



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
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May 09, 2024

The Honorable Jeanette W. McBride
PO Box 2766
Columbia SC 29202-2766

REMITTITUR

Re: Davis Mechanical Contractors, Inc. v. Republic Insurance Co.
Lower Court Case No. 2022CP4006627
Appellate Case No. 2023-001629

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

A handwritten signature in blue ink that reads "Jenny A. Kitchings".

CLERK

Enclosure

cc: Brandon Robert Gottschall, Esquire
Mark V. Gende, Esquire
Daniel Quintin Atkinson, Esquire

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

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

ORDER

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), SCRCP 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
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