

Sep 13 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Jean Hoefer Toal, Circuit Court Judge

Common Pleas No. 2023-CP-40-04072

Michael L. Perry and Lonnie L. Long, Plaintiffs/Respondents,

v.

American International Industries; Atlas Turner Inc.; Avon Products, Inc.; Barretts Minerals Inc.; BlockDrug Company, Inc.; Brenntag North America, Inc.; Brenntag Specialties, LLC; Bristol-Myers Squibb Company; Buy-Low General Merchandise, Inc.; C&S Wholesale Grocers, LLC ; Calvin Klein Inc.; Chanel Inc.; Charles B. Chrystal Company, Inc.; Chattem, Inc.; Colgate-Palmolive Company; Color Techniques, Inc.; Cosmetic Specialties, Inc.; Coty Inc.; CVS Health Corporation; CVS Pharmacy, Inc.; EDC Drug Stores, Inc.; Estee Lauder Inc.; Estee Lauder International, Inc.; The Estee Lauder Companies Inc.; Food Lion, LLC; Genuine Parts Company ; Glamour Industries Co.; Himmel Management Co. LLC; Himmel Media LLC; Honeywell International, Inc.; Idelle Labs, Ltd.; IMI Fabi (Diana) LLC; IMI Fabi (USA) Inc.; IMI Fabi, LLC; Janssen Pharmaceuticals, Inc.; Johnson & Johnson; Johnson & Johnson Holdco (NA) Inc.; Kenvue Inc.; L'Oreal USA, Inc.; L'Oreal USA Products, Inc.; LLT Management LLC; Long's Drugstores of South Carolina, Inc.; LTL Management LLC; Minerals Technologies Inc.; The Neslemur Company; Piggly Wiggly, LLC; Pneumo Abex LLC; Presperse Corporation; The Procter & Gamble Company; PTI Royston, LLC; PTI Union LLC; Ralph Lauren Corporation ; Rite Aid of South Carolina, Inc.; Shulton, Inc.; Specialty Minerals Inc.; Sumitomo Corporation of Americas; Union Carbide Corporation; Vi-Jon, LLC; Walgreen Co.; Walmart Inc. .... Defendants

Of which American International Industries is the ..... Appellant.

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PROOF OF SERVICE

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Pursuant to Rule 262(a)(3) and Rule 262(c)(3), SCACR, undersigned counsel hereby certifies that a true copy of the notice of appeal and motion to hold appeal in abeyance in the above-referenced case has been served upon Theile McVey and Jamie Rutkoski at the primary e-mail address listed in the Attorney Information System (AIS) on September 13, 2024. Undersigned further certifies that a copy of the notice of appeal in the above-referenced case was e-filed with the Richland County Clerk of Court on September 13, 2024.



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Attorney for American International Industries

**From:** [efiledonotreply@sccourts.org](mailto:efiledonotreply@sccourts.org)  
**To:** [Flynn, Stephanie](#)  
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**To:** Stephanie G. Flynn [sgflynn@foxrothschild.com](mailto:sgflynn@foxrothschild.com)  
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Case Number: 2023CP4004072

Case Type: (699) Special/Complex/Other

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**A filing has been submitted to the court RE: 2023CP4004072**

**Official File Stamp:** 09-13-2024 03:54:09 PM  
**Court:** CIRCUIT COURT  
Common Pleas  
Richland  
**Case Caption:** Michael L Perry , plaintiff, et al vs American International Industries , defendant, et al  
**Document(s) Submitted:** Appeal/Notice of Appeal to Court of Appeals  
**Filed by or on behalf of:** Stephanie G. Flynn

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**The following people were served electronically:**

Todd Carlton Alley for Pti Union Llc  
Kurt Matthew Rozelsky for Vi Jon Llc, Cosmetic Specialties Inc, Chanel Inc  
Richard Daniel Addison for Longs Drugstores Of South Carolina Inc  
Kelly Lynn Near for Brenntag Specialties Llc, Brenntag North America Inc  
Morgan Michaela Miller for Brenntag Specialties Llc, Brenntag North America Inc  
Charles William Branham, III for Michael L Perry et al  
Casey Lee Austin for Brenntag Specialties Llc, Brenntag North America Inc  
George Lawrence Inabinet, Jr. for Brenntag Specialties Llc, Brenntag North America Inc  
Nicolas John Cherry for American International Industries  
Allyson Rebecca Twilley for American International Industries  
Stephanie G. Flynn for American International Industries  
Jasmine Imani Whatley for Genuine Parts Company  
Donald Jay Davis, Jr. for Block Drug Company Inc  
R. Scott Wallinger, Jr. for Rite Aid Of South Carolina Inc, Edc

Drug Stores Inc

Barbara J. Wagner for Rite Aid Of South Carolina Inc, Edc Drug Stores Inc

Yancey Alford McLeod, III for Pneumo Abex Llc

Gregory Warren Rouse, II for Abex Corporation, Pneumo Abex Llc

Taylor Joy Stewart for Genuine Parts Company

DeShawn Herman Mitchell for Vi Jon Llc

Peter George Siachos for Ralph Lauren Corporation, L Oreal Usa Products Inc, L Oreal Usa Inc

Robert O. Meriwether for The Procter & Gamble Company, Estee Lauder Companies Inc, Estee Lauder International Inc, Shulton Inc, Estee Lauder Inc, Coty Inc, Bristol Myers Squibb Company, Calvin Klein Inc, Idelle Labs Ltd

James Bruce Glenn for The Procter & Gamble Company, Estee Lauder Companies Inc, Estee Lauder International Inc, Shulton Inc, Estee Lauder Inc, Coty Inc, Bristol Myers Squibb Company, Calvin Klein Inc, Idelle Labs Ltd

Jamie Rae Rutkoski for Michael L Perry et al

James H. Burns for Barretts Minerals Inc, Specialty Minerals Inc, Minerals Technologies Inc, Honeywell International Inc

G. Mark Phillips for Barretts Minerals Inc, Specialty Minerals Inc, Minerals Technologies Inc, Honeywell International Inc

Deirdre Shelton McCool for Barretts Minerals Inc, Specialty Minerals Inc, Minerals Technologies Inc, Honeywell International Inc

Matthew Douglas Patterson for Barretts Minerals Inc, Specialty Minerals Inc, Minerals Technologies Inc, Honeywell International Inc

Michael Paul Stover for Barretts Minerals Inc, Specialty Minerals Inc, Minerals Technologies Inc, Honeywell International Inc

C. Mitchell Brown for Ltl Management Llc, Kenvue Inc, Johnson & Johnson Holdco Na Inc, Johnson & Johnson

Blake Terence Williams for Ltl Management Llc, Kenvue Inc, Johnson & Johnson Holdco Na Inc, Johnson & Johnson

Yasmeen Ebbini for Ltl Management Llc, Kenvue Inc, Johnson & Johnson Holdco Na Inc, Johnson & Johnson

Andrew Shelby Rogers

Jennifer M. Techman

Louis P. Hems

Amy Harmon Geddes for Hawthorne Pharmacy Inc, Rite Aid Of South Carolina Inc, Edc Drug Stores Inc, C&S Wholesale Grocers Llc

Amelia Simonds Waring for Hawthorne Pharmacy Inc, Rite Aid

Of South Carolina Inc  
David Christopher Humen for Michael L Perry et al  
William Henry Kleindienst for Ralph Lauren Corporation, Color  
Techniques Inc, Charles B Chrystal Company Inc, L Oreal Usa  
Products Inc, L Oreal Usa Inc  
A. Victor Rawl, Jr. for Color Techniques Inc, Charles B Chrystal  
Company Inc  
Mary Elizabeth O'Neill for Imi Fabi Llc, Imi Fabi Usa Inc, Imi  
Fabi Diana Llc  
John D. Kassel for Michael L Perry et al  
James H. Elliott, Jr. for Avon Products Inc  
Cameron D Berthelsen for Avon Products Inc  
James D. Gandy, III for Block Drug Company Inc  
Robert Wilder Harte for Chattem Inc  
Steven James Pugh for Chattem Inc  
Theile Branham McVey for Michael L Perry et al

**The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:**

Pharma Tech Industries  
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Buy Low General Merchandise Inc  
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The Gold Bond Co  
Nestle Le Mur Company  
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Nestle Le Mur Company  
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Gold Bond Pharmaceutical Corporation  
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**To:** ["tmcvey@kassellaw.com"](mailto:tmcvey@kassellaw.com); ["jrutkoski@kassellaw.com"](mailto:jrutkoski@kassellaw.com)  
**Cc:** [Flynn, Stephanie](#)  
**Subject:** Perry v. A-I-I, Notice of Appeal, Motion to Hold in Abeyance, Proof of Service  
**Date:** Friday, September 13, 2024 5:04:00 PM  
**Attachments:** [image001.png](#)  
[Perry v. A-I-I, Notice of Appeal and Orders.pdf](#)  
[Perry v. A-I-I, Motion to Hold in Abeyance.pdf](#)  
[Perry v. A-I-I, POS of NOA and Motion to Hold in Abeyance.pdf](#)

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Good afternoon Theile and Jamie,

On behalf of A-I-I, please find attached the notice of appeal, motion to hold appeal in abeyance, and proof of service of the same that I will file with the Court of Appeals momentarily.

Adam Ruffin  
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