NOTICE OF FILING AND HEARING

Filing and Hearing Details

Document Lodged**:**	Originating Application - Form 15 - Rule 8.01(1)
Court of Filing:	FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment:	26/06/2026 6:17:40 PM AEST
Date Accepted for Filing:	29/06/2026 8:43:13 AM AEST
File Number:	NSD169/2023
File Title:	CREDIT SUISSE VIRTUOSO SICAV-SIF IN RESPECT OF THE SUB-FUND - CREDIT SUISSE (LUX) SUPPLY CHAIN FINANCE FUND & ANOR v INSURANCE AUSTRALIA LTD ACN 000 016 722 & ORS
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 15
Rules 8.01(1); 8.04(1)

~~Second~~ Third Amended Originating Application

Filed pursuant to leave granted by ~~Moshinsky~~ Thawley J on ~~14 August 2024~~26 June 2026

No. 169 of 2023

Federal Court of Australia

District Registry: New South Wales

Division: Commercial and Corporations National Practice Area

CREDIT SUISSE VIRTUOSO SICAV-SIF IN RESPECT OF THE SUB-FUND CREDIT SUISSE (LUX) SUPPLY CHAIN FINANCE FUND

First Applicant

CREDIT SUISSE NOVA (LUX) IN RESPECT OF THE SUB-FUND CREDIT SUISSE NOVA (LUX) SUPPLY CHAIN FINANCE HIGH INCOME FUND

Second Applicant

INSURANCE AUSTRALIA LIMITED (ACN 000 016 722) and others set out in the schedule

Respondents

To the Respondents

The Applicants apply for the relief set out in this application.

The Court will hear this application, 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.

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: Federal Court of Australia, Law Courts Building, 184 Phillip St, Queens Square, Sydney NSW 2000

The Court ordered that the time for serving this application be abridged to

Date:

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

Filed on behalf of (name & role of party) Credit Suisse Virtuoso SICAV-SIF in respect of the sub-fund Credit Suisse (Lux) Supply Chain Finance Fund and Credit Suisse Nova (Lux) in respect of the sub-fund Credit Suisse Nova (Lux) Supply Chain Finance High Income Fund, applicants

Prepared by (name of person/lawyer) Crispian Lynch, Rebecca Spigelman

Law firm (if applicable) Gilbert + Tobin

Tel (02) 9263 4420 Fax (02) 9263 4111

Email CLynch@gtlaw.com.au, RSpigelman@gtlaw.com.au

Address for service (include state and postcode) Level 35, 200 Barangaroo Avenue, Barangaroo NSW 2000

Details of claim

~~On the grounds stated in the accompanying Second Amended Statement of Claim, the Applicants claim against the First Respondent:~~

~~1. A declaration that the First Applicant and/or Second Applicant is entitled to be paid the amount of the Loss (as defined in the Comprehensive Trade Credit Insurance Policy TB-03690 with unique market reference B0509FINCW1900009 (**2019 Policy**)) in respect of the insurance claims pleaded in Annexures A to O of the Second Amended Statement of Claim, or such other sum as the Court deems appropriate.~~

~~2. Judgment against the First Respondent in the amount of the Loss (as defined in the 2019 Policy) in respect of the insurance claims pleaded in Annexures A to O of the Second Amended Statement of Claim, or such other sum as the Court deems appropriate.~~

~~3. Damages.~~

~~4. Compensation pursuant to ss 1041I and 1325 of the *Corporations Act 2001* (Cth), ss 236 and 237 of the Australian Consumer Law, and/or s 12GF of the *Australian Securities and Investment Commission Act 2001* (Cth).~~

~~5. Interest pursuant to s 57 of the *Insurance Contracts Act 1984* (Cth), alternatively s 51A of the *Federal Court of Australia Act 1976* (Cth).~~

~~6. Costs.~~

~~7. Such further or other order as the Court sees fit.~~

On the grounds stated in the ~~Second~~ Seventh Amended Statement of Claim, the Applicants claim against the First, Fourth, Fifth, Sixth, Seventh and Eighth Respondents:

8. Damages.

9. Compensation pursuant to ss 1041I and 1325 of the *Corporations Act 2001* (Cth), ss 236 and 237 of the Australian Consumer Law, and/or s 12GF of the *Australian Securities and Investment Commission Act 2001* (Cth).

10. Interest pursuant to s 51A of the *Federal Court of Australia Act 1976* (Cth).

11. Costs.

12. Such further or other order as the Court thinks fit.

~~**Claim for interlocutory relief**~~

~~The Applicants also claim the following interlocutory relief:~~

~~1. An order pursuant to Article 20(2) of the Model Law on Cross-Border Insolvency of the United Nations Commission on International Trade Law, being Schedule 1 to the *Cross-Border Insolvency Act 2008* (Cth), and pursuant to paragraph 4 of the orders made by Justice Anastassiou on 6 May 2021 in proceeding VID157 of 2021, that the Applicant have leave to proceed against the Second Respondent.~~

~~2. Costs.~~

~~3. Such further or other order as the Court sees fit.~~

Applicants' address

The Applicants' address for service is:

Place:

Gilbert + Tobin
Level 35
200 Barangaroo Avenue
Barangaroo NSW 2000
Email: CLynch@gtlaw.com.au

The Applicants' address is:

Place:

Credit Suisse (Lux) Supply Chain Finance Fund and Credit Suisse Nova (Lux) Supply Chain Finance High Income Fund
5, Rue Jean Monnet
L-2180, LUXEMBOURG

Service on the Respondents

It is intended to serve this application on the Respondents.

Date: 26 June 2026~~21 August 2024~~

C. Lynch

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Signed by Crispian Lynch
Lawyer for the Applicants

Schedule

Greensill Bank AG
Second Respondent

Michael Frege in his capacity as Insolvency Administrator for Greensill Bank AG
Third Respondent

BCC Trade Credit Pty Ltd (ACN 608 296 233)
Fourth Respondent

Greg Brereton
Fifth Respondent

Tokio Marine Management (Australasia) Pty Ltd (ACN 001 488 455)
Sixth Respondent

Tokio Marine & Nichido Fire Insurance Co Ltd (ARBN 000 438 291)
Seventh Respondent

Marsh Limited
Eighth Respondent

CROSS CLAIM

Greensill Bank AG
First Cross-Claimant

Michael Frege in his capacity as Insolvency Administrator for Greensill Bank AG
Second Cross-Claimant

Insurance Australia Limited (ACN 000 016 722)
Cross-Respondent

CROSS CLAIM

BCC Trade Credit Pty Ltd (ACN 608 296 233)
Cross-Claimant

Greensill Capital (UK) Ltd
First Cross-Respondent

Greensill Bank AG
Second Cross-Respondent

Greensill Capital Pty Ltd (in liquidation)
Third Cross-Respondent

CROSS CLAIM

Marsh Limited
Cross-Claimant

BCC Trade Credit Pty Ltd (ACN 608 296 233)
Cross-Respondent

Greg Brereton
Second Cross-Respondent

Insurance Australia Limited (ACN 000 016 722)
Third Cross Respondent

Tokio Marine & Nichido Fire Insurance Co Ltd (ARBN 000 438 291)
Fourth Cross-Respondent

Tokio Marine Management (Australasia) Pty Ltd (ACN 001 488 455)
Fifth Cross-Respondent

CROSS CLAIM

Marsh Limited
Cross-Claimant

UBS Asset Management (Europe) S.A.
Cross-Respondent

UBS Asset Management Switzerland AG
Second Cross-Respondent

CROSS CLAIM

BCC Trade Credit Pty Ltd (ACN 608 296 233)
Cross-Claimant

Tokio Marine Management (Australasia) Pty Ltd (ACN 001 488 455)
Second Cross-Claimant

Tokio Marine & Nichido Fire Insurance Co Ltd (ARBN 000 438 291)
Third Cross-Claimant

Marsh Pty Ltd (ACN 004 651 512)
Cross-Respondent

Marsh Limited
Second Cross-Respondent

CROSS CLAIM

BCC Trade Credit Pty Ltd (ACN 608 296 233)
Cross-Claimant

Tokio Marine Management (Australasia) Pty Ltd (ACN 001 488 455)
Second Cross-Claimant

Tokio Marine & Nichido Fire Insurance Co Ltd (ARBN 000 438 291)

Third Cross-Claimant

Insurance Australia Limited (ACN 000 016 722)
Cross-Respondent

CROSS CLAIM

Insurance Australia Limited (ACN 000 016 722)
Cross-Claimant

Marsh Limited
Cross-Respondent

Marsh Pty Ltd (ACN 004 651 512)
Second Cross-Respondent

UBS Asset Management (Europe) S.A.
Third Cross-Respondent

UBS Asset Management Switzerland AG
Fourth Cross-Respondent

UBS Fund Administration Services Luxembourg
Fifth Cross-Respondent

Tokio Marine & Nichido Fire Insurance Co Ltd (ARBN 000 438 291)
Sixth Cross-Respondent

CROSS CLAIM

BCC Trade Credit Pty Ltd (ACN 608 296 233)
Cross-Claimant

Tokio Marine & Nichido Fire Insurance Co Ltd (ARBN 000 438 291)
Second Cross-Claimant

Tokio Marine Management (Australasia) Pty Ltd (ARBN 001 488 455)
Third Cross-Claimant

UBS Asset Management (Europe) S.A.
Cross-Respondent

UBS Asset Management Switzerland AG
Second Cross-Respondent

UBS Fund Administration Services Luxembourg S.A.
Third Cross-Respondent