

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
Jean Hofer Toal, Chief Justice (Ret.)

Case No. 2020-CP-40-02098

Appellate Case No. 2023-001079

Covil Corporation, by and through its duly appointed Receiver, Peter D. Protopapas,

Respondent,

v.

Pennsylvania National Mutual Casualty Insurance, Co.,

Petitioner.

REPLY IN SUPPORT OF MOTION TO EXPEDITE

Without reference to the record and without providing an explanation as to why the Petition for Writ of Certiorari should not be promptly denied, Penn National represents that it is currently “making indemnity payments *on those claims that qualify for coverage.*” (Response p. 1 (emphasis added).) But the Receiver disputes Penn National’s characterization of which claims *qualify for coverage*, necessitating the declaratory judgment action currently pending. As explained more fully in the Receiver’s Return, the circuit court is the appropriate venue to hear that dispute at this stage of the matter. Accordingly, the Court should grant the Motion to Expedite and promptly deny Penn National’s Petition for Writ of Certiorari.

(Signature page follows)

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Aug 14 2023

S.C. SUPREME COURT

Respectfully submitted,

s/Shanon N. Peake

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