

Reply To: Columbia

February 7, 2025

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**Feb 07 2025**

**S.C. SUPREME COURT**

**Via Email 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, Respondent Peter D. Protopapas, Duly Appointed Receiver for Asbestos Corporation Limited and Atlas Turner, Inc. (“the Receiver”) is writing to notify the Court of authorities pertinent to the above-referenced appeals, which are scheduled for a consolidated oral argument on February 11, 2025. The Receiver notifies the Court of the following authorities:

1. *S. Express Co. v. Spigener*, 118 S.C. 413, 110 S.E. 403 (1920) (explaining “the situs of . . . intangible property was within this state where the rights were exercised”). This opinion is relevant to the second issue in these appeals—whether the circuit court properly appointed the Receiver—which is discussed on pages 15–20 of the Receiver’s *Tibbs* brief and pages 12–16 of the Receiver’s *Welch* brief.
2. *New England Mut. Life Ins. v. Woodworth*, 111 U.S. 138 (1884) (holding a state court could appoint an administrator to recover on a policy issued by an out-of-state company to an out-of-state individual because the beneficiary of that policy lived in-state and the insurance company did business in-state). This opinion is relevant to the second issue in these appeals—whether the circuit court properly appointed the Receiver—which is discussed on pages 15–20 of the Receiver’s *Tibbs* brief and pages 12–16 of the Receiver’s *Welch* brief.

Sincerely,

  
Jonathan M. Robinson

JMR/dlf

cc: All counsel of record via email only