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S.C. SUPREME COURT

February 5, 2025

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The Honorable Patricia A. Howard
Clerk of the South Carolina Supreme Court

Re: *Tibbs v. Asbestos Corporation Limited et al.*
Appellate Case Nos. 2024-000916, 2024-001499, 2024-002114, 2024-002116,
2025-000052

Dear Madam Clerk:

On January 27, 2025, we filed reply briefs in support of the Altrad Defendants' Petitions for Writs of Certiorari in Appellate Case Nos. 2024-002114 and 2024-002116.

Argument Section II of those replies identified several points distinguishing this litigation involving the Cape Intermediate Holdings Limited receivership from the Atlas Turner and Asbestos Corporation Limited receiverships that the Court is considering during oral argument on February 11, 2025. The Altrad Defendants included those distinguishing points in their replies to clarify some uncertainty that appeared in the Court's Order of January 16, 2025, regarding potential overlap between the CIHL receivership and those involving Atlas Turner and ACL.

Because the January 16, 2025 Order was entered in all of the appeals involving the CIHL receivership except for Appellate Case No. 2025-000052, the Altrad Defendants are respectfully adopting and incorporating by reference through this letter those same distinguishing points for purposes of their other appeals that arise out of the CIHL receivership litigation: Appellate Case Nos. 2024-000916 and 2024-001499, as well as 2025-000052 to avoid any risk of waiver.

As always, we appreciate the Court's consideration of the parties' respective positions.

Best regards,

/s/ M. Todd Carroll

cc: Counsel of Record (via email)