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S.C. SUPREME COURT

November 25, 2025

The Honorable Patricia Howard
Clerk of Court for the South Carolina Supreme Court
1231 Gervais Street
Columbia, South Carolina 29201

Filing by E-mail: supctfilings@sccourts.org

**Re: Charter Appellants' and Altrad Appellants' Joint Response to the Court's
November 20, 2025, Order**

Appellate Case Nos. 2025-002104, 2025-002120 and 2025-002121

Dear Ms. Howard,

Charter Consolidated Ltd., ESAB Corporation, and Central Mining and Investment Corporation Ltd. (“Charter Appellants”) and Mohed Altrad, and Altrad Investment Authority S.A.S. (“Altrad Appellants”) (all together “Appellants”)¹ respond to the Court’s Order dated November 20, 2025, as follows:

1. Appellants have no reason that they cannot begin briefing immediately. While Appellants’ counsel have travel plans for the Thanksgiving holiday, they will be able to file their initial briefs (which will take the format of a final brief), their designations of matter, and an initial Record on Appeal on December 10, 2025. Additionally, the Appellants propose that if the putative Receiver designates any additional material for inclusion in the record, the Appellants will file an additional volume of the Record on Appeal concurrently with their reply briefs, which will contain any additional matter designated by the putative Receiver.

2. As to counsel’s conflicts for expedited oral argument, Appellants respectfully request that oral argument not be set on the following: Christmas day to January 7, 2026; January 12–16, 2026; and February 9–11, 2026.

¹ Appellants do not waive, but instead specifically preserve, all objections, including to personal jurisdiction.

3. Additionally, Appellants want to make the Court aware that on November 25, 2025 (today), Appellants filed a notice of appeal of the October 30, 2025, Order in *Tibbs* that created a “QSF” and greatly expanded the putative Receiver’s authority to act for “Cape” beyond the *Park* and *Tibbs* matters to countless “known and unknown” “past, present and future” matters. Like the October 13, 2025 Order at issue in the present appeal, the October 30th Order modifies and continues the appointment of a receiver over Cape.

Concurrently with filing and serving their notice of appeal, the Appellants have also filed motions to certify the appeal of the October 30th Order to this Court, and to consolidate that appeal with the one already pending with this Court. The goal of these filings is to formally bring the October 30th Order within the appellate jurisdiction of the Court, as it was already presented to the Court as part of the proceedings in its original jurisdiction in several filings across Appellate Case Nos. 2025-002120 and 2025-002121, including:

- Joint Addendum to Petition for Extraordinary Writs, at 5 (filed on October 31, 2025).
- Altrad Petitioners’ Response to Motion to Strike at 3–6.
- Charter Petitioners’ Response to Motion to Strike at 4–6.
- Reply In Support of the Charter Petitioners’ Petition for Extraordinary Writs at 8–9.
- Reply In Support of the Altrad Petitioners’ Petition for Extraordinary Writs at 9, 17.

Appellants do not want their request to certify and consolidate the appeals to delay briefing. In an effort to cooperate with the Court’s stated desire for expediency, Appellants will begin preparing their initial briefs, designations of matter, and initial Record on Appeal with an anticipated filing and service date of December 10, 2025, absent further instructions from the Court.

Very truly yours,

/s/ A. Victor Rawl, Jr.
Counsel for the Charter Appellants

Agreed to and Also Submitted on Behalf of:

/s/ M. Todd Carroll
Womble Bond Dickinson (US) LLP
Counsel for the Altrad Appellants

cc: The Honorable Jenny Abbott Kitchings, Clerk of the South Carolina Court of Appeals
All Counsel of Record