NOTICE OF FILING AND HEARING

Filing and Hearing Details

Document Lodged**:**	Notice of Cross-Claim - Form 31 - Rule 15.02(1)
Court of Filing:	FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment:	2/09/2026 5:46:22 PM AEST
Date Accepted for Filing:	3/09/2026 9:49:21 AM AEST
File Number:	NSD1039/2021
File Title:	WHITE OAK COMMERCIAL FINANCE EUROPE (NON-LEVERED) LIMITED v INSURANCE AUSTRALIA LIMITED ACN 000 016 722
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing:	To Be Advised
Time and date for hearing:	To Be Advised
Place:	To Be Advised

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.

Form 31
Rule 15.02(1)

Filed pursuant to Order of Thawley J made on 2 September 2026

~~Second~~ Amended Notice of cross-claim

No. NSD 1039 of 2021

Federal Court of Australia

District Registry: New South Wales

Division: ~~Commercial and Corporations National Practice Area~~ General

WHITE OAK COMMERCIAL FINANCE EUROPE (NON-LEVERED) LIMITED

Applicant

INSURANCE AUSTRALIA LIMITED (ACN 000 016 722) and others named in the ~~s~~Schedule

Respondents

BCC TRADE CREDIT PTY LTD (ACN 608 296 233)

Cross-claimant

GREENSILL CAPITAL (UK) ~~LTD~~ LIMITED (IN ADMINISTRATION) and ~~others~~ another named in the ~~s~~Schedule

Cross-respondents

To Greensill Capital (UK) ~~(Ltd)~~ Limited (In Administration), ~~Greensill Bank AG,~~ and Greensill Capital Pty ~~Ltd~~ Limited (In Liquidation) (ACN 154 088 132), the Cross-respondents (**Cross-respondents**).

The Cross-claimant and the Second Respondent in the proceeding, BCC Trade Credit Pty Ltd (ACN 608 296 233), ~~the Second Respondent in the proceeding,~~ applies for the relief set out in this cross-claim.

The Court will hear this cross-claim, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

Filed on behalf of (name & role of party) BCC Trade Credit Pty Ltd (ACN 608 296 233), Second Respondent and Cross-claimant

Prepared by (name of person/lawyer) Matt Andrews

Law firm (if applicable) Kennedys (Australasia) Partnership

Tel 02 8215 5999 Fax 02 8215 5988

Email Matt.andrews@kennedyslaw.com

Address for service (include state and postcode) L48, 25 Martin Place, Sydney NSW 2000

If you have not already done so, you must file a notice of address for service (Form 10) in the Registry before attending Court or taking any other steps in the proceeding.

Time and date for hearing: **Place**:

Date:

Signed by an officer acting with the authority
of the District Registrar

Further notice to ~~c~~Cross- respondents

You have been brought into this proceeding by this notice of cross-claim.

You may seek copies of all or any of the pleadings or documents previously filed in this proceeding by filing a notice under rule 15.09(1)(b) (Form 32).

Details of cross-claim

On the grounds stated in the statement of cross-claim, accompanying affidavit or other document prescribed by the Rules, the Cross-claimant claims:

1. Damages, including under s 1041I of the *Corporations Act 2001* (Cth), s 236 of the *Australian Consumer Law* and/or s 12GF of the *Australian Securities and investments Commission Act 2001* (Cth).

2. Orders under s 1325 of the *Corporations Act 2001* (Cth), s 237 of the *Australian Consumer Law* and/or s 12GM of the *Australian Securities and Investments Commission Act 2001* (Cth), that:

    a. the Cross-respondents indemnify the Cross-claimant for any liability held to be owed by it in the proceeding *White Oak Commercial Finance Europe (Non-Levered Limited) v Insurance Australia Limited & Ors* (NSD 1039 of 2021) (the **Primary Proceeding**); and

b. the Comprehensive Trade Credit Insurance Policy TS-03690 purportedly entered into on or about 13 March 2019 with contract number B0509FINCW1900009 be set aside or not enforced in respect of the claims advanced in the Primary Proceeding.

3. Interest.

4. Costs.

5. Such further or other order as the Court sees fit.

Cross-claimant's address

The Cross-claimant's address for service is: L48, 25 Martin Place, Sydney NSW 2000

Place: Level 48, 25 Martin Place, Sydney NSW 2000

Email: ~~matt.andrews@kennedyslaw.com~~ kennedysgreensill@kennedyslaw.com

Service on the Cross-respondents

It is intended to serve this cross-claim on all Cross-respondents.

Date: ~~4 April 2023~~ 2 September 2026

Signed by Matt Andrews

Lawyer for the Cross-claimant

Schedule

No. NSD 1039 of 2021

Federal Court of Australia
District Registry: New South Wales
Division: General

Respondents

Second Respondent:	BCC Trade Credit Pty Ltd (ACN 608 296 233)
Third Respondent:	Greg Brereton
Fourth Respondent:	Greensill Bank AG ~~of Flughafenallee 26, 28199 Bremen, Germany~~
Fifth Respondent:	Dr Michael Frege~~, of Stadthausbrucke 1-3, 20355 Hamburg, Germany~~ in his capacity as Insolvency Administrator for Greensill Bank AG

BCC CROSS-CLAIM

~~Second Cross-respondent:~~	~~Greensill Bank AG~~
~~Third~~ Second Cross-respondent:	Greensill Capital Pty ~~Ltd~~ Limited (ACN 154 088 132) (In Liquidation)

BCC/TMNF/TMMA CROSS-CLAIM

First Cross-claimant:	BCC Trade Credit Pty Ltd (ACN 608 296 233)
Second Cross-claimant:	Tokio Marine & Nichido Fire Insurance Co., Ltd. (ARBN 000 438 291)
Third Cross-claimant:	Tokio Marine Management (Australasia) Pty Ltd (ACN 001 488 455)
Cross-respondent:	Insurance Australia Limited (ACN 000 016 722)

IAL CROSS-CLAIM

Cross-claimant:	Insurance Australia Limited (ACN 000 016 722)
First Cross-respondent:	Tokio Marine & Nichido Fire Insurance Co., Ltd. (ARBN 000 438 291)
Second Cross-respondent:	Tokio Marine Management (Australasia) Pty Ltd (ACN 001 488 455)
Third Cross-respondent:	BCC Trade Credit Pty Ltd (ACN 608 296 233)