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**Mar 05 2024**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
In the Court of Common Pleas  
For the Fifth Judicial Circuit

The Honorable Jean H. Toal,  
Acting Circuit Court Judge

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Case No. 2023-CP-40-01759

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Appellate Case Nos.

2023-002006

2023-002007

2023-002008

2023-002009

2023-002010

2023-002011

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John A. Tibbs v. Asbestos Corporation Limited, et al

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**MOTION FOR EXTENTION OF TIME TO FILE RESPONDENT'S INITIAL BRIEF**

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Cape Asbestos Company Limited, n/k/a Cape Intermediate Holdings Ltd. ("Cape"), by and through its duly appointed Receiver Peter D. Protopapas (the "Receiver") hereby moves for an extension of time of thirty (30) days to file Respondent's Initial Brief and designation of matter. Respondent's Initial Brief and designation of matter are currently due on March 23, 2024. An order granting a 30-day extension will make Respondent's Initial Brief and designation of matter due on or before April 22, 2024. This is Respondent's first request for an extension of time to file

the Initial Brief and designation of matter. Pursuant to Rule 262 of the South Carolina Appellate Court Rules and Supreme Court Order 2022-05-06-03, Appellant files and serves this motion via email using the email addresses listed in the Attorney Information System, and it will separately send motion filing fee by U.S. Mail.

Respectfully Submitted,

**GALLIVAN, WHITE & BOYD, P.A.**

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March 5, 2024

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**PROOF OF SERVICE**

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I, Lindsay A. Joyner., of Gullivan White and Boyd, PA, *Attorney for Respondent Cape PLC, individually and as successor in interest to Cape Asbestos Company Limited, by and through its duly appointed Receiver Peter D. Protopapas*, hereby certify that the **MOTION FOR EXTENTION OF TIME TO FILE RESPONDENT'S INITIAL BRIEF** was served on all other parties to this appeal on March 5, 2024, via email to their following counsel of record:

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**Date:** Tuesday, March 5, 2024 2:13:05 PM  
**Attachments:** [Cape PLC's Motion for Extension of Time.pdf](#)  
[POS for Motion for Ext of Time.pdf](#)

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All,

Please find served upon you, in compliance with the Supreme Court's Order dated May 6, 2022, Respondent's Motion for Extension Time to File Initial Brief in the above-referenced appellate cases, which we will be filing with the Court of Appeals of South Carolina momentarily, which will include a copy of this email with the POS attached here as well.

Please let me know if you have any questions.

Thanks,  
Lindsay



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