

The South Carolina Court of Appeals

Peter D. Protopapas, as Receiver for Covil Corporation,
Respondent,

v.

Wall, Templeton & Haldrup, P.A.; Sentry Casualty
Company; United States Fidelity And Guaranty
Company; Zurich American Insurance Company,
Defendants

of which

United States Fidelity and Guaranty Company is the
Appellant.

Appellate Case No. 2020-001437

ORDER

Within twenty (20) days of the date of this order, USF&G shall provide a response by way of Surreply to the following questions raised by the Receiver's Motion to Dismiss, USF&G's Return, and the Receiver's July 31, 2023 Reply:

- 1) Identify any pending case in which "the issue on appeal remains very much alive and in dispute";
- 2) Identify any pending case in which USF&G has raised or could raise the affirmative defense at issue in the filings before this court;
- 3) Clarify any exception to the mootness doctrine USF&G asserts may be applicable here;

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- 4) Identify any issue in the underlying case of *Peter D. Protopapas as Receiver for Covil Corp. v. Wall, Tenpleton & Haldrup, P.A.*, C/A No. 2019-CP-40-02285 which has not been resolved and describe any "other claims and allegations between Covil and USF&G" not impacted by the partial dismissal order that remain pending. (See USF&G's Return at pp. 3-4 and Exhibit A to the Return); and
- 5) Explain how any judgment rendered on the issues raised in the current appeal may have a practical legal effect upon any case or controversy or other pending litigation between USF&G and Covil. Identify the case or controversy referenced and identify any such pending litigation.



, J.

FOR THE COURT

Columbia, South Carolina

cc:

Matthew Todd Carroll, Esquire
Mary Elizabeth O'Neill, Esquire
Robert G. Rikard, Esquire
Jescelyn Tillman Spitz, Esquire
Ashley K. Brathwaite, Esquire
G. Murrell Smith, Jr., Esquire
Jonathan M. Robinson, Esquire
Shanon N. Peake, Esquire
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