

Reply To: Columbia  
Jon.Robinson@smithrobinsonlaw.com

August 13, 2024

**VIA Hand Delivery and E-Filing**

The Honorable Jean Hofer Toal  
Chief Justice Retired  
2418 Wheat Street  
Columbia, SC 29205

**RECEIVED**  
**Aug 13 2024**  
**SC Court of Appeals**

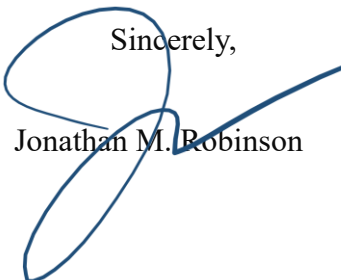
Re: John A. Tibbs and Margaret B. Tibbs v. 3M Company, et al.  
Civil Action No.: 2023-CP-40-01759

Dear Chief Justice Toal,

This afternoon, The Honorable Mary G. Lewis issued an Order Granting Motion to Remand in the above-referenced case. As the Court is aware, this remand order is the latest in a series of remand orders of improperly removed cases involving state court appointed receivers in the South Carolina asbestos docket. As the court is aware, multiple South Carolina District Court judges, and the Fourth Circuit Court of Appeals have confirmed that the Barton doctrine, articulated in *Barton v Barbour*, 104 U.S. 126 (1881) bars these types of removals from the state receivership court.

Please find attached a copy of Judge Lewis' order remanding this case back to the state court. By copy of this correspondence, I am also providing notice to the South Carolina Court of Appeals and the South Carolina Supreme Court who were required to hold in the abeyance the multiple appeals filed in this case. See Appellate Case Nos. 2023-002006, 2023-002007, 2023-002009, 2023-002010, 2023-002011, 2024-000524, 2024-000916, 2024-001063, 2024001064, 2024-001065, and 2023-001461.

Sincerely,

  
Jonathan M. Robinson

JMR/dlf

Enclosure

cc: Counsel of record via E-filing (Civil Action No.: 2023-CP-40-01759)

South Carolina Court of Appeals via e-filing (Appellate Case Nos. 2023-002006, 2023-002007, 2023-002009, 2023-002010, 2023-002011, 2024-000524, 2024-001063, 2024001064, 2024-001065, and 2023-001461)  
South Carolina Supreme Court via e-filing (Appellate Case No. 2024-000916)