

January 5, 2026

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S.C. SUPREME COURT

VIA E-MAIL ONLY

Tamika L. Daniels
Supreme Court
South Carolina Judicial Branch
tdaniels@sccourts.org

Re: *CAPE PLC, individually and as successor in interest to CAPE ASBESTOS COMPANY LIMITED, by and through its duly appointed Receiver Peter D. Protopapas v. ANGLO AMERICAN CORP NUTRIENTS (USA), LLC, et al*
C/A No. 2023-CP-40-01759

Dear Ms. Daniels:

On November 26, 2025, the Court set an expedited briefing schedule in the above referenced matter. On December 22, 2025, the Court inquired as to the respective schedules of all counsel for the first term of March 2026 (March 10-11) as oral argument for this matter is being considered. However, during the holidays, the Receiver was informed by Altrad Appellants' French counsel that they continue to sue the Receiver and a hearing has been set in Montpellier, France for March 12, 2026. Given these circumstances and our understanding from the Court's December 22 email that the Court desires to consider oral argument in an expedited way, we respectfully request this matter be considered for oral argument prior to March and as soon as possible. Of course, we make this request only if it is convenient for the Court. Thank you for your consideration.

With kind regards, I remain

Sincerely,

GALLIVAN, WHITE & BOYD, P.A.



John T. Lay, Jr.