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Mar 25 2024

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. 2022-CP-40-03108

Heather Donaghy, as Personal Representative of the Estate of
Shirley Smiley Potter, deceased..... Plaintiff,

v.

4520 Corp., Inc., ABB Inc. Amentum Environment & Energy, Inc., Armstrong International, Inc., Asbestos Corporation Limited, Atlas Turner Inc., Bahnson, Inc., Beaty Investments, Inc., Bechtel Corporation, The Bonitz Company, Brenntag North America, Inc., Brenntag Specialties, LLC, Canvas CT, LLC, Carboline Company, Carrier Corporation, Celanese Corporation, CNA Holdings LLC, Cooper Crouse-Hinds, LLC, Covil Corporation, Daniel International Corporation, Eaton Corporation, Emerson Electric Co., Ericsson Inc., Fisher Controls International LLC, Flowserve Corporation, Flowserve US Inc, Fluor Constructors International, Fluor Constructors International, Inc., Fluor Daniel Services Corporation, Fluor Enterprises, Inc., General Cable Corporation, General Cable Industries, Inc. General Electric Company Gould Electronics Inc., Goulds Pumps, Incorporated, Goulds Pumps LLC, Graybar Electric Company, In., Great Barrier Insulation Co., Grinnell LLC, Henry Pratt Company, LLC, Howden North America Inc., ITT LCC, K-MAC Services, Inc., Metropolitan Life Insurance Company, Occidental Chemical Corporation, Paramount Global, PECW Holding Company, Plastics Engineering Company, Presnell Insulation Co., Inc., Redco Corporation, Riley Power Inc., Rockwell Automation, Inc., R.T. Vanderbilt Holding Company, Inc., Rust Engineering & Construction, Inc., Rust International Inc., Saint-Gobain Abrasives, Inc., Schneider

Electric USA, Inc., Sequoia Ventures Inc., Siemens Industry, Inc., Spence Engineering Company, Inc., Spirax Sarco, Inc., Standard Insulation Company of N.C., Inc., Starr Davis Company, Inc., Starr Davis Company of S.C., Inc., Thermo Electric Company, Inc., Union Carbide Corporation, Vanderbilt Minerals, LLC, Viking Pump, Inc., Vistra Intermediate Company LLC, Westrock Company, The William Powell Company, Zurn Industries, LLC..... Defendants,

of which

Plaintiff and Asbestos Corporation Limited, by and through its court-appointed Receiver, Peter D. Protopapas, are the..... Respondents,

and

Non-party Resolute Management, Inc., is the..... Appellant.

NOTICE OF APPEAL

Non-party RESOLUTE MANAGEMENT, INC. hereby appeals 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. Appellant learned of the written notice of entry of the most recent order on March 22, 2024. This order is immediately appealable pursuant to *Ex parte Whetstone*, 289 S.C. 580, 347 S.E.2d 881 (1986). Appellant further states that all necessary transcripts for this appeal have been ordered from the appropriate court reporter.

Respectfully submitted,

FOX ROTHSCHILD LLP

By: s/Stephanie G. Flynn
Stephanie G. Flynn (SC Bar No. 16653)
2 W. Washington Street, Suite 1100
Greenville, South Carolina, 29601
(864) 751-7607
Email: sgflynn@foxrothschild.com

*Attorneys for Non-Party
Resolute Management, Inc.*

Greenville, South Carolina

March 25, 2024

Other Counsel of Record:

Peter D. Protopapas, Esq.
Robert T. Bonds, Esq.
RIKARD & PROTOPAPAS, LLC
2110 N. Beltline Blvd, Columbia, SC 29204
PO Box 5640, Columbia, SC 29250
(803) 978-6111

Attorneys for the Receiver of Asbestos Corporation Limited

Theile B. McVey, Esq.
Jamie D. Rutkoski, Esq.
KASSEL MCVEY ATTORNEYS AT LAW
1330 Laurel Street
Post Office Box 1476
Columbia, South Carolina 29202-1476
(803) 256-4242

and

Charles W. Branham, III, Esq.
Jonathan M. Holder, Esq.
Aaron D. Chapman, Esq.
DEAN OMAR BRANHAM SHIRLEY, LLP
302 N. Market Street, Suite 300
Dallas, Texas 75202
(214) 722-599

Attorneys for Plaintiff

Theodore L. Manos
ROBERTSON, HOLLINGSWORTH, MANOS & RAHN, LLC
550 King Street, Suite 300
Charleston, South Carolina 29403
(843) 723-6470

Attorneys for Non-Parties Certain London Market Insurers¹

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.

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PROOF OF SERVICE

I, the undersigned of the law offices of Fox Rothschild LLP, attorneys for Appellant, do hereby certify that I have served all parties to this appeal with a copy of the pleading(s) specified below by e-mailing them at the addresses below:

Pleading(s): Notice of Appeal

Parties Served:

Peter D. Protopapas pprotopapas@rplegalgroup.com
Robert T. Bonds rbonds@rplegalgroup.com
John Kenneth Chandler jchandler@rplegalgroup.com

Attorneys for the Receiver on behalf of Atlas Corporation Limited

Thiele McVey tmcvey@kassellaw.com
Jamie D. Rutkoski jrutkoski@kassellaw.com
Jonathan Marshall Holder jholder@dobslegal.com
Charles W. Branham, III tbranham@dobslegal.com
Aaron Chapman achapman@dobslegal.com

Attorneys for Plaintiff

Theodore L. Manos tlm@roblaw.net

Attorneys for Certain London Market Insurers