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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

The Honorable Jean H. Toal
Acting Circuit Court Judge

Appellate Case No. 2024-001997
Circuit Court Case No. 2022-CP-40-01265

Sarah J. Plant and Parker Plant,

Plaintiffs

v.

Avon Products, Inc.; Amaco, LLC; American Art Clay Co. Inc.;
The Bargain Barn, LLC; Beacon CMP Corporation; Belk, Inc.;
Block Drug Company, Inc.; Brenntag North America, Inc.;
Brenntag Specialties, LLC; Bristol-Myers Squibb Company;
Chattem, Inc.; Colgate-Palmolive Company; Color Techniques,
Inc.; Conopco, Inc.; Coty Inc.; Dana Classic Fragrances, Inc.;
Dillard's, Inc.; Dollar General Corporation; Elizabeth Arden, Inc.;
Estee Lauder Inc.; Estee Lauder International, Inc.; The Estee
Lauder Companies Inc.; Hamrick's Incorporated; Highwater Clays,
Inc.; Houbigant, Inc.; IMI Fabi (Diana) LLC; IMI Fabi (USA) Inc.;
IMI Fabi, LLC; Ingles Markets, Incorporated; L'Oreal USA, Inc.;
L'Oreal USA Products, Inc.; Lowcountry Grocers LLC; Martin
Himmel Inc.; May Kay Inc.; Maybelline LLC; Noxell Corporation;
Pfizer Inc.; R.T. Vanderbilt Holding Company, Inc.; Revlon
Consumer Products Corporation; Revlon, Inc.; Rite Aid of South
Carolina, Inc.; Southeastern Grocers, Inc.; Topco Associates, LLC;
Vanderbilt Minerals, LLC; Variety Wholesalers, Inc.; Variety
Wholesalers, Inc.; Vi-Jon, LLC; Walgreen Co.; Walmart, Inc.;
Whittaker, Clark & Daniels, Inc.; Winn-Dixie Stores, Inc.; Yves
Saint Laurent America, Inc.

Defendants,

of which

IMI Fabi (Diana) LLC; IMI Fabi (USA) Inc.; and IMI Fabi, LLC
are the

Appellants.

**RESPONDENTS' RETURN TO PETITION FOR REHEARING OF SUA SPONTE
DISMISSAL ORDER AND SUGGESTION OF REHEARING *EN BANC***

Respondents Parker and Sarah Plant take no position on the Petition for Rehearing but acknowledge that S.C. Code Ann., § 14-3-330(2), provides, by its terms, for appellate review of an order granting a new trial.

Respectfully submitted,

s/Theile B. McVey

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February 27, 2025

Columbia, South Carolina.