NOTICE OF FILING

Details of Filing

Document Lodged:	Statement of Claim - Form 17 - Rule 8.06(1)(a)
Court of Filing	FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment:	28/07/2026 1:19:00 PM AEST
Date Accepted for Filing:	3/09/2026 2:55:45 PM 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



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 17
Rule 8.05(1)(a)

Filed pursuant to Order of Thawley J dated ~~24 July 2025~~ 21 July 2025

BCC/TMNF/TMMA Amended Statement of Cross-claim

No. NSD 1039 of 2021

Federal Court of Australia

District Registry: New South Wales

Division: General

WHITE OAK COMMERCIAL FINANCE EUROPE (NON-LEVERED) LIMITED

Applicant

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

First Respondent

BCC TRADE CREDIT PTY LTD (ACN 608 296 233) and others named in the Schedule

First Cross-claimant

INSURANCE AUSTRALIA LIMITED (ACN 000 016 722)

Cross-respondent

PRELIMINARY MATTERS

A. If, contrary to any of their defences in this proceeding, any one or more of BCC Trade Credit Pty Ltd (ACN 608 296 233), Tokio Marine & Nichido Fire Insurance Co., Ltd. (ARBN 000 438 291) or Tokio Marine Management (Australasia) Pty Ltd (ACN 001 488 455) (together, **Cross-claimants**) is liable to the Applicant (**White Oak**) for any of the relief sought in the originating application, the Cross-claimants advance the following pleadings by way of cross-claim.

A. PARTIES

1. The Cross-claimants are the Second, Sixth and Seventh Respondents in this proceeding.

Filed on behalf of (name & role of party) BCC Trade Credit Pty Ltd, Second Respondent and Cross-claimant; Tokio Marine & Nichido Fire Insurance Co., Ltd. (ARBN 000 438 291), Sixth Respondent and Cross-claimant; and Tokio Marine Management (Australasia) Pty Ltd (ACN 001 488 455), Seventh Respondent and Cross-claimant

Prepared by (name of person/lawyer) Matt Andrews

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2. The Cross-respondent, Insurance Australia Limited (ACN 000 016 722) (**IAL**), is the First Respondent in this proceeding.

B. CROSS-CLAIM AGAINST IAL FOR CONTRIBUTION

3. Without admission and for the purposes only of this Cross-claim, the Cross-claimants refer to and repeat the allegations in White Oak's ~~Fourth~~ Sixth Amended Statement of Claim (~~**4ASOC**~~ **ASOC**) filed on ~~8 November 2023~~ 9 July 2026.

4. If, and to the extent that, the Court finds that:

   a. any one or more of the Cross-claimants (**Liable Cross-claimant(s)**) is liable to White Oak for any loss alleged in the ~~4ASOC~~ ASOC; and

   b. IAL is liable to White Oak for the same loss, on the basis of the matters pleaded in the ~~4ASOC~~ ASOC,

   then (subject to s 1041P of the *Corporations Act*, s 12GT of the *ASIC Act,* s 87CF of the *Competition and Consumer Act* and s 36 of the *Civil Liability Act*), IAL is liable to contribute to the Liable Cross-claimant(s) an amount that is just and equitable, by reason of equitable contribution and/or section 5 of the *Law Reform (Miscellaneous Provisions) Act 1946* (NSW) and/or section 12 of the *Law Reform (Miscellaneous Provisions) Act 1965* (NSW).

Date: ~~22 August 2025~~ 28 July 2026



Signed by Matt James Andrews
Lawyer for the Cross-claimants
By his partner, Raylee Joy Hartwell

This pleading was prepared by Peter Braham SC, Justin Williams SC, James Hutton SC, Julie Granger, Jerome Entwisle, Daniel Reynolds, Daniel Farinha, ~~and~~ Stephen Thomson and Christopher Beshara of counsel.

Certificate of lawyer

I, ~~Matt James Andrews~~ Raylee Joy Hartwell, certify to the Court that, in relation to the Cross-claim filed on behalf of the Cross-claimants, the factual and legal material available to me at present provides a proper basis for each allegation in the pleading.

Date: ~~22 August 2025~~ 28 July 2026



Signed by Raylee Joy Hartwell as partner of Matt James Andrews, Lawyer for the Cross-claimants

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
Fifth Respondent:	Dr Michael C. Frege in his capacity as Insolvency Administrator of Greensill Bank AG
Sixth Respondent:	Tokio Marine & Nichido Fire Insurance Co., Ltd. (ARBN 000 438 291)
Seventh Respondent:	Tokio Marine Management (Australasia) Pty Ltd (ACN 001 488 455)

GREENSILL BANK CROSS-CLAIM

First Cross-claimant:	Greensill Bank AG
Second Cross-claimant:	Dr Michael C. Frege in his capacity as Insolvency Administrator of Greensill Bank AG
Cross-respondent:	Insurance Australia Limited (ACN 000 016 722)

BCC CROSS-CLAIM

Cross-claimant:	BCC Trade Credit Pty Ltd (ACN 608 296 233)
First Cross-respondent:	Greensill Capital (UK) Limited
~~Second Cross-respondent:~~	~~Greensill Bank AG~~
~~Third~~ Second Cross-respondent:	Greensill Capital Pty Limited (In Liquidation) (ACN 154 088 132)

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)