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**Feb 07 2025**

**S.C. SUPREME COURT**

Via Email [Only -supctfilings@sccourts.org](mailto:Only-supctfilings@sccourts.org)  
The Honorable Patricia A. Howard  
Clerk of Court  
South Carolina Supreme Court  
1231 Gervais Street  
Columbia, South Carolina 29201

Re: John A. Tibbs v. Asbestos Corporation Limited and Donna B. Welch v. Atlas  
Turner, Inc.

Appellate Case Nos. 2023-001461 and 2023-001096

Dear Ms. Howard:

Pursuant to Rule 208(b)(7) of the South Carolina Appellate Court Rules, Respondents Tibbs and Welch are writing to notify the Court of a recent decision pertinent to the above-mentioned appeals, which are scheduled for a consolidated oral argument on February 11, 2025. The Respondents notify the Court of the enclosed decision:

1. Order Granting Plaintiffs' Motion for Contempt Against Asbestos Corporation Limited and Counsel, awarding sanctions against Asbestos Corporation Limited for the willful violations of the Court's orders *Smalley v. 3M Company, et al.*, 23STCV17189 (Superior Court of California, County of Los Angeles February 5, 2025)). In this order, the Superior Court of the State of California denied ACL's motion to quash and ordering sanctions finding a willful decision on the part of ACL to disobey the orders of the Court. This order is relevant to the first issue in these appeals-whether the circuit court abused its discretion in holding Appellants in contempt and awarding sanctions after their repeated refusal to engage in discovery.

Yours very truly,

*s/Theile B. McVey*  
Theile B. McVey

Enclosure

cc: All Counsel of Record via email only