

**RECEIVED**

**Nov 07 2025**

**SC Court of Appeals**

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM CHARLESTON COUNTY  
In The Court of Common Pleas  
Ninth Judicial Circuit

The Honorable Thomas J. Rode,  
Circuit Court Judge

Case No. 2024-CP-10-03336

---

American Zurich Insurance Company. ....Appellant,

v.

PBI Performance Products, Inc.,.....Respondent.

---

**NOTICE OF APPEAL**

---

Appellant American Zurich Insurance Company (“Appellant”) hereby gives notice of appeal of the Order Granting Plaintiff’s Motion for Summary Judgment on Cause of Action for Breach of Contract and Denying Defendant’s Motion for Summary Judgment on Plaintiff’s Cause of Action for Breach of Contract entered by the Honorable Thomas J. Rode on October 10, 2025.

The undersigned counsel certifies that this appeal is timely filed within thirty (30) days of the Order identified above.

Appellant will request the hearing transcript from the August 26, 2025, hearing on the motions related to the above-referenced Order in accordance with Rule 207, SCACR. Accordingly, the undersigned will advise the Court upon receipt of that transcript.

Respectfully submitted,

FORD WALLACE THOMSON, LLC

By: s/ Ainsley F. Tillman

Ian S. Ford (S.C. Bar No. 12463)

Ian.Ford@FordWallace.com

Ainsley F. Tillman (S.C. Bar No. 70551)

Ainsley.Tillman@FordWallace.com

Robert E. Byrd (S.C. Bar No. 106284)

Robert.Byrd@FordWallace.com

715 King Street

Charleston, South Carolina 29403

(843) 277-2011

*Attorneys For Appellant*

Charleston, South Carolina  
November 7, 2025

**Other Parties and Counsel of Record:**

LAW OFFICE OF STANLEY C. RODGERS, LLC

Stanley C. Rodgers, Esquire

55 Broad Street, Suite 200

Charleston, South Carolina 29401

Telephone: (843) 958-9881

scr@stanleyrodgers.com

*Attorney for Respondent*

**RECEIVED**

**Nov 07 2025**

**SC Court of Appeals**

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM CHARLESTON COUNTY  
In The Court of Common Pleas  
Ninth Judicial Circuit

The Honorable Thomas J. Rode,  
Circuit Court Judge

Case No. 2024-CP-10-03336

---

American Zurich Insurance Company. ....Appellant,

v.

PBI Performance Products, Inc.,.....Respondent.

---

**PROOF OF SERVICE**

---

I certify that on November 7, 2025, I served the Notice of Appeal on Respondent by NEF and by sending the Notice of Appeal to the below-listed attorney of record at the email address of record with AIS:

LAW OFFICE OF STANLEY C. RODGERS, LLC  
Stanley C. Rodgers, Esquire  
55 Broad Street, Suite 200  
Charleston, South Carolina 29401  
Telephone: (843) 958-9881  
scr@stanleyrodgers.com

*Attorney for Respondent*

*[Signature Page Follows]*

[*Signature Page to Proof of Service*]

Respectfully submitted,

FORD WALLACE THOMSON, LLC

By: s/ Robert E. Byrd  
Ian S. Ford (S.C. Bar No. 12463)  
Ian.Ford@FordWallace.com  
Ainsley F. Tillman (S.C. Bar No. 70551)  
Ainsley.Tillman@FordWallace.com  
Robert E. Byrd (S.C. Bar No. 106284)  
Robert.Byrd@FordWallace.com  
715 King Street  
Charleston, South Carolina 29403  
(843) 277-2011

*Attorneys for Appellant*

Charleston, South Carolina  
November 7, 2025

# FORD WALLACE THOMSON LLC

ATTORNEYS AT LAW

November 7, 2025

*via electronic mail to ctappfilings@sccourts.org*  
The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

**RECEIVED**  
**Nov 07 2025**  
**SC Court of Appeals**

**Re: Notice of Appeal**

*American Zurich Insurance Company v. PBI Performance Products, Inc.*  
Charleston County Circuit Court Case No. 2024-CP-10-03336

Dear Ms. Kitchings:

On behalf of Appellant American Zurich Insurance Company, enclosed for filing please find:

1. Notice of Appeal
2. Appealed Order: (i) *Order Granting Plaintiff's Motion for Summary Judgment on Cause of Action for Breach of Contract and Denying Defendant's Motion for Summary Judgment on Plaintiff's Cause of Action for Breach of Contract* (filed October 10, 2025).
3. Proof of Service

Our Firm's check for the \$250 filing fee will follow promptly by FedEx.

Thank you for your assistance, and please do not hesitate to let me know if there is anything further that you require from me.

With kind regards, I am,

Yours very truly,

FORD WALLACE THOMSON LLC

Ainsley F. Tillman

cc: all counsel of record, by email