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Nov 13 2023

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. 2022-CP-40-03834

Donna B. Welch, individually and as Personal Representative of the Estate of Melvin  
G. Welch, deceased,

Respondent,

v.

Advance Auto Parts, Inc.; American Honda Motor Co., Inc.; Atlas Asbestos Co; Atlas  
Turner, Inc. as successor to Atlas Asbestos Co, a foreign company; Bahnson, Inc.;  
Covil Corporation; Daniel International Corporation; Davis Mechanical Contractors,  
Inc.; Ellington Insulation Company, Inc.; Fluor Constructors International f/k/a Fluor  
Corporation; Fluor Constructors International, Inc.; Fluor Daniel Services  
Corporation; Fluor Enterprises, Inc.; General Parts, Inc. individually and as  
successor-in-interest to Carquest Corporation; Goodrich Corporation f/k/a The B. F.  
Goodrich Company; The Goodyear Tire & Rubber Company; Graybar Electric  
Company, Inc.; Honeywell International, Inc. individually and as successor-in-  
interest to Allied Signal, Inc., as successor to Bendix Corporation; Morse Tec LLC  
f/k/a Borgwarner Morse Tec LLC, and successor-by-merger to Borg-Warner  
Corporation; Occidental Chemical Corporation as successor to Durez Corporation;  
O'reilly Automotive Stores, Inc.; Paramount Global f/k/a Viacomcbs Inc., f/k/a CBS  
Corporation, a Delaware corporation f/k/a Viacom, Inc., successor-by-merger to CBS  
Corporation, a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation;  
Pneumo Abex LLC successor-in-interest to Abex Corporation; Redco Corporation  
f/k/a Crane Co.; Reinz Wisconsin Gasket LLC f/k/a and/or successor to Reinz  
Wisconsin Gasket Co. and Wisconsin Gasket Manufacturing Co., a wholly owned  
subsidiary of Dco LLC; Rust Engineering & Construction, Inc.; Rust International  
Inc.; Southern Insulation, Inc.; Spirax Sarco, Inc.; Union Carbide Corporation;  
Westrock MWV, LLC individually and as successor-in-interest to Westvaco; ZF  
Active Safety US Inc. f/k/a Kelsey-Hayes Company,

Defendants,

Of which Atlas Turner, Inc., is

Appellant.

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

\*\* Counsel identified on next page \*\*

CLEMENT RIVERS, LLP  
Stephen L. Brown (SC Bar No. 66468)  
Russell G. Hines (SC Bar No. 72100)  
James D. Gandy, III (SC Bar No. 11925)  
25 Calhoun Street, Suite 400  
Charleston, South Carolina 29401  
P.O. Box 993 (29402)  
(843) 720-5488  
*Attorneys for Appellant*

COMES NOW Appellant Atlas Turner, Inc., by and through its undersigned counsel, pursuant to Rule 263(b), SCACR, and moves for an extension of ten (10) days' additional time to file/serve its initial reply brief.

Presently, pursuant to Rule 208(a)(3), SCACR, the deadline for Appellant's initial reply brief is November 13, 2023. On account of work-related and other time commitments, Appellant respectfully requests this deadline be extended by 10 days. Respectfully, Appellant believes this relief is consistent with the interests of justice and will not work any undue prejudice upon Respondent.

WHEREFORE, Appellant moves this Honorable Court to grant it an additional extension of 10 days' time to file/serve its initial reply brief. With the extension requested herein, the new deadline for filing/serving its initial reply brief and designation of matter would be November 27, 2023, according to the undersigned's calculations. Further, Appellant respectfully requests the Court hold the present deadline in abeyance until it acts upon this motion.

Respectfully submitted,  
CLEMENT RIVERS, LLP

By: s/Stephen L. Brown  
Stephen L. Brown (SC Bar No. 66468)  
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Charleston, South Carolina

November 10, 2023

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Inc.; Southern Insulation, Inc.; Spirax Sarco, Inc.; Union Carbide Corporation;  
Westrock MWV, LLC individually and as successor-in-interest to Westvaco; ZF  
Active Safety US Inc. f/k/a Kelsey-Hayes Company,

Defendants,

Of which Atlas Turner, Inc., is

Appellant.

PROOF OF SERVICE

\*\* Counsel identified on next page \*\*

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(843) 720-5488  
*Attorneys for Appellants*

I, Stephen L. Brown, of Clement Rivers, LLP, attorneys for Appellants, hereby certify that Appellant's **MOTION FOR EXTENSION OF TIME TO FILE/SERVE INITIAL REPLY BRIEF OF APPELLANT** was served on all other parties to this appeal on November 10, 2023, via email (see attached) to their following counsel of record:

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*Receiver for "insurance assets"  
of Atlas Turner, Inc. per appealed order*

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*Attorneys for Receiver for "insurance assets"  
of Atlas Turner, Inc. per appealed order*

Respectfully submitted,

CLEMENT RIVERS, LLP

By: s/Stephen L. Brown  
Stephen L. Brown (SC Bar No. 66468)

*Attorneys for Appellants*

Charleston, South Carolina

November 10, 2023

## Bell, Pollyana (Polly)

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**From:** Bell, Pollyana (Polly)  
**Sent:** Friday, November 10, 2023 10:23 AM  
**To:** tmcvey@kassellaw.com; jrutkoski@kassellaw.com; achapman@dobslegal.com; pdp@rplegalgroup.com; jchandler@rplegalgroup.com; bb@rplegalgroup.com; emoultrie@kassellaw.com; sfanning@kassellaw.com; jkinkaid@dobslegal.com; lindsay@rplegalgroup.com; emoultrie@kassellaw.com; lshirley@dobslegal.com; khardin@dobslegal.com; tbranham@dobslegal.com; murrell@smithrobinsonlaw.com; jon@smithrobinsonlaw.com; shanonp@smithrobinsonlaw.com  
**Cc:** 'Brown, Stephen L.'; 'Hines, Russell'; 'Gandy, III, James D. (Tripp)'; 'Justman, Aimee'; Olive, IV, Graydon  
**Subject:** Welch v. Atlas Turner, Inc.; Appellate Case No. 2023-001096 (CR 230593)  
**Attachments:** Motion for Extension - Initial Reply Brief.pdf

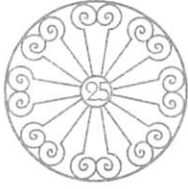
Enclosed please find Appellant's Motion for Extension of Time to File/Serve their Initial Reply Brief for service upon you in the above-referenced matter.

Thank you,

Pollyana Bell  
Project Assistant  
Commercial Litigation Practice Group  
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ATTORNEYS AT LAW  
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November 10, 2023

**VIA US MAIL**

Jenny Abbott Kitchings, Clerk of Court  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

Re: Donna B. Welch, individually and as Personal Representative of the Estate of  
Melvin G. Welch, deceased v. Advance Auto Parts, Inc., et al.  
Appellate Case No.: 2023-001096  
Case No.: 2022-CP-40-03834  
YCR File: 17800-20230593

Dear Ms. Kitchings:

Enclosed please find our firm's check representing the filing fee for Appellant's Motion for Extension of Time to File/Serve their Initial Reply Brief, which has been electronically filed on November 10, 2023, in the above-referenced matter.

With best wishes and kindest regards, I am

Sincerely,

CLEMENT RIVERS, LLP

Pollyana Bell  
Project Assistant

/pbb  
Enclosures