# NOTICE OF FILING AND HEARING

## Filing and Hearing Details

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| Document Lodged: | Notice of Cross-Claim - Form 31 - Rule 15.02(1) |
| Court of Filing: | FEDERAL COURT OF AUSTRALIA (FCA) |
| Date of Lodgment: | 22/09/2025 2:23:34 PM AEST |
| Date Accepted for Filing: | 24/09/2025 8:55:02 AM AEST |
| File Number: | NSD106/2022 |
| File Title: | CREDIT SUISSE VIRTUOSO SICAV-SIF CREDIT SUISSE (LUX) SUPPLY CHAIN FINANCE FUND v INSURANCE AUSTRALIA LIMITED (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 31
Rule 15.02(1)

Filed pursuant to Order of Thawley J dated 5 September 2025

# BCC/TMMA/TMNF Notice of Cross-claim

No. NSD 106 of 2022

Federal Court of Australia

District Registry: New South Wales

Division: General

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

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

**UBS ASSET MANAGEMENT (EUROPE) S.A.** and others named in the Schedule

First Cross-respondent

To: UBS Asset Management (Europe) S.A, First Cross-respondent; UBS Asset Management Switzerland AG, Second Cross-respondent; and UBS Fund Administration Services Luxembourg S.A, Third Cross-respondent (together, **Cross-respondents**)

The First Cross-claimant and Fourth Respondent, BCC Trade Credit Pty Ltd (ACN 608 296 233); Second Cross-claimant and Sixth Respondent, Tokio Marine Management (Australasia) Pty Ltd (ACN 001 488 455); and Third Cross-claimant and Seventh Respondent, Tokio Marine & Nichido Fire Insurance Co., Ltd. (ARBN 000 438 291), in this proceeding (together, **Cross-claimants**) apply for the relief set out in this Cross-claim.


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

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

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.

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

Date: 22 September 2025

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

**Details of Cross-claim**

On the grounds stated in the Statement of Cross-claim, the Cross-claimants claim:

1. Equitable contribution and/or contribution pursuant to section 5(1)(c) of the *Law Reform (Miscellaneous Provisions) Act 1946* (NSW) and/or section 12 of the *Law Reform (Miscellaneous Provisions) Act 1965* (NSW).

2. Interest.

3. Costs.

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

**Cross-claimants' address**

The Cross-claimants' address for service is:

Place: C/- Kennedys, Level 48, 25 Martin Place, Sydney NSW 2000

Email: KennedysGreensill@kennedyslaw.com

**Service on the Cross-respondents**

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

Date: 22 September 2025

Signed by Matt James Andrews
Lawyer for the Cross-claimants

# Schedule

No. NSD 106 of 2022

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

**Respondents**

| | |
|---|---|
| Second Respondent: | Greensill Bank AG |
| Third Respondent: | Dr Michael C. Frege in his capacity as Insolvency Administrator for Greensill Bank AG |
| Fourth Respondent: | BCC Trade Credit Pty Ltd (ACN 608 296 233) |
| Fifth Respondent: | Greg Brereton |
| Sixth Respondent | Tokio Marine Management (Australasia) Pty Ltd (ACN 001 488 455) |
| Seventh Respondent | Tokio Marine & Nichido Fire Insurance Co., Ltd. (ARBN 000 438 291) |
| Eighth Respondent | Marsh Limited |

**GREENSILL BANK CROSS-CLAIM**

| | |
|---|---|
| First Cross-claimant | Greensill Bank AG |
| Second Cross-claimant | Michael Frege in his capacity as Insolvency Administrator for 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) Ltd |
| Second Cross-respondent | Greensill Bank AG |
| Third Cross-respondent | Greensill Capital Pty Ltd (in liquidation) |

**BCC/TMMA/TMNF FIRST CROSS-CLAIM**

| | |
|---|---|
| First Cross-claimant | BCC Trade Credit Pty Ltd (ACN 608 296 233) |

| | |
|---|---|
| Second Cross-claimant | Tokio Marine Management (Australasia) Pty Ltd (ACN 001 488 455) |
| Third Cross-claimant | Tokio Marine & Nichido Fire Insurance Co., Ltd. (ARBN 000 438 291) |
| | |
| First Cross-Respondent | Marsh Limited |
| Second Cross-respondent | Marsh Pty Ltd (ACN 004 651 512) |

**BCC/TMMA/TMNF SECOND CROSS-CLAIM**

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

**BCC/TMMA/TMNF THIRD CROSS-CLAIM**

| | |
|---|---|
| First Cross-claimant | BCC Trade Credit Pty Ltd (ACN 608 296 233) |
| Second Cross-claimant | Tokio Marine Management (Australasia) Pty Ltd (ACN 001 488 455) |
| Third Cross-claimant | Tokio Marine & Nichido Fire Insurance Co., Ltd. (ARBN 000 438 291) |
| | |
| First Cross-Respondent | UBS Asset Management (Europe) S.A |
| Second Cross-respondent | UBS Asset Management Switzerland AG |
| Third Cross – respondent | UBS Fund Administration Services Luxembourg S.A |

**MARSH LIMITED FIRST CROSS-CLAIM**

| | |
|---|---|
| Cross-claimant | Marsh Limited |
| | |
| First Cross-respondent | UBS Asset Management (Europe) S.A. |
| Second Cross-respondent | UBS Asset Management Switzerland AG |

**MARSH LIMITED SECOND CROSS-CLAIM**

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