

# The South Carolina Court of Appeals

John A. Tibbs and Margaret B. Tibbs, Plaintiffs,

v.

3M Company; 4520 Corp., Inc.; A.O. Smith Corporation;  
A.W. Chesterton Company; ABB Inc.; Air & Liquid  
Systems Corporation; Aiw-2010 Wind Down Corp.;  
Amentum Environment & Energy, Inc.; Anchor/Darling  
Valve Company; Armstrong International, Inc.; Asbestos  
Corporation Limited; ASCO, L.P.; Atlas Asbestos Co;  
Atlas Turner, Inc.; AWT Air Company, Inc.; Bahnson,  
Inc.; Banner Industries International, Inc.; Banner  
Industries, LLC; Banner Industries Of N.E., Inc.; Barretts  
Minerals Inc.; Beaty Investments, Inc.; Bechtel  
Corporation; The Bonitz Company; Brand Insulations,  
Inc.; BW/IP Inc.; Canvas Ct, LLC; Cape PLC; Carboline  
Company; CB&I Laurens, Inc.; Cleaver-Brooks, Inc.;  
Consolidated Electrical Distributors, Inc.; Copes-Vulcan,  
Inc.; Covil Corporation; Crane Instrumentation &  
Sampling, Inc.; Crosby Valve, LLC; Daniel International  
Corporation; Davis Mechanical Contractors, Inc.;  
Dezurik, Inc.; Duke Energy Carolinas, LLC; Duke  
Energy Corporation; Eaton Corporation; Ellington  
Insulation Company, Inc.; Emerson Electric Co.; Fisher  
Controls International LLC; Flame Refractories, Inc.;  
Flowserve Corporation; Flowserve US Inc.; Fluor  
Constructors International; Fluor Constructors  
International, Inc.; Fluor Daniel Services Corporation;  
Fluor Enterprises, Inc.; FMC Corporation; Foster  
Wheeler Energy Corporation; Gardner Denver Nash,  
LLC; General Boiler Casing Company, Inc.; General  
Cable Corporation; General Cable Industries, Inc.;  
General Electric Company; Gould Electronics Inc.;  
Goulds Pumps, Incorporated; Goulds Pumps LLC; Great  
Barrier Insulation Co.; Grinnell LLC; Hajoca  
Corporation; Howden North America Inc.; HPC

Industrial Services, LLC; IMO Industries Inc.; ITT LLC; Joy Global Underground Mining LLC; K-Mac Services Incorporated; Metropolitan Life Insurance Company; Mine Safety Appliances Company, LLC; MP Supply, Inc.; The Nash Engineering Company; Occidental Chemical Corporation; Paramount Global; Patterson Pump Company; PECW Holding Company; Pfizer Inc.; Piedmont Insulation, Inc.; Plastics Engineering Company; Presnell Insulation Co., Inc.; Redco Corporation; Riley Power Inc.; Rockwell Automation, Inc.; RSCC Wire & Cable LLC; Schneider Electric USA, Inc.; Sequoia Ventures Inc.; Spirax Sarco, Inc.; SPX Corporation; Stafford Insulation Company; Standard Insulation Company Of N. C., Inc.; Starr Davis Company, Inc.; Starr Davis Company Of S.C., Inc.; Sterling Fluid Systems (USA) LLC; TE Wire & Cable LLC; Thermo Electric Company, Inc.; Union Carbide Corporation; Valves And Controls Us, Inc.; Velan Valve Corp.; Viking Pump, Inc.; Vistra Intermediate Company LLC; The William Powell Company Wind Up, Ltd.; Yuba Heat Transfer LLC; Zurn Industries, LLC, Defendants,

and

Cape PLC, individually and as successor in interest to Cape Asbestos Company Limited, by and through its duly appointed Receiver Peter D. Protopapas, Third-Party Plaintiff, Respondent,

v.

Anglo American PLC, individually and as successor in interest to Anglo American Corporation of South Africa LTD., De Beers PLC, individually and as successor in interest to De Beers S.A., De Beers Centenary AG, De Beers Consolidated Mines Ltd., n/k/a De Beers Consolidated Mines Proprietary Ltd., De Beers UK Ltd., De Beers Jewellers LTD., De Beers Jewellers US, Inc., Anglo American US Holdings Inc., Element Six US

Corp., Element Six Technologies US Corp., Element Six Technologies (OR) Corp., First Mode Holdings, Inc., Platinum Guild International (U.S.A.) Jewelry Inc., Lightbox Jewelry Inc., Forevermark US Inc., Anglo American Crop Nutrients (U.S.A.) LLC, Charter Consolidated Ltd., ESAB Corporation, Central Mining & Investment Corporation Ltd., Cape Holdco Ltd., The Law Debenture Corporation PLC, Cape Industrial Services Group Ltd., Mohed Altrad, Altrad UK Ltd., Cape UK Holdings Newco Ltd., Altrad Services, Ltd., f/k/a Cape Industrial Services Ltd., Altrad Investment Authority S.A.S., Sparrows Offshore Group Ltd., Hawk Bidco US Inc., ArranCo US, LLC, Sparrows Offshore, LLC, and The Sparrows Group, LLC, Third-Party Defendants,

Of which Anglo American PLC, De Beers, PLC, De Beers Centenary AG, De Beers Consolidated Mines Proprietary Ltd., De Beers UK Ltd. are the Appellants.

Appellate Case No. 2023-002008

The Honorable Jean Hoefer Toal  
Richland County  
Trial Court Case No. 2023CP4001759

\_\_\_\_\_  
ORDER  
\_\_\_\_\_

The time for serving and filing the respondents' initial brief and designation of matter is hereby extended until May 1, 2024.

FOR THE COURT  
BY Catherine Annisa, deputy  
CLERK

Columbia, South Carolina

**FILED**  
**Mar 06 2024**

cc:

Shanon N. Peake, Esquire

G. Murrell Smith, Jr., Esquire

John Thomas Lay, Jr., Esquire

Gray Thomas Culbreath, Esquire

Lindsay Anne Joyner, Esquire

Laura Watkins Jordan, Esquire

Eleanor Lasseigne Jones, Esquire

Jonathan M. Robinson, Esquire

James H. Elliott, Jr., Esquire

Cameron D Berthelsen, Esquire