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January 12, 2024

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Jan 12 2024

SC Court of Appeals

100781

Via hand delivery and e-mail (ctappfilings@sccourts.org)

The Honorable Jenny Abbott Kitchings
Clerk of Court, S.C. Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: *Tibbs v. 3M Company (Cape PLC through its Receiver Peter Protopapas v. Anglo American PLC)*
Appellate Case No.: 2023-001461
First Extension Request

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JAN 16 2024

SC Court of Appeals

Dear Ms. Kitchings:

On behalf of all Appellants,¹ and the counsel for each, with permission, we respectfully and collectively request a 30-day extension for all Appellants' deadlines to file and serve their initial briefs and designation of matter. By our count, these filings are currently due on January 17, 2024. If granted, the new deadline for the initial briefs and designations of matter of all Appellants would be February 16, 2024.

This request is needed due to Appellants' counsels' current workload, including scheduled depositions, mediations, and preparation for multiple trials, and planned travel. This is the first request for an extension submitted by each of the Appellants.

Additionally, we note that though the appeals arise from separate third-party actions, the Clerk's Office appears to have filed Appellants' Notice of Appeal within Appellate Case No. 2023-001461 and classified it as "Held in Abeyance." We are filing this first extension request out of an

¹ Appellants consist of: ArranCo US, LLC; Hawk Bidco (US) Inc.; Sparrows Offshore, LLC; Mohed Altrad; Altrad Investment Authority SAS; ESAB Corporation; Charter Consolidated Ltd.; Central Mining and Investment Corp. Ltd.; Anglo American plc; De Beers plc; De Beers Centenary AG; De Beers Consolidated Mines Proprietary Limited; and De Beers UK Limited.

abundance of caution and based on an assumption that the January 17, 2024 deadline remains operative.

We will be separately delivering the \$50.00 filing fee for this request.

We appreciate the Court's consideration of this request made on behalf of all Appellants. If we can provide the Court with any additional information, please do not hesitate to call on us. By copy to opposing counsel, we are informing them of this communication.²

Sincerely,



Steven J. Pugh

cc: Counsel for Respondent (via email)
Counsel for Co-Third-Party Defendants (via email)

²By making this request, Appellants do not intend to waive, and expressly preserve, all defenses to the underlying action, including the defense of lack of personal jurisdiction.

10282-001

**RICHARDSON
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ATTORNEYS AT LAW

BPC

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South Carolina Court of Appeals
Calhoun Building
1220 Senate Street
Columbia, SC 29201
Attn: Clerk

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SC Court of Appeals

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