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April 11, 2024

Via Electronic Filing

The Honorable Jenny Abbott Kitchings
Clerk of the South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

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Apr 11 2024

SC Court of Appeals

Re: *Tibbs v. Asbestos Corporation Limited*
Appellate Case Nos. 2023-002009, 2023-002010, 2023-002011, 2024-000524
First Extension Request for Response to Motion (Reply)

Dear Ms. Kitchings:

Appellants have received Respondent's objection to the request for a 10-day extension to prepare an opposition memorandum (which is presently due today.) Respondent's suggestion that the request for a 10 day extension is "an attempt to further delay the case" is baseless.

Appellants have filed two appeals in this case. For the present (second) appeal – Appellants have appealed, among other things, the refusal to grant injunctive relief. This position is fully briefed in Appellants' Initial Brief that was filed on March 20, 2024 (one day after Appellants' filed their Notice of Appeal). Respondent moved to dismiss this injunction appeal and to stay its own briefing deadline. As evidenced by the early filing of their initial brief, Appellants are not attempting to delay this appeal. This is Appellants' first request for extension in this appeal.

As to Appellants' other (initial) appeal - Appellants have appealed, among other things, the grant, modification and continuation of the appointment of a South Carolina receiver over an active UK company. This position is fully briefed in Appellants' Initial Brief that was filed on February 22, 2024 (after one (1) 30 day extension.) On March 5, 2024, Respondent requested a 30 day extension to April 22, 2024. On March 6, 2024, the Court issued an order extending the Respondent's deadline to May 1, 2024. Respondent has not yet filed its initial brief.

As demonstrated above, there is no basis for Respondent's assertion that the Appellants' request for 10 day extension is "an attempt to further delay the case."

Respectfully submitted,

/s/ A. Victor Rawl, Jr.

CC: Counsel for Respondent (via email)