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:	9/07/2026 10:57:21 AM AEST
Date Accepted for Filing:	9/07/2026 1:28:24 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
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; 8.04(1)

Sixth ~~Fifth~~ Amended Originating Application

Filed pursuant to leave granted by Thawley J on 9 July 2026 ~~5 December 2025~~

No. NSD 1039 of 2021

Federal Court of Australia
District Registry: New South Wales
Division: Commercial and Corporations National Practice Area

White Oak Commercial Finance Europe (Non-Levered) Limited
Applicant
Insurance Australia Limited ACN 000 016 722 and others named in the Schedule
Respondents

To the Respondents
The Applicant applies 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: 184 Phillip St, 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)	White Oak Commercial Finance Europe (Non-Levered) Limited, Applicant
Prepared by (name of person/lawyer)	Rehana Box
Law firm (if applicable)	Ashurst Perkins Coie
Tel +61 2 9258 6407	Fax +61 2 9258 6999
Email rehana.box@ashurstperkins.com	
Address for service (include state and postcode)	Ashurst Perkins Coie Level 8, 39 Martin Place, Sydney NSW 2000

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Details of claim

On the grounds stated in the Fifth Amended Statement of Claim, accompanying affidavit or other document prescribed by the Rules, the Applicant claims against the First Respondent:

1. A declaration that the Applicant, as an Insured, or alternatively, as a loss payee and third party beneficiary under s 48(1) of the *Insurance Contracts Act 1984* (Cth), is entitled to be indemnified by the First Respondent under the policy of Comprehensive Trade Credit Insurance Policy TB-03690, with unique market reference B0509FINCW1900009 (the **Policy**), in the amount of ~~$142,707,342.25~~145,491,284.02 USD, or such other sum as the Court deems appropriate, together with contractual interest owing at the time of Judgment.

2. Judgment for the sum of ~~$142,707,342.25~~145,491,284.02 USD, together with contractual interest owing at the time of Judgment, or such other sum as the Court deems appropriate.

3. Interest on such judgment, or such other date as the court deems it to have been unreasonable for the Respondent to have withheld payment pursuant to s 57 of the *Insurance Contracts Act 1984* (Cth).

4. Costs.

5. Such further and other orders as the Court sees fit.

On the grounds stated in the Fifth Amended Statement of Claim, the Applicant claims, against the First, Second, Third, Sixth and Seventh Respondents:

6. Damages.

7. Compensation pursuant to s~~s~~ 1041I of the *Corporations Act 2001* (Cth) and/or s 12GF of the *Australian Securities and Investment Commission Act 2001* (Cth) and in respect of the Sixth Respondent, compensation pursuant s 991A of the *Corporations Act 2001* (Cth).

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

9. Costs.

10. Such further or other orders as the Court thinks fit.

Applicant's address

The Applicant's address for service is:

Place: Level 8, 39 Martin Place Sydney

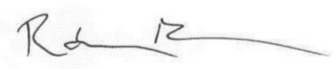
Email: rehana.box@ashurstperkins.com; rani.john@ashurstperkins.com.

The Applicant's address is: C/O Buzzacott LLP, 130 Wood Street, London, United Kingdom, EC2V 6DL

Service on the Respondent

It is intended to serve this application on all Respondents.

Date: 9 July 2026 ~~5 December 2025~~



Signed by Rehana Box
Lawyer for the Applicant

Schedule

Respondents

Second Respondent:	BCC Trade Credit Pty Ltd ACN 608 296 233
Third Respondent:	Greg Brereton, of 6 Lobb Crescent, Beverley Park NSW 2217
Fourth Respondent:	Greensill Bank AG, of Flughafenallee 26, 28199 Bremen, Germany
Fifth Respondent:	Dr Michael Frege, of Stadthausbrücke 1 – 3, 20355 Hamburg, Germany
Sixth Respondent	Tokio Marine & Nichido Fire Insurance Co Ltd. ACN 000 438 291
Seventh Respondent	Tokio Marine Management (Australasia) Pty Ltd ACN 001 488 455, of Level 17, 60 Margaret Street, Sydney NSW 2000