

Jan 09 2026

S.C. SUPREME COURT

**From:** [Olesya V. Bracey](#)  
**To:** [Supreme Court Filings](#)  
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**Subject:** RE: Tibbs, et al. v. 3M Company et al (App Case No. 2025-002104)  
**Date:** Friday, January 9, 2026 1:29:25 PM  
**Attachments:** [2026.01.09 Amended Brief of Respondent \(2025-002104\).pdf](#)  
[2026.01.09 Proof of Service - Amended Brief of Respondent.pdf](#)

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Dear Madam Clerk,

For the convenience of the Court, please find attached for filing the Amended Brief of Respondent Cape PLC, individually and as successor in interest to Cape Asbestos Company Limited, n/k/a Cape Intermediate Holdings Ltd. by and through its duly appointed Receiver Peter D. Protopapas (“Receiver’s Amended Brief”), along with the Proof of Service for the same.

The Receiver’s Amended Brief adds citations to the Supplemental Record on Appeal that Mr. Carroll provided electronically on January 5, 2026, in place of the Receiver’s original Brief’s citations to the documents placed on the Receiver’s Designation of Matter, for ease of reference and to assist the Court’s review of the briefing.

Should the Court prefer to use the Receiver’s Amended Brief instead of the original Brief, which was filed on December 30, 2025, and ten (10) bound copies of which were delivered to the Court on January 6, 2026, we are arranging for FedEx to deliver ten (10) bound copies of the Receiver’s Amended Brief to the Court on January 12, 2026.

By copy of this email, I am serving counsel of record contemporaneously with these documents.

Please let us know if you have trouble accessing any of these documents, and we will submit them a different way.

Thank you for the Court’s consideration of these documents.

Sincerely,  
Olesya

**Olesya V. Bracey**  
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