

**RECEIVED**

**Dec 28 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  
Appellate Case No. 2023-001096

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 the

Appellant.

**PROOF OF SERVICE**

*\*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*

I, Stephen L. Brown, of Clement Rivers, LLP, attorneys for Appellant, hereby certify that **RECORD ON APPEAL VOLUME 1, RECORD ON APPEAL VOLUME 2, RECORD ON APPEAL VOLUME 3, and RECORD ON APPEAL VOLUME 4** were served on all other parties to this appeal on December 28, 2023, via email (see attached) to their counsel of record:

Theile B. McVey, Esquire  
[tmcvey@kassellaw.com](mailto:tmcvey@kassellaw.com)  
Jamie D. Rutkoski, Esquire  
[jrutkoski@kassellaw.com](mailto:jrutkoski@kassellaw.com)  
KASSEL MCVEY ATTORNEYS AT LAW  
1330 Laurel Street  
P.O. Box 1476  
Columbia, SC 29202-1476

*and*

Aaron D. Chapman, Esquire  
[achapman@dobslegal.com](mailto:achapman@dobslegal.com)  
Charles W. Branham, III, Esquire  
[tbranham@dobslegal.com](mailto:tbranham@dobslegal.com)  
Ka'Leya Q. Hardin, Esquire  
[khardin@dobslegal.com](mailto:khardin@dobslegal.com)  
Todd Barnes, Esquire  
[tbarnes@dobslegal.com](mailto:tbarnes@dobslegal.com)  
DEAN OMAR BRANHAM SHIRLEY, LLP  
302 N. Market Street, Suite 300  
Dallas, TX 75202

*Attorneys for Respondent*

Peter D. Protopapas, Esquire  
[pdp@rplegalgroup.com](mailto:pdp@rplegalgroup.com)  
John K. Chandler, Esquire  
[jchandler@rplegalgroup.com](mailto:jchandler@rplegalgroup.com)  
Brian M. Barnwell, Esquire  
[bb@rplegalgroup.com](mailto:bb@rplegalgroup.com)  
RIKARD & PROTOPAPAS, LLC  
2110 N. Beltline Blvd.  
Columbia, SC 29204

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

G. Murrell Smith, Jr., Esquire  
[murrell@smithrobinsonlaw.com](mailto:murrell@smithrobinsonlaw.com)  
Jonathan M. Robinson, Esquire  
[jon@smithrobinsonlaw.com](mailto:jon@smithrobinsonlaw.com)  
Shannon N. Peake, Esquire  
[shanonp@smithrobinsonlaw.com](mailto:shanonp@smithrobinsonlaw.com)  
SMITH ROBINSON HOLLER  
DUBOSE AND MORGAN, LLC  
2530 Devine Street  
Columbia, SC 29205

*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 Appellant*

Charleston, South Carolina

December 28, 2023

## Justman, Aimee

---

**From:** Justman, Aimee  
**Sent:** Thursday, December 28, 2023 9:49 AM  
**To:** jkassel@kassellaw.com; tmcvey@kassellaw.com; emoultrie@kassellaw.com; sfanning@kassellaw.com; jrutkoski@kassellaw.com; achapman@dobslegal.com; khardin@dobslegal.com; tbarnes@dobslegal.com; tbranham@dobslegal.com; jkinkaid@dobslegal.com; pdp@rplegalgroup.com; jchandler@rplegalgroup.com; lindsay@rplegalgroup.com; bb@rplegalgroup.com; murrell@smithrobinsonlaw.com; jon@smithrobinsonlaw.com; shanon.peake@smithrobinsonlaw.com; dot.faulkenberry@smithrobinsonlaw.com  
**Cc:** Brown, Stephen L.; Hines, Russell; Gandy, III, James D. (Tripp); Olive, IV, Graydon; Justman, Aimee; Bell, Pollyana (Polly)  
**Subject:** Welch v. ACL - CR 230593 - ROA  
**Attachments:** Attachments.txt

For service upon you in the above-referenced matter, please find all 4 volumes of the Record on Appeal being sent by ShareFile.

Please note: if this is your first time receiving a citrix/sharefile link from Clement Rivers personnel, a second automated email with your citrix/sharefile login information will accompany this email. Login in with the provided username and password prior to clicking on the attachment link in this email. This will allow you to setup a citrix/sharefile account with our firm so you can always access firm links sent to you. Important: If you do not receive the automated email with your login info-check your spam filters.

If you have used Clement Rivers' citrix/sharefile before but can't remember your password, simply click the Forgot Password button on the login screen. A link to change your password will be emailed to you.

Also, please note that the only people who will have access to the documents are those who directly received this email. If you forward this email to staff, they will need to log in with your username and password.

### ShareFile Attachments

---

Welch ROA Volume 1.pdf	2.9 MB
Welch ROA Volume 2.pdf	2.8 MB
Welch ROA Volume 3.pdf	20.3 MB
Welch ROA Volume 4.pdf	9.7 MB

[Download Attachments](#)

Aimee Justman uses ShareFile to share documents securely.

Thank you,

*Aimee Justman, Assistant to  
Stephen L. Brown, Russell G. Hines,*

*and Stephen A. Griffith, Jr.*  
*Commercial Litigation & Appellate Group*  
*Clement Rivers, LLP*  
*Phone: (843) 720-5460*  
*Fax: (843) 579-1385*



**CLEMENT RIVERS, LLP**  
25 Calhoun Street • Suite 500 • Charleston, SC 29401  
707.694.0000