

**Attachment A: Timeline of *Park*, *Tibbs*, and Putative Receiver’s Activities**

<b><u>Park Case</u></b>	<b><u>Date</u></b>	<b><u>Tibbs Case</u></b>
<b>2021</b>		
Complaint filed; no allegations against any “Cape” entity in pleading; never served on any “Cape” entity	<b>June 4, 2021</b>	
Ms. Park died	<b>June 9, 2021</b>	
Park Estate opened; Ms. Park’s son Keith Park appointed personal representative	<b>August 4, 2021</b>	
First Am. Complaint filed, named Cape plc (Jersey) and CIHL (England) as distinct entities and distinct defendants	<b>November 17, 2021</b>	
U.K. process server mailed “First Amended Summons,” using only 1£ of postage, to Cape plc and CIHL at same address	<b>December 14, 2021</b>	
Second Am. Complaint filed, mooted First Am. Complaint; never served on any “Cape” entity	<b>December 23, 2021</b>	
<b>2022</b>		
Mediation of <i>Park</i> case	<b>May 24, 2022</b>	
Counsel reported to the circuit court that <i>Park</i> and another case “have both fully resolved,” obviating June 20, 2022 trial setting	<b>June 3, 2022</b>	
Keith Park moved Probate Court to close Park Estate and be discharged as personal representative	<b>June 6, 2022</b>	
Probate Judge Caldwell granted motion, closed Park Estate, and terminated P.R. appointment	<b>August 26, 2022</b>	

**RECEIVED**

**Nov 12 2025**

S.C. SUPREME COURT

<u>Park Case</u>	<u>Date</u>	<u>Tibbs Case</u>
<b>2023</b>		
Nine months after case is “fully resolved,” counsel moved to appoint a receiver over Cape plc only—without a plaintiff, defendant, claim, or judgment,	<b>March 6, 2023</b>	
Order appointing a prejudgment receiver over Cape plc “in this case”; no notice of motion; no hearing held; no mention of CIHL; no bond; no “findings of fact” included; no compliance with receivership statutes	<b>March 17, 2023</b>	
	<b>April 5, 2023</b>	Complaint filed, naming only Cape plc as a defendant
Putative Receiver sued law firm of Locke Lord in the name of Cape plc	<b>April 12, 2023</b>	
	<b>June 12, 2023:</b> alleged “Tolling Agreement” entered in the name of Cape plc	
	<b>Unknown Date, 2023</b>	Putative Receiver claimed to accept service on behalf of Cape plc (no proof of service has ever been filed)
	<b>June 30, 2023</b>	Putative Receiver filed “Third-Party Complaint” in Cape plc’s name
Locke Lord moved to dissolve putative receivership; no opposition ever filed, and no hearing ever held	<b>September 15, 2023</b>	
	<b>December 6, 2023</b>	Circuit court denied motions to dissolve putative receivership; <i>nunc pro tunc</i> modification of <i>Park</i> ; still no compliance with receivership statutes
	<b>December 18, 2023</b>	Notice of Appeal filed/served
<b>2024</b>		
	<b>March 12, 2024</b>	While appeal was pending, circuit court denied motion to enjoin discovery efforts by the putative Receiver

<u><i>Park Case</i></u>	<u><i>Date</i></u>	<u><i>Tibbs Case</i></u>
	<b>May 23, 2024</b>	While appeal was pending, circuit court entered orders striking a defense and finding contempt by granting dispositive “adverse inferences” and “preadmitting exhibits” against Petitioners
	<b>August 30, 2024:</b> Cape plc’s and CIHL’s counsel in England, Winston & Strawn, advised the putative Receiver that he has no authority to speak for either active company	
	<b>September 5, 2024:</b> Putative Receiver sued Winston & Strawn and several lawyers in the name of Cape plc (C/A No. 2024-CP-40-05397)	
Putative Receiver filed “motion to clarify” seeking retroactive approval of his activity in <i>Tibbs</i> case; still no plaintiff for whom the putative Receiver could e seeking recovery “in this case”	<b>November 1, 2024</b>	
Circuit court granted “motion to clarify” without a hearing	<b>November 5, 2024</b>	
	<b>November 12, 2024:</b> Putative Receiver purported to accept service of new litigation filed by Plaintiffs’ Counsel “as attorney for” Cape plc (C/A No. 2024-CP-40-06639)	
Locke Lord filed Rule 59 motion regarding November 5th “clarification” order; no opposition ever filed, and no hearing ever held	<b>November 15, 2024</b>	
	<b>November 18, 2024</b>	Putative Receiver filed motion to compel production of privileged attorney-client materials
	<b>November 22, 2024:</b> English Court issued injunction and declared the putative Receiver to be an “impostor” of CIHL and Cape plc; putative Receiver was served with process but did not appear	

<u>Park Case</u>	<u>Date</u>	<u>Tibbs Case</u>
<b>2025</b>		
	<p><b>May 20, 2025:</b> U.S. Bankruptcy Court of the S.D.N.Y. issues order granting provisional relief, staying all litigation as to ACL (one of two remaining defendants in <i>Tibbs</i> first-party action)</p> <p><b>May 21, 2025:</b> Supreme Court issued <i>Welch</i>, specifically cautioned that a receiver cannot engage in “boardroom” activities or pursue assets beyond those necessary to pay a specific plaintiff’s claim</p> <p><b>June 26, 2025:</b> Supreme Court issued <i>Tibbs</i>, demanded to know “current status of Park,” and directed that receivership appointments comply with <i>Welch</i></p>	
Complaint against Locke Lord voluntarily dismissed with prejudice	<b>July 10, 2025</b>	
	<b>July 11, 2025</b>	Putative Receiver moved to “confirm” his own prejudgment appointment
Keith Park appointed as P.R. over new estate for “Possible Civil Litigation”	<b>July 30, 2025</b>	
Complaint against Winston & Strawn voluntarily dismissed without substantive litigation	<b>July 31, 2025</b>	
	<p><b>September 10, 2025:</b> Third Circuit issued <i>Protopapas</i>; declared receiverships from the Asbestos Docket to be “an unprecedented exertion of power over a foreign corporation” and a “radical intrusion into the province of a co-equal sovereign”</p>	

<u><i>Park Case</i></u>	<u><i>Date</i></u>	<u><i>Tibbs Case</i></u>
	<b>September 30, 2025:</b> English court confirmed that CIHL’s actual directors have released all claims against the Altrad Petitioners that are at issue in the “third-party complaint”; putative Receiver was served with process but did not appear	
	<b>October 6, 2025</b>	Putative Receiver announced a tentative “settlement” with DeBeers entities
Order issued purporting to comply with <i>Welch</i> and <i>Tibbs</i> regarding appointment of the putative Receiver	<b>October 13, 2025</b>	Order issued purporting to comply with <i>Welch</i> and <i>Tibbs</i> regarding appointment of the putative Receiver; changed entity subject to receivership to CIHL from Cape plc
	<b>October 14, 2025</b>	Notices of Appeal filed/served regarding October 13th order appointing and modifying receivership
	<b>October 19, 2025</b>	Petitions for Extraordinary Writs filed/served
	<b>October 20, 2025:</b> English Court issued order stating that if DeBeers “settles” with the putative Receiver, such “settlement” would be deemed a “present” to the Receiver	Circuit court began “bench trial” of derivative claims, brought in CIHL’s name, without any first-party liability being established
	<b>October 28, 2025</b>	Putative Receiver moved for the circuit court to allow him to create a platform to waive service of claims (outside of <i>Park</i> and <i>Tibbs</i> ) on CIHL’s behalf and to resolve claims independent of CIHL
At the putative Receiver’s request, circuit court vacated its October 13, 2025 order that purported to appoint the putative Receiver consistent with instructions of <i>Welch</i> and <i>Tibbs</i>	<b>October 30, 2025</b>	Circuit court vested the putative Receiver with authority to waive service of claims (outside of <i>Park</i> and <i>Tibbs</i> ) on CIHL’s behalf and to resolve claims in its name and sealed the “settlement” with DeBeers; no hearing held
	<b>November 12, 2025</b>	Briefing closed on Petitions for Extraordinary Writs

# Attachment A: Timeline of Receivership Activity

## Park Case

**June 4, 2021**  
Complaint filed; no "Cape" entity discussed in pleading or served with process.

**August 4, 2021**  
Park Estate opened; Ms. Park's son Keith appointed personal representative.

**STOP June 3, 2022**  
Park plaintiffs represent to the Court that *Park* was "fully resolved."

**STOP June 6, 2022**  
Keith Park files a sworn statement with the Probate Court attesting that Park estate should be closed and requesting termination of his appointment as personal representative.

**STOP August 26, 2022**  
Probate Court grants Park's motion to close the estate and terminates his appointment as personal representative.

**March 6, 2023**  
Plaintiffs' counsel files a motion in *Park* to appoint a receiver over Cape PLC only with the estate closed and with no plaintiff, defendant, claim, or judgment.

**March 17, 2023**  
Per Plaintiff's counsel's request, Protopapas appointed as pre-judgment receiver in "fully resolved" *Park* over Cape PLC only without a hearing, notice, or "findings of fact" and with no bond provision.

**November 1, 2024**  
Putative Receiver filed "motion to clarify" seeking retroactive approval of his void activity in *Tibbs* case.

**November 5, 2024**  
Circuit Court granted, without a hearing, "motion to clarify" filed four days earlier, seeking approval of his activity in *Tibbs*; Order attacked by timely Rule 59(e) motion that was never heard or opposed.

## Tibbs Case

**April 5, 2023**  
*Tibbs* First-Party Summons & Complaint filed against Cape PLC only, and, thereafter putative Receiver purports to accept service on behalf of Cape PLC.

**June 12, 2023**  
*Tibbs* plaintiff and *Tibbs* plaintiffs' counsel execute a Dismissal Agreement; plaintiff agreed to toll the statute of limitations on the claims against Cape plc in exchange for the *Tibbs* plaintiffs' agreement to dismiss their claims against Cape plc.

**June 30, 2023**  
*Tibbs* Third-Party Receivership Complaint filed seeking a "reckoning" and findings of alter ego and derivative liability.

**September 1, 2023**  
Altrad Defendants file motion to dismiss on personal jurisdiction and subject matter jurisdiction grounds.

**December 6, 2023**  
Order denying motion to dismiss for lack of personal jurisdiction and to dissolve *Park* receivership.

**December 18, 2023**  
Notice of Appeal as to December 6 Order filed/served.

**April 10, 2024**  
Tolling Agreement is disclosed in open court and on the record by counsel for *Tibbs*.

**May 23, 2024**  
Circuit Court grants motion for sanctions and adverse inferences amounting to contempt finding against Altrad.

**December 9, 2024**  
*Tibbs* initial trial setting.

2021

2022

2023

2024

## UK Proceedings

**August 30, 2024**  
Cape plc's and CIHL's counsel in England, Winston & Strawn, advised the putative Receiver that he has no authority to speak for either company.

**STOP November 2024**  
After proper service and due notice to putative Receiver, J. Mann issues a worldwide injunctive order against Protopapas in the United Kingdom and finds that Protopapas acted without the consent of the legitimately appointed board of CIHL.

## Appellate Courts

# Attachment A: Timeline of Receivership Activity

## Park Case

**July 30, 2025**  
Keith Park appointed as P.R. over new estate for "Possible Civil Litigation."

**July 22, 2025**  
Plaintiffs' counsel represents to SC Circuit Court that June 3, 2022 email that Park was "fully resolved" was conditioned by a tolling agreement executed after closure of estate.

**October 13, 2025**  
Order issued purporting to comply with *Welch* and *Tibbs* regarding appointment of the putative Receiver.

**October 30, 2025**  
Circuit Court vacated its October 13, 2025 order that purported to appoint the putative Receiver consistent with instructions of *Welch* and *Tibbs*, leaving no possible appointment order in *Park* or *Tibbs*.

## Tibbs Case

**October 23, 2025**  
*Tibbs* Trial suspended.

**October 20, 2025**  
*Tibbs* non-jury trial begins against third-party defendants even though first-party action stayed and no judgment entered, third-party defendants demanded a jury trial, and third-party complaint was amended days earlier (which was later revoked from the bench mid-trial).

**October 13, 2025**  
Circuit Court issues new appointment Order purporting to comply with *Welch* and *Tibbs*, changing entity subject to receivership to CIHL; notice of appeal filed next day.

**October 30, 2025**  
Circuit Court vests the putative Receiver with authority to waive service of claims on CIHL's behalf and to resolve claims in its name and sealed the "settlement" with DeBeers; no hearing held.

**October 30, 2025**  
SC Circuit Court signs order approving settlement between Anglo De Beers and Protopapas, and creation of QSF, WITHOUT the authority or consent of CIHL Board.

**October 30, 2025**  
Circuit Court vacates October 13 Appointment Order in *Park*.

**December 4, 2025**  
*Tibbs* trial to resume.

**July 11, 2025**  
Putative Receiver moved to "confirm" his own appointment.

**October 6, 2025**  
Putative Receiver announced a tentative "settlement" with Anglo American/DeBeers entities

## UK Proceedings

**September 2025** **STOP**  
J. Smith, in the United Kingdom, affirms the settlement agreement dismissing all Altrad Defendants and affiliates from the *Tibbs* litigation, with the full authority and consent of the board of CIHL.

**October 20, 2025**  
J. Mann in the United Kingdom allows Anglo American/De Beers to enter settlement, resulting in a "present" to Protopapas, but does not release them from liability for violating injunction.

## Appellate Courts

**May 2025** **STOP**  
SC Supreme Court issues *Welch* – orders receiver out of boardroom and that scope of authority to act is limited to marshalling of assets and only for specific claimant at hand.

**June 2025** **STOP**  
SC Supreme Court issues order to SC Circuit Court mandating appointment order in specific case where receiver operates.

**October 20, 2025**  
Court of Appeals dismissed Altrad and Charter appeal without briefing or considering argument.

**October 19, 2025**  
Altrad and Charter file writ of prohibition with SC Supreme Court.

**November 12, 2025**  
Altrad and Charter Reply briefs due.

**November 7, 2025**  
Plaintiffs and Receiver response brief due to Supreme Court.