

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS
FOR THE FIFTH JUDICIAL CIRCUIT

JOHN A. TIBBS and MARGARET B. TIBBS,

Plaintiffs,

v.

C/A No. 2023-CP-40-01759

3M COMPANY *et al.*,

Defendants.

In Re:
Asbestos Personal Injury Litigation
Coordinated Docket

SCHEDULING ORDER

CAPE PLC, individually and as successor in interest to CAPE ASBESTOS COMPANY LIMITED, by and through its duly appointed Receiver Peter D. Protopapas,

Third-Party Plaintiff,

v.

ANGLO AMERICAN PLC, individually and as successor in interest to ANGLO AMERICAN CORPORATION OF SOUTH AFRICA LTD.; DE BEERS PLC, individually and as successor in interest to DE BEERS S.A.; DE BEERS CENTENARY AG; DE BEERS CONSOLIDATED MINES LTD., n/k/a DE BEERS CONSOLIDATED MINES PROPRIETARY LTD.; DE BEERS UK LTD.; DE BEERS JEWELLERS LTD.; DE BEERS JEWELLERS US, INC.; ANGLO AMERICAN US HOLDINGS INC.; ELEMENT SIX US CORP.; ELEMENT SIX TECHNOLOGIES US CORP.; ELEMENT SIX TECHNOLOGIES (OR) CORP.; FIRST MODE HOLDINGS, INC.; PLATINUM GUILD INTERNATIONAL (U.S.A.) JEWELRY INC.; LIGHTBOX JEWELRY INC.; FOREVERMARK US INC.; ANGLO AMERICAN CROP NUTRIENTS (U.S.A.), LLC; CHARTER CONSOLIDATED LTD.; ESAB CORPORATION; CENTRAL MINING & INVESTMENT CORPORATION LTD.; CAPE HOLDCO LTD.; THE LAW

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SC Court of Appeals

DEBENTURE CORPORATION PLC; CAPE INDUSTRIAL SERVICES GROUP LTD.; MOHED ALTRAD; ALTRAD UK LTD.; CAPE UK HOLDINGS NEWCO LTD.; ALTRAD SERVICES LTD., f/k/a CAPE INDUSTRIAL SERVICES LTD.; ALTRAD INVESTMENT AUTHORITY S.A.S.; SPARROWS OFFSHORE GROUP LTD.; HAWK BIDCO US INC.; ARRANCO US, LLC; SPARROWS OFFSHORE, LLC; THE SPARROWS GROUP, LLC,

Third-Party Defendants.

Pursuant to the South Carolina Rules of Civil Procedure, the Court hereby establishes the following schedule for the above-captioned third-party action going forward.

1. Fact Discovery. Fact discovery, including depositions of fact witnesses and Rule 30(b)(6) witnesses, shall be completed no later than **January 3, 2025**. All fact discovery requests shall be served in time for the responses thereto to be served by this date.
2. Expert Discovery¹.
 - a. Third-Party Plaintiff shall file and serve a document identifying each person whom Third-Party Plaintiff expects to call as an expert at trial, and shall disclose any written report prepared and signed by the expert by **November 27, 2024**.
 - b. Third-Party Defendants shall file and serve a document identifying each person whom Third-Party Defendants expect to call as an expert at trial, and shall disclose any written report prepared and signed by the expert by **December 11, 2024**.
 - c. Depositions of Third-Party Plaintiff's expert witnesses shall be completed by **December 20, 2025**.
 - d. Depositions of Third-Party Defendants' expert witnesses shall be completed by **January 3, 2025**.
3. Motions. All dispositive motions and all other motions, except those to complete discovery, those non-waivable motions made pursuant to Rule 12, SCRPC, and those relating to the admissibility of evidence at trial, shall be filed on or before **January 6,**

¹ The parties agree to respond to expert discovery requests within 14 days.

- 2025**. Any oppositions thereto shall be filed on or before fourteen (14) days thereafter and any reply on or before seven (7) days thereafter.
4. **Mediation**. Mandatory mediation shall be completed no later than **January 10, 2025**. Each party shall have a person with final settlement authority present at the mediation, or accessible at all times by phone during the entire mediation.
 5. **Pretrial Disclosures**.
 - a. No later than **January 10, 2025**, the parties shall file and exchange final exhibit lists, final lists of all witnesses to be called at trial, and page/line designations.
 - b. The parties shall exchange any objections and counter page/line designations of depositions to be read a trial by **January 17, 2025**.
 - c. The parties shall exchange any objections to counter page/line designations and any final counter-designations by **January 22, 2025**.
 6. **Motions in Limine**. Motions in limine must be filed no later than **January 27, 2025**.
 7. **Trial**. This case is scheduled for trial on **February 3-7, 2025**.

IT IS SO ORDERED.

[JUDGE'S ELECTRONIC SIGNATURE PAGE TO FOLLOW]



Richland Common Pleas

Case Caption: John A Tibbs , plaintiff, et al vs 3M Company , defendant, et al

Case Number: 2023CP4001759

Type: Order/Scheduling Order

So Ordered

Jean H. Toal