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May 31, 2024

VIA E-MAIL ONLY

Honorable Patricia A. Howard, Clerk
South Carolina Supreme Court
P. O. Box 11330
Columbia, SC 29211-1330
suptfilings@sccourts.org

RECEIVED

May 31 2024

SC Court of Appeals

Re: Michael David Link and Sandra Strickland Link v. 4520 Corp., Inc., et al.
Appellate Case No.: 2024-000342
Case No.: 2022-CP-40-05543
Heather Donaghy, as Personal Representative of the Estate of Shirley Smiley
Potter, deceased v. 4520 Corp., Inc., et al.
Appellate Case No.: 2024-000348
Case No.: 2023-CP-40-03108

Dear Ms. Howard:

Please allow this letter to serve as a response to the letter received from Mr. Robinson on May 30, 2024. In it he objects to the 10-day extension of time to file a petition for writ of certiorari with regard to an order issued by the trial court and affirmed by the Court of Appeals without either providing guidance on the novel relief they were approving. The net result is I am the attorney for Asbestos Corporation Limited (“ACL”) and Atlas Turner, Inc. in certain matters, but have been ordered by the trial court and Court of Appeals that I am to have no authority on any issues of disagreement with the receiver. By doing so, my client has been deprived of counsel of choice and is entitled to an immediate appeal.

I have requested no prior extensions on this petition for writ of certiorari and believed that making the motion was consistent with this Court’s order regarding the limitation of twenty (20) days total involving a petition for writ of certiorari. Our Supreme Court has yet to turn down such a request to me or my office to the best of my knowledge since the twenty (20) day limitation was put in place. I have attempted to contact Mr. Robinson, but have been informed that he is out of the office for the rest of the week. I would be happy to share with him the reasons for the requested ten (10) day extension and am likewise willing to do so with this Court.

The fact that other parties have filed appeals that have been dismissed as interlocutory does not relate to me. I have two (2) pending appeals that are valid and the Court of Appeals has recognized them as such as they will be argued before the Court. My motion to address how Peter Protopapas as receiver could be my client’s decision maker in a case, but still have me listed as

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counsel of record is not explained in any of the orders in issues from the trial court or the Court of Appeals. Likewise, there is no authority supporting or guidance provided in South Carolina because no court has ever ordered what is being done in these cases. It is for those reasons that I have asked for a ten (10) day extension. Since counsel is out of town until next week, realistically the process would not delay any case from being heard.

Although this Court may be rightfully concerned about interlocutory appeals and whether they should be filed by other parties, my client is not involved in any of those appeals except as noted above. I would ask the Court to please look seriously at this simple request for an extension that is done essentially as a matter of courtesy and under a rule which is relied upon by counsel daily to obtain extensions from this Court. This Court has always been very understanding of personal issues, including health and family issues, as well as the workloads which lawyers now face. I appreciate the Court's consideration of this letter and will point out that I attempted to consult with Mr. Robinson before sending it. While Mr. Robinson is unaware of any health issues I may suffer, the receiver is and has been aware for some time of my health issues.

With best wishes and kindest regards, I am

Sincerely,

CLEMENT RIVERS, LLP



Stephen L. Brown
Managing Partner

SLB/pbb

cc (via e-mail only): Theile B. McVey
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