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November 12, 2024

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SC Court of Appeals

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The Honorable Patricia A. Howard
Clerk of the Supreme Court of South Carolina
1231 Gervais Street
Columbia, South Carolina 29201

The Honorable Jenny Abbott Kitchings
Clerk of the Court of Appeals of South Carolina
1220 Senate Street
Columbia, South Carolina 29201

RE: *John A. Tibbs and Margaret B. Tibbs v. Cape PLC, individually and as successor in interest to Cape Asbestos Company Limited, by and through its duly appointed Receiver Peter D. Protopoulos v. ArranCo US, LLC, et al.*
Civil Action No.: 2023-CP-40-01759
Appellate Case Nos.: 2024-001497, 2024-000916, 2024-001446, 2024-001064, 2024-001862

Dear Ms. Howard and Ms. Kitchings:

My firm and I represent Third-Party Defendants ArranCo US, LLC, Hawk Bidco (US) Inc., and Sparrows Offshore, LLC, in the above-referenced circuit court case. I am writing to notify the Court of Appeals and Supreme Court that my clients have been dismissed without prejudice from the lower court action by stipulation of the parties (attached).

We appreciate the Court's consideration of these matters. If we can provide the Court with any additional information, please do not hesitate to call on us. By copy to opposing counsel, we are informing them of this communication.

Sincerely,

A handwritten signature in blue ink, appearing to read "SPUGH".

Steven J. Pugh

cc: All Counsel of Record (via email w/attach.)

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FOR THE FIFTH JUDICIAL CIRCUIT
COUNTY OF RICHLAND	)	
JOHN A. TIBBS and MARGARET B. TIBBS,	)	Civil Action No. 2023-CP-40-01759
	)	
Plaintiffs,	)	
	)	In Re:
v.	)	Asbestos Personal Injury Litigation
	)	Coordinated Docket
3M COMPANY, <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	
*****	)	STIPULATION OF DISMISSAL
	)	WITHOUT PREJUDICE OF THIRD-
CAPE PLC, individually and as successor in	)	PARTY DEFENDANTS ARRANCO
interest to CAPE ASBESTOS COMPANY	)	US, LLC, HAWK BIDCO (US) INC.,
LIMITED, by and through its duly appointed	)	AND SPARROWS OFFSHORE, LLC
Receiver Peter D. Protopapas,	)	
	)	(DOES NOT END CASE AGAINST
Third-Party Plaintiff,	)	OTHER PARTIES)
	)	
v.	)	
	)	
ANGLO AMERICAN PLC, <i>et al.</i> ,	)	
	)	
Third-Party Defendants.	)	
	)	

Pursuant to Rule 41(a)(1)(B) of the South Carolina Rules of Civil Procedure, the parties hereby stipulate to the dismissal, without prejudice, of Third-Party Defendants ArranCo US, LLC, Hawk Bidco (US) Inc., and Sparrows Offshore, LLC. The parties further stipulate that this dismissal does not act as an adjudication on the merits. The parties will each bear their own fees and costs. By entering this stipulation, the Third-Party Defendants do not waive, and specifically preserve, all defenses, including but not limited to the defense of lack of personal jurisdiction.

**RICHARDSON, PLOWDEN &
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s/ Steven J. Pugh

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November 7, 2024

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