

STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND

JOHN A. TIBBS and MARGARET B. TIBBS,

Plaintiffs,

v.

3M COMPANY *et al.*,

Defendants.

\*\*\*\*\*

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

IN THE COURT OF COMMON PLEAS  
FOR THE FIFTH JUDICIAL CIRCUIT

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

In Re:  
Asbestos Personal Injury Litigation  
Coordinated Docket

**SCHEDULING ORDER**

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**Nov 01 2024**

**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 Discovery<sup>1</sup>.
  - 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,**

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<sup>1</sup> 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