

# The South Carolina Court of Appeals

Terry L. Green, Sr., as the Personal Representative of the Estate of Robert J. Green, Deceased and Evelyn V. Green, Individually, Plaintiffs,

v.

3M Company; Advance Stores Company Incorporated; Amentum Environment & Energy, Inc.; AutoZone, Inc.; Beaty Investments, Inc.; The Bonitz Company; CH2M Hill Engineers, Inc.; Cleaver-Brooks, Inc.; Covil Corporation; Daniel International Corporation; Davis Mechanical Contractors, Inc.; Eaton Corporation; Ellington Insulation Company, Inc.; Fluor Constructors International; Fluor Enterprises, Inc.; Ford Motor Company; General Electric Company; General Parts, Inc.; Genuine Parts Company; GG of Florida, Inc.; The Goodyear Tire & Rubber Company; Great Barrier Insulation Co.; Heat & Frost Insulation Company; ITT LLC; J. & L. Insulation, Inc.; K-Mac Services, Inc.; LGE (OLD Co.), Inc.; LGE&C (OLD Co.) LLC; Metropolitan Life Insurance Company; Michelin Corporation; Michelin North America, Inc.; O'Reilly Auto Enterprises, LLC; O'Reilly Automotive Stores, Inc.; Occidental Chemical Corporation; Paramount Global; Plastics Engineering Company; Pneumo Abex LLC; Presnell Insulation Co., Inc.; RedCo Corporation; Rockwell Automation, Inc.; Schneider Electric USA, Inc.; Southern Insulation, Inc.; Spirax Sarco, Inc.; Springs Industries, Inc.; Springs Industries, LLC; Standard Insulation Company of N.C., Inc.; Starr Davis Company, Inc.; Starr Davis Company of S.C., Inc.; Thermo-Kinetics Industries, Inc.; Union Carbide Corporation; Wind Up, Ltd., Defendants,

AND

Davis Mechanical Contractors, Inc., by and through its

Receiver Peter D. Protopapas, Respondent,

v.

American Home Assurance Company; Columbia Casualty Company; Continental Casualty Company; Continental Insurance Company; Federal Insurance Company; Fireman's Fund Insurance Company; Republic Insurance Company, n/k/a Starr Indemnity & Liability Company; United States Fire Insurance Company; Brandywine Holdings Corporation; and Riverstone Claims Management, LLC, Third-Party Defendants,

of which Republic Insurance Company n/k/a Starr Indemnity & Liability Company is the Appellant.

Appellate Case No. 2023-001629

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ORDER

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This appeal arises out of an order issued on October 12, 2023, by the circuit court. On December 14, 2023, we issued an order remanding to the circuit court for consideration of a Rule 60(b), SCRCF motion. On remand, the circuit court granted the Rule 60(b) motion and vacated its October 12, 2023 order. Accordingly, the appeal is dismissed, as there is nothing remaining for this Court to review. The remittitur will be sent pursuant to Rule 221(b), SCACR.

  
\_\_\_\_\_, C.J.  
FOR THE COURT

Columbia, South Carolina

cc:

Brandon Robert Gottschall, Esquire

Mark V. Gende, Esquire

Daniel Quintin Atkinson, Esquire

**FILED**  
**Apr 23 2024**

Peter Demos Protopapas, Esquire  
Brian Montgomery Barnwell, Esquire  
G. Murrell Smith, Jr., Esquire  
Jonathan M. Robinson, Esquire  
Shanon N. Peake, Esquire