

- 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 Second Defendant on 20 July 2018 (**CLR**) have the same meaning in this document, unless otherwise stated.

**A NATURE OF DISPUTE**

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

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

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

1 The Second Cross-Defendant repeats against the Cross-Claimants the responses made by the Second Defendant in paragraphs 2-3, 14-52, 56-64, 68, 73-76, 81, 95-96 and 101-103 of section C of the CLR.

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

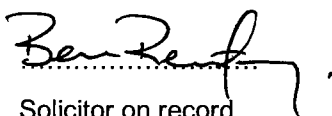
1 None

**E MEDIATION STATEMENT**

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

**SIGNATURE**

Signature of legal representative



Capacity

Solicitor on record

Date of signature

24 August 2018