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S.C. SUPREME COURT



The Supreme Court of South Carolina

JEAN HOEFER TOAL
CHIEF JUSTICE, RETIRED
SENIOR ACTIVE JUDGE

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April 2, 2025

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

Re: Covil Corporation, by and through its duly appointed Receiver, Peter D. Protopapas, Respondent, v. Pennsylvania National Mutual Casualty Insurance Company; Sam J. Crain Co., Inc.; and South Carolina Property and Casualty Insurance Guaranty Association, Defendants, Of which Pennsylvania National Mutual Casualty Insurance Company is the Appellant.

Appellate Case No. 2024-000674

Dear Ms. Howard:

The above-captioned matter was remanded to me by the Supreme Court of South Carolina on March 17, 2025, to consider a proposed settlement agreement by the parties. The parties were directed to provide this Court with a status update within twenty days of the remand order. This is to advise that I have today filed a Final Order approving the settlement agreement reached in this matter. Although the settlement agreement is not conditioned on a vacatur of the appealed Order issued by me on March 1, 2024, I have included, in my Final Order Approving the Settlement, a Partial Vacatur of the Appealed Order. The Partial Vacatur relieves Defendant Penn National of certain obligations imposed previously by the undersigned in connection with sanctions issued by me. The terms of this Partial Vacatur are recited in the Order. I am advised that this Partial Vacatur is not opposed by any party.

I have included for your records a copy of the Order Approving Settlement which I have described. Note that the caption on the Order Approving Settlement is a consolidated caption of many cases, each with their own Civil Action number. In each case, Covil was a Defendant. In each case the Receiver amended the pleadings and brought a third-party action in the name of Covil against Penn National in order to marshal the assets of Covil.

I believe that this Order ends this very lengthy and contentious matter. I have included in my Order a heartfelt commendation of the highly professional conduct of the lawyers in this matter in bringing this matter to a successful conclusion.

With my kindest personal regards,

I am, Sincerely yours,



Jean Hoefer Toal

CC: via email to

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