

RECEIVED

Aug 30 2024

S.C. SUPREME COURT

A. VICTOR RAWL, JR.
PARTNER
VRAWL@GRSM.COM
DIRECT DIAL: (843) 714-2501

GRSM50
GORDON REES SCULLY MANSUKHANI
YOUR 50 STATE LAW FIRM™

ATTORNEYS AT LAW
677 KING STREET, SUITE 450
CHARLESTON, SC 29403
WWW.GRSM.COM

August 29, 2024

The Honorable Patricia A. Howard
Clerk of Court
Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211

RECEIVED

Aug 29 2024

SC Court of Appeals

Re: *John A. Tibbs v. Asbestos Corporation Limited* (5)
Appellate Case No. 2023-002009
First Request For Extension (7 days)

Dear Ms. Howard:

We represent Charter Consolidated Ltd., ESAB Corporation, and Central Mining & Investment Corporation Ltd. (collectively, "Appellants/Petitioners"). On behalf of all Appellants, we respectfully and collectively request a 7 (seven) day extension for all Appellants' deadlines to file and serve their Petition for Certiorari.

We calculate that the Petition for Certiorari is due on September 3, 2024. Appellants' Motion for Rehearing was denied by the Court of Appeals on June 18, 2024. The 30 day response time began on June 19, 2024 and was paused upon the removal this case to United States District Court on June 28, 2024 (10 days had elapsed.) The United States District Court remanded the case on August 13, 2024. The clock restarted upon remand, and the remaining 20 days takes us to Saturday, September 1, 2024 (response date is pushed to September 3, 2024 because of the weekend and Labor Day Holiday.)

If granted, the new deadline for the Petition for Certiorari would be September 8, 2024. This request is needed due to Appellants' counsels' current workload, other deadlines and longstanding family travel over the Labor Day holiday.

Additionally, we note that the Court of Appeals issued a letter in this appeal today (August 29, 2024) stating: "This case has been remanded by the United States district court. Thus, the appeal will no longer be held in abeyance." Through today, the cases status of Appellate Case No. 2023-002009 showed to be "Held in Abeyance." We are filing this first extension request out of an abundance of caution and based on the assumption that the September 1, 2024 deadline remains operative.

This is Appellants' first request for an extension. The filing fee will be sent separately via US Mail within five business days.

August 29, 2024

Page 2

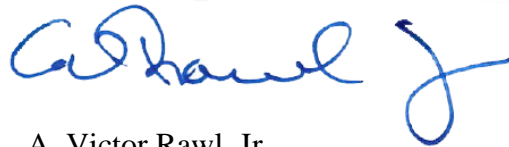
We appreciate the Court's consideration of this request made on behalf of all Appellants. If we can provide the Court with any additional information, please do not hesitate to call on us.

A copy of this request is simultaneously being filed with the South Carolina Court of Appeals.

By copy to opposing counsel, we are informing them of this communication.¹

Sincerely,

GORDON REES SCULLY MANSUKHANI, LLP

A handwritten signature in blue ink, appearing to read "A. Victor Rawl, Jr.", with a stylized flourish at the end.

A. Victor Rawl, Jr.

CC: John Nichols, Esquire.
Shanon N. Peake, Esquire
G. Murrell Smith, Jr., Esquire
John Thomas Lay, Jr., Esquire
Gray Thomas Culbreath, Esquire
Lindsay Anne Joyner, Esquire
Laura Watkins Jordan, Esquire
Eleanor Lasseigne Jones, Esquire
Jonathan M. Robinson, Esquire
Peter Demos Protopapas, Esquire
Brian Montgomery Barnwell, Esquire
John Kenneth Chandler, Esquire

¹ By making this request, Appellants do not intend to waive, and expressly preserve, all defenses to the underlying action, including the defense of lack of personal jurisdiction.