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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Richland County
Court of Common Pleas
Jean Hoefer Toal, Circuit Court Judge

Case No. 2023-CP-40-01759
Appellate Case No. 2023-001461

John A. Tibbs and Margaret B. Tibbs,

Respondents,

v.

3M Company; 4520 Corp., Inc.; A.O. Smith Corporation; A.W. Chesterton Company; ABB Inc.; Air & Liquid Systems Corporation; Aiw-2010 Wind Down Corp.; Amentum Environment & Energy, Inc.; Anchor/Darling Valve Company; Armstrong International, Inc.; Asbestos Corporation Limited; ASCO, L.P.; Atlas Asbestos Co; Atlas Turner, Inc.; AWT Air Company, Inc.; Bahnson, Inc.; Banner Industries International, Inc.; Banner Industries, LLC; Banner Industries Of N.E., Inc.; Barretts Minerals Inc.; Beaty Investments, Inc.; Bechtel Corporation; The Bonitz Company; Brand Insulations, Inc.; BW/IP Inc.; Canvas Ct, LLC; Cape PLC; Carboline Company; CB&I Laurens, Inc.; Cleaver-Brooks, Inc.; Consolidated Electrical Distributors, Inc.; Copes-Vulcan, Inc.; Covil Corporation; Crane Instrumentation & Sampling, Inc.; Crosby Valve, LLC; Daniel International Corporation; Davis Mechanical Contractors, Inc.; Dezurik, Inc.; Duke Energy Carolinas, LLC; Duke Energy Corporation; Eaton Corporation; Ellington Insulation Company, Inc.; Emerson Electric Co.; Fisher Controls International LLC; Flame Refractories, Inc.; Flowserve Corporation; Flowserve US Inc.; Fluor Constructors International; Fluor Constructors International, Inc.; Fluor Daniel Services Corporation; Fluor Enterprises, Inc.; FMC Corporation; Foster Wheeler Energy Corporation; Gardner Denver Nash, LLC; General Boiler Casing Company, Inc.; General Cable Corporation; General Cable Industries, Inc.; General Electric Company; Gould Electronics Inc.; Goulds Pumps, Incorporated; Goulds Pumps LLC; Great Barrier Insulation Co.; Grinnell LLC; Hajoca Corporation; Howden North America Inc.; HPC Industrial Services, LLC; IMO Industries Inc.; ITT LLC; Joy Global Underground Mining LLC; K-Mac Services Incorporated; Metropolitan Life Insurance Company; Mine Safety Appliances Company, LLC; MP Supply, Inc.; The Nash Engineering Company; Occidental Chemical Corporation; Paramount Global; Patterson Pump Company; PECW Holding Company; Pfizer Inc.; Piedmont Insulation, Inc.; Plastics Engineering Company; Presnell Insulation Co., Inc.; Redco Corporation; Riley Power Inc.; Rockwell Automation, Inc.; RSCC Wire & Cable LLC; Schneider Electric USA, Inc.; Sequoia Ventures Inc.; Spirax Sarco, Inc.; SPX Corporation; Stafford Insulation Company; Standard Insulation Company Of N. C., Inc.; Starr Davis Company, Inc.; Starr Davis Company Of S.C., Inc.; Sterling Fluid Systems (USA) LLC; TE Wire & Cable LLC; Thermo Electric Company, Inc.; Union Carbide Corporation; Valves And Controls Us, Inc.; Velan Valve Corp.; Viking

Pump, Inc.; Vistra Intermediate Company LLC; The William Powell Company Wind
Up, Ltd.; Yuba Heat Transfer LLC; Zurn Industries, LLC,

Defendants,

Of which Asbestos Corporation Limited is

Appellant.

**MOTION FOR EXTENSION OF TIME
TO FILE/SERVE INITIAL BRIEF OF APPELLANT**

CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
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Attorneys for Appellant

NOW COMES Appellant, Asbestos Corporation Limited, by and through its undersigned counsel, pursuant to Rule 263(b), SCACR, and moves for an extension of thirty (30) days' time to file/serve its initial brief and corresponding designation of matter to be included in the record on appeal.

Presently, in accordance with Rule 208(a)(1), the deadline for Appellant's initial brief and designation of matter is October 19, 2023. On account of work-related and other time commitments, Appellant respectfully requests that this deadline be extended by 30 days. Respectfully, Appellant believes this relief is consistent with the interests of justice and will not work any undue prejudice upon Respondents.

WHEREFORE, Appellant moves this Honorable Court to grant it an extension of 30 days' time to file/serve its initial brief and corresponding designation of matter to be included in the record on appeal. With the extension requested herein, the new deadline for filing/serving its initial brief and designation of matter would be November 20, 2023, according to the undersigned's calculations. Further, Appellant respectfully requests the Court hold the present initial-briefing/designation-of-matter deadline in abeyance until it acts upon this motion.

[Signature on next page]

Respectfully submitted,
CLEMENT RIVERS, LLP

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Pump, Inc.; Vistra Intermediate Company LLC; The William Powell Company Wind
Up, Ltd.; Yuba Heat Transfer LLC; Zurn Industries, LLC,

Defendants,

Of which Asbestos Corporation Limited is

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PROOF OF SERVICE

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Attorneys for Appellant

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellant, hereby certify that the **MOTION FOR EXTENSION OF TIME TO FILE/SERVE INITIAL BRIEF OF APPELLANT** was served on all other parties to this appeal on October 18, 2023, via email (see attached) to their following counsel of record:

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Purported receiver for “insurance assets” of Asbestos Corporation Limited per Order being appealed

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Russell G. Hines
Russell G. Hines (SC Bar No. 72100)

Attorneys for Appellant

Charleston, South Carolina

October 18, 2023

Bell, Pollyana (Polly)

From: Bell, Pollyana (Polly)
Sent: Wednesday, October 18, 2023 1:44 PM
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Cc: Brown, Stephen L.; Griffith, Jr., Stephen; Hines, Russell; Gandy, III, James D. (Tripp); Justman, Aimee
Subject: Tibbs v. Asbestos Corporation Limited; Appellate Case No. 2023-001461 (CR 230595)
Attachments: Motion for Extension - Initial Brief.pdf

Enclosed please find Appellant's Motion for Extension of Time to File/Serve their Initial Brief for service upon you in the above-referenced matter.

Thank you,

Pollyana Bell
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