

# The South Carolina Court of Appeals

Terry L. Green, Sr., as the Personal Representative of the  
Estate of Robert J. Green, Deceased and Evelyn V.  
Green, Individually, Plaintiffs,

v.

3M Company; Advance Stores Company Incorporated;  
Amentum Environment & Energy, Inc.; AutoZone, Inc.;  
Beaty Investments, Inc.; The Bonitz Company; CH2M  
Hill Engineers, Inc.; Cleaver-Brooks, Inc.; Covil  
Corporation; Daniel International Corporation; Davis  
Mechanical Contractors, Inc.; Eaton Corporation;  
Ellington Insulation Company, Inc.; Fluor Constructors  
International; Fluor Enterprises, Inc.; Ford Motor  
Company; General Electric Company; General Parts,  
Inc.; Genuine Parts Company; GG of Florida, Inc.; The  
Goodyear Tire & Rubber Company; Great Barrier  
Insulation Co.; Heat & Frost Insulation Company; ITT  
LLC; J. & L. Insulation, Inc.; K-Mac Services, Inc.; LGE  
(OLD Co.), Inc.; LGE&C (OLD Co.) LLC; Metropolitan  
Life Insurance Company; Michelin Corporation;  
Michelin North America, Inc.; O'Reilly Auto Enterprises,  
LLC; O'Reilly Automotive Stores, Inc.; Occidental  
Chemical Corporation; Paramount Global; Plastics  
Engineering Company; Pneumo Abex LLC; Presnell  
Insulation Co., Inc.; RedCo Corporation; Rockwell  
Automation, Inc.; Schneider Electric USA, Inc.; Southern  
Insulation, Inc.; Spirax Sarco, Inc.; Springs Industries,  
Inc.; Springs Industries, LLC; Standard Insulation  
Company of N.C., Inc.; Starr Davis Company, Inc.; Starr  
Davis Company of S.C., Inc.; Thermo-Kinetics  
Industries, Inc.; Union Carbide Corporation; Wind Up,  
Ltd., Defendants,

AND

Davis Mechanical Contractors, Inc., by and through its

Receiver Peter D. Protopapas, Respondent,

v.

American Home Assurance Company; Columbia Casualty Company; Continental Casualty Company; Continental Insurance Company; Federal Insurance Company; Fireman's Fund Insurance Company; Republic Insurance Company, n/k/a Starr Indemnity & Liability Company; United States Fire Insurance Company; Brandywine Holdings Corporation; and Riverstone Claims Management, LLC, Third-Party Defendants,

of which Republic Insurance Company n/k/a Starr Indemnity & Liability Company is the Appellant.

Appellate Case No. 2023-001629

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ORDER

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Appellant filed a consent motion for leave to file a motion pursuant to Rule 60(b) of the South Carolina Rules of Civil Procedure. *See* Rule 60(b), SCACR (explaining that "[d]uring the pendency of an appeal, leave to make the motion must be obtained from the appellate court"). According to the motion, the parties intend to file a joint motion to vacate the circuit court's October 12, 2023 order, which is currently on appeal. After careful consideration, we grant the motion. This appeal and all deadlines (including deadlines related to pending motions) shall be held in abeyance pending the circuit court's ruling on the motion. Appellant shall provide this court with a status update every thirty days. Failure to do so may result in dismissal of this appeal.



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FOR THE COURT

**FILED**  
**Dec 14 2023**

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Columbia, South Carolina

cc:

Brandon Robert Gottschall, Esquire

Mark V. Gende, Esquire

Daniel Quintin Atkinson, Esquire

Peter Demos Protopapas, Esquire

Brian Montgomery Barnwell, Esquire

G. Murrell Smith, Jr., Esquire

Jonathan M. Robinson, Esquire

Shanon N. Peake, Esquire