

Reply To: Columbia  
jonathan.robinson@smithrobinsonlaw.com

November 11, 2025

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

**RECEIVED**  
**Nov 12 2025**  
**SC Court of Appeals**

Re: John A. Tibbs and Margaret B. Tibbs v. Cape PLC, etc., et al.  
Appellate Case No. 2025-002104

Dear Ms. Kitchings:

The Receiver is in receipt of the Court's November 10 letter requesting the Receiver submit a return to Appellants' petitions for rehearing within 10 days.

On October 20, 2025, the Court dismissed this appeal. Thereafter, the Altrad and Charter Appellants filed Petitions for Rehearing. On November 6, 2025, the Receiver filed a Motion to Strike the attachments submitted with the petitions for rehearing and the portions of the petitions for rehearing that relied on the attachments. Under Rule 240, SCACR, Appellants' returns to the Motion to Strike are due on November 17, 2025, and the Receiver's reply to the returns to the Motion to Strike is due on November 24, 2025.

In light of the deadlines now set on the pending matters in this appeal, the Receiver respectfully requests the Motion to Strike be briefed and decided before he submits a return to the petitions for rehearing, so the Receiver knows which issues raised in the petitions are properly before the Court and need to be responded to. Therefore, the Receiver requests the Court hold his deadline to file a return to the petitions for rehearing in abeyance until ten days after the Court issues a decision on the Motion to Strike.

We are enclosing a \$50 filing fee with this request. Thank you for your consideration.

Sincerely,

Jonathan M. Robinson

JMR/dlf  
Enclosure  
cc: Counsel of record via email