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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

Appellate Case No.
Circuit Court Case No. 2023-CP-40-03108

Heather Donaghy, as Executor of the Estate of Shirley Smiley Potter, Deceased,

Respondents,

v.

4520 Corp, Inc., et al,

Defendants,

Of which **nonparties** Certain Underwriters at Lloyd's, London and certain London market insurance companies subscribing severally (not jointly) to certain excess policies insuring Asbestos Corporation Limited ("ACL") ("Certain London Market Insurers" or "CLMI")¹ are

Appellants.

NOTICE OF APPEAL

ROBERTSON HOLLINGSWORTH MANOS &
RAHN, LLC

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Attorneys for Certain London Market Insurers

¹ Certain London market insurance companies as to which certain claims are administered by third-party claims administrator, Resolute Management, Inc., consist of The Scottish Lion Insurance Company Ltd., Tenecom Ltd. (as successor to relevant liabilities of Winterthur Swiss Insurance Company) and Yasuda Fire and Marine Insurance Company (UK) Limited, and now known as Tenecom Ltd.

Other Counsel of Record:

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Attorneys for the Receiver of Asbestos Corporation Limited

Nonparties Certain Underwriters at Lloyd's, London and certain London market insurance companies subscribing severally (not jointly) to certain excess policies insuring Asbestos Corporation Limited ("ACL") ("Certain London Market Insurers" or "CLMI") hereby appeal the following order of the Honorable Jean Hoefer Toal, Circuit Court Judge:

- **Order on Plaintiffs' and Receiver's Motion for Sanctions and Contempt Against Resolute Management and Certain Underwriters of Lloyd's of London** filed March 22, 2024.

A copy of the appealed order is attached hereto and incorporated herein by reference. Appellants received written notice of entry of the most recent order on March 22, 2024. Appellants further state that all necessary transcripts for this appeal have been ordered from the appropriate court reporter.

This order is immediately appealable pursuant to *Ex parte Whetstone*, 289 S.C. 580, 347 S.E.2d 881 (1986).

Respectfully submitted,

ROBERTSON HOLLINGSWORTH MANOS &
RAHN, LLC

By: *s/Theodore L. Manos*

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March 23, 2024

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March 23, 2024

Via Electronic Mail: ctappfilings@sccourts.org

Jenny Abbott Kitchings
Clerk of Court
1220 Senate Street
Columbia, South Carolina 29201

RE: Heather Donaghy, as Executor of the Estate of Shirley Smiley Potter, Deceased,
v. 4520 Corp, Inc., et al,
Circuit Court Case No. 2023-CP-40-03108

Dear Clerk Kitchings:

Attached hereto is a copy of the Notice of Appeal filed and served by E-Filing in the referenced case this afternoon that is pending acceptance by the Circuit Court's Clerk's office. We will forward a file-stamped copy of the Notice to Appeal upon receipt of the same and pursuant to Rule 262(c) will hand deliver the \$250 filing fee to the Court of Appeals within five days of today's date.

Thank you for advising me if you need any additional information.

Respectfully,

s/Theodore L. Manos

TLM/ej
Attachments

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