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May 30 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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

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Appellate Case Nos. 2024-000342; 2024-000348  
Circuit Court Case Nos. 2022-CP-40-05543 and 2023-CP-40-03108

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Michael David Link and Sandra Strickland Link,

Respondents,

v.

4520 Corp., Inc.; ABB Inc.; Amentum Environment & Energy, Inc.; Armstrong International, Inc.; Asbestos Corporation Limited; AT&T Corp.; Atlas Turner Inc.; Bahnson, Inc.; BASF Catalysts LLC; BASF Corporation; Beaty Investments, Inc.; Bechtel Corporation; Bellsouth, LLC; Bellsouth Telecommunications, LLC; The Bonitz Company; Brenntag North America, Inc.; Brenntag Specialties, LLC; Carboline Company; Carrier Corporation; Celanese Corporation; CNA Holdings LLC; Cooper Crouse-Hinds, LLC; Covil Corporation; Daniel International Corporation; Davis Mechanical Contractors, Inc.; Eaton Corporation; Ellington Insulation Company, Inc.; 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; Graybar Electric Company, Inc.; Great Barrier Insulation Co.; Grinnell LLC; Heat & Frost Insulation Company, Inc.; Henry Pratt Company, LLC; Howden North America Inc.; ITT LLC; J. & L. Insulation, Inc.; K-MAC Services, Inc.; Kohler Co.; Metropolitan Life Insurance Company; Michelin Corporation; Michelin North America, Inc.; Milliken & Company; Nokia of America Corporation; Occidental Chemical Corporation; The Okonite Company, Inc.; Paramount Global; PECW Holding Company; Plastics Engineering Company; Presnell Insulation Co., Inc.; Prysmian Cables and Systems USA, LLC; Raytheon Technologies Corporation; 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.; SPX Cooling Technologies, LLC; 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; Whittaker, Clark & Daniels, Inc.; The

William Powell Company; Wind Up, LTD.; York International Corporation;  
Zurn Industries, LLC,

Defendants,

Of which Asbestos Corporation Limited and Atlas Turner, Inc. are

Petitioners.

AND

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

Respondents,

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, Inc.; Great Barrier  
Insulation Co.; Grinnell LLC; Henry Pratt Company, LLC; Howden North  
America Inc.; ITT LLC; 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; The William Powell Company; York International Corporation;  
Zurn Industries, LLC,

Defendants,

Of which Asbestos Corporation Limited and Atlas Turner, Inc. are

Petitioners.

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**ATLAS TURNER, INC.'S MOTION FOR EXTENSION OF TIME TO SERVE/FILE  
PETITION FOR WRIT OF CERTIORARI**

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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  
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P.O. Box 993 (29402)  
(843) 720-5488  
*Attorneys for Petitioner Atlas Turner, Inc.*

NOW COMES Petitioner, Atlas Turner, Inc., by and through their undersigned counsel, on the grounds stated below, pursuant to Rule 263(b), SCACR, as well as the Court's order of July 16, 2014, regarding Extensions in Cases Seeking a Petition for a Writ of Certiorari to Review a Decision of the South Carolina Court of Appeals, and hereby move for an extension of ten (10) days' time to file/serve their petition to this Court for issuance of a writ of certiorari to the Court of Appeals to review its decision in this matter.

Pursuant to Rule 242(c), SCACR, the present deadline for the petition for writ of certiorari is May 30, 2024. Due to other time commitments, both work- and non-work-related, the undersigned counsel for Petitioner requests ten (10) additional days, beyond May 30, 2024, to prepare Petitioner's petition seeking this Court's review of the Court of Appeals' decision via writ of certiorari, and the undersigned submits there is good cause to allow the requested dispensation: It is in furtherance of the interests of justice; it will not work any undue prejudice upon any other party; and it is consistent with the extension protocol established by the Court's aforementioned order of July 16, 2014.

WHEREFORE, Petitioner respectfully requests that this Honorable Court grant them an extension of ten (10) days' time to file/serve their petition for writ of certiorari. With the extension requested herein, the new deadline for filing/serving their petition for writ of certiorari would be June 10, 2024,<sup>1</sup> according to the undersigned's calculations. Further, Petitioner respectfully request the Court hold the present deadline in abeyance until it acts upon this motion.

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<sup>1</sup> Calculating the 10-day period in accordance with Rule 263(a), SCACR, it runs until Monday, June 10, 2024, because the 10<sup>th</sup> day is Sunday, June 9, 2024.

*(Signature page for Petitioner Atlas Turner, Inc. 's Motion for Extension of Time to Serve/File Petition for Writ of Certiorari, Appeal Nos. 2024-000342; 2024-000348)*

Respectfully submitted,  
CLEMENT RIVERS, LLP

By: *s/Stephen L. Brown*  
Stephen L. Brown (SC Bar No. 66468)  
Russell G. Hines (SC Bar No. 72100)  
James D. Gandy, III (SC Bar No. 11925)  
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*Attorneys for Petitioner Atlas Turner, Inc.*

Charleston, South Carolina

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William Powell Company; Wind Up, LTD.; York International Corporation;  
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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, Inc.; Great Barrier  
Insulation Co.; Grinnell LLC; Henry Pratt Company, LLC; Howden North  
America Inc.; ITT LLC; K-MAC Services, Inc.; Metropolitan Life Insurance  
Company; Occidental Chemical Corporation; Paramount Global; PECW Holding  
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Corporation; Riley Power Inc.; Rockwell Automation, Inc.; R.T. Vanderbilt  
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Inc.; Standard Insulation Company of N. C., Inc.; Starr Davis Company, Inc.; Starr  
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Corporation; Vanderbilt Minerals, LLC; Viking Pump, Inc.; Vistra Intermediate  
Company LLC; The William Powell Company; York International Corporation;  
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Defendants,

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Petitioners.

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**PROOF OF SERVICE**

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CLEMENT RIVERS, LLP  
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*Attorneys for Petitioner Atlas Turner, Inc.*

I, Stephen L. Brown, of Clement Rivers, LLP, attorneys for Petitioners, hereby certify that the **ATLAS TURNER, INC.'S MOTION FOR EXTENSION OF TIME TO SERVE/FILE PETITION FOR WRIT OF CERTIORARI** was served on all other parties to this appeal on May 30, 2024, via email (see attached) to their following counsel of record:

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

*and*

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Respectfully submitted,

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*Attorneys for Petitioner Atlas Turner, Inc.*

Charleston, South Carolina

May 30, 2024

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**Subject:** Link v. Atlas Turner, Inc. Ct. App. Case No. 2024-000342; Donaghy v. Atlas Turner, Inc. Ct. App. Case No. 2024-000348 (CR 230681/230599)  
**Date:** Thursday, May 30, 2024 12:51:05 PM  
**Attachments:** [image001.png](#)  
[Petitioner Atlas Turner, Inc.'s Mot. for Ext for Petition for Writ of Cert.pdf](#)

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Enclosed please find Petitioner Atlas Turner, Inc.'s Motion for Extension of Time to Serve/File Petition for Writ of Certiorari for service upon you in the above-referenced matter.

Thank you,

Pollyana Bell  
Project Assistant  
Commercial Litigation Practice Group  
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