

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal from Richland County  
Court of Common Pleas  
Jean Hoefer Toal, Circuit Court Judge

Case No. 2023-CP-40-01759  
Appellate Case No. 2023-001461

RECEIVED

MAY 03 2024

SC Court of Appeals

John A. Tibbs and Margaret B. Tibbs,

Respondents,

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,

Of which Asbestos Corporation Limited is the

Appellant.

---

**PROOF OF SERVICE**

---

CLEMENT RIVERS, LLP  
Stephen L. Brown (SC Bar No. 66468)  
Russell G. Hines (SC Bar No. 72100)  
James D. Gandy, III (SC Bar No. 11925)  
Graydon V. Olive, IV (SC Bar No. 105319)  
25 Calhoun Street, Suite 400  
Charleston, South Carolina 29401  
P.O. Box 993 (29402)  
(843) 720-5488

*Attorneys for Appellant*

I, Stephen L. Brown, of Clement Rivers, LLP, attorneys for Appellant, hereby certify that the **RECORD ON APPEAL** was served on all other parties to this appeal on May 1, 2024, via email (see attached) to their following counsel of record:

Theile B. McVey  
[tmcvey@kassellaw.com](mailto:tmcvey@kassellaw.com)  
Jamie D. Rutkoski  
[jrutkoski@kassellaw.com](mailto:jrutkoski@kassellaw.com)  
KASSEL MCVEY ATTORNEYS AT LAW  
1330 Laurel Street  
Post Office Box 1476  
Columbia, South Carolina, 29202-1476

*and*

Aaron D. Chapman  
[achapman@dobslegal.com](mailto:achapman@dobslegal.com)  
David C. Humen  
[dhumen@dobslegal.com](mailto:dhumen@dobslegal.com)  
Charles William Branham, III  
[tbranham@dobslegal.com](mailto:tbranham@dobslegal.com)  
Todd Barnes  
[tbarnes@dobslegal.com](mailto:tbarnes@dobslegal.com)  
Ka'Leya Q. Hardin  
[khardin@dobslegal.com](mailto:khardin@dobslegal.com)  
DEAN OMAR BRANHAM SHIRLEY, LLP  
302 N. Market Street, Suite 300  
Dallas, Texas 75202

*Attorneys for Respondent*

G. Murrell Smith, Jr.  
[murrell@smithrobinsonlaw.com](mailto:murrell@smithrobinsonlaw.com)  
Smith Robinson Holler DuBose Morgan, LLC  
PO Box 580  
Sumter, SC 29151-0580

*and*

Jonathan M. Robinson  
[jon@smithrobinsonlaw.com](mailto:jon@smithrobinsonlaw.com)  
Shanon N. Peake  
[shanon.peake@smithrobinsonlaw.com](mailto:shanon.peake@smithrobinsonlaw.com)  
Smith Robinson Holler DuBose Morgan, LLC  
2530 Devine Street, Third Floor  
Columbia, SC 29205

*Attorneys for Receiver Peter D. Protopapas*

Peter D. Protopapas  
[pdp@rplegalgroup.com](mailto:pdp@rplegalgroup.com)  
John K. Chandler  
[jchandler@rplegalgroup.com](mailto:jchandler@rplegalgroup.com)  
Brian M. Barnwell  
[bb@rplegalgroup.com](mailto:bb@rplegalgroup.com)  
RIKARD & PROTOPAPAS, LLC  
2110 N. Beltline Blvd, Columbia, SC 29204  
PO Box 5640, Columbia, SC 29250

*Purported receiver for "insurance assets" of Asbestos Corporation Limited per Order being  
appealed*

Theodore Luke Manos  
[tlm@roblaw.net](mailto:tlm@roblaw.net)  
Robertson Hollingsworth Manos & Rahn, LLC  
550 King Street, Suite 300  
Charleston, SC 29403

*Attorney for Certain Underwriters at Lloyd's London and certain London Market Insurance  
Companies*

Respectfully submitted,  
CLEMENT RIVERS, LLP

By: *s/Stephen L. Brown*  
Stephen L. Brown (SC Bar No. 72100)  
*Attorneys for Appellant*

Charleston, South Carolina  
May 1, 2024

## Bell, Pollyana (Polly)

---

**From:** Bell, Pollyana (Polly)  
**Sent:** Wednesday, May 1, 2024 2:48 PM  
**To:** 'tmcvey@kassellaw.com'; 'jrutkoski@kassellaw.com'; 'EMoultrie@kassellaw.com'; 'Achapman@dobslegal.com'; 'tbranham@dobslegal.com'; 'kpaul@dobslegal.com'; 'dsimon@dobslegal.com'; 'dhumen@dobslegal.com'; 'tbarnes@dobslegal.com'; 'khardin@dobslegal.com'; 'pdp@rplegalgroup.com'; 'BB@rplegalgroup.com'; 'Lindsay@rplegalgroup.com'; 'jchandler@rplegalgroup.com'; 'rbonds@rplegalgroup.com'; 'blarrabee@rplegalgroup.com'; 'murrell@smithrobinsonlaw.com'; 'jon@smithrobinsonlaw.com'; 'shanon.peake@smithrobinsonlaw.com'; 'dot@smithrobinsonlaw.com'; 'tlm@roblaw.net'  
**Cc:** Brown, Stephen L.; Justman, Aimee; Olive, IV, Graydon; Hines, Russell  
**Subject:** Tibbs v. Asbestos Corporation Limited; Appellate Case No. 2023-001461 (CR 230595)  
**Attachments:** Attachments.txt

Enclosed please find the Record on Appeal for service upon you in the above-referenced matter.

If you have never used Clement Rivers' ShareFile, you should receive a separate email containing a password. This separate email is often caught in spam filters, so if you haven't received it within ten minutes, please check with your IT department. If you have used Clement Rivers' ShareFile system before, but do not remember your password, there is a forgot my password process once you click the link below. If you have any issues, please let me know.

### ShareFile Attachments

Expires October 31, 2024

ROA Vol. 1.pdf	17.9 MB
ROA Vol. 2.pdf	31 MB
ROA Vol. 3.pdf	34.1 MB

[Download Attachments](#)

Polly Bell uses ShareFile to share documents securely.

Thank you,

Pollyana Bell  
Project Assistant  
Commercial Litigation Practice Group  
Phone:(843)720-5488 | Fax:(843)579-1369



**CLEMENT RIVERS, LLP**

25 Calhoun Street • Suite 400 • Charleston, SC 29401  
ycrlaw.com



CLEMENT RIVERS, LLP  
ATTORNEYS AT LAW

Pollyana Bell  
Project Assistant

Direct Dial: (843) 720-5488  
Direct Fax: (843) 579-1369  
E-mail: pbell@ycrlaw.com

May 1, 2024

RECEIVED

MAY 03 2024

SC Court of Appeals

VIA US MAIL

Jenny Abbott Kitchings, Clerk of Court  
South Carolina Court of Appeals  
1220 Senate St.  
Columbia, SC 29201

Re: John A. Tibbs and Margaret B. Tibbs v. 3M Company, et al.  
Appellate Case No. 2023-001461  
Case No.: 2023-CP-40-01759  
YCR File: 17800-20230595

Dear Ms. Kitchings:

Enclosed please find the Record on Appeal and Proof of Service regarding the same to be filed in the above-referenced matter.

With best wishes and kindest regards, I am

Sincerely,

CLEMENT RIVERS, LLP

Pollyana Bell  
Project Assistant

/pbb  
Enclosure(s)