

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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S.C. SUPREME COURT

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Appeal from Richland County

Court of Common Pleas

The Honorable Jean H. Toal, Circuit Court Judge

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Civil Action No. 2023-CP-40-01759

Appellate Case Nos.: 2025-002104

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John A. Tibbs and Margaret B. Tibbs... PLAINTIFFS,

v.

3M Company; 4520 Corp., Inc.; A.O. Smith Corporation; A.W. Chesterton Company; ABB Inc.; Air & Liquid Systems Corporation; Aiw-2010 Wind Down Corp.; Amentum Environment & Energy, Inc.; Anchor/Darling Valve Company; Armstrong International, Inc.; Asbestos Corporation Limited; ASCO, L.P.; Atlas Asbestos Co; Atlas Turner, Inc.; AWT Air Company, Inc.; Bahnson, Inc.; Banner Industries International, Inc.; Banner Industries, LLC; Banner Industries Of N.E., Inc.; Barretts Minerals Inc.; Beaty Investments, Inc.; Bechtel Corporation; The Bonitz Company; Brand Insulations, Inc.; BW/IP Inc.; Canvas Ct, LLC; Cape PLC; Carboline Company; CB&I Laurens, Inc.; Cleaver-Brooks, Inc.; Consolidated Electrical Distributors, Inc.; Copes-Vulcan, Inc.; Covil Corporation; Crane Instrumentation & Sampling, Inc.; Crosby Valve, LLC; Daniel International Corporation; Davis Mechanical Contractors, Inc.; Dezurik, Inc.; Duke Energy Carolinas, LLC; Duke Energy Corporation; Eaton Corporation; Ellington Insulation Company, Inc.; Emerson Electric Co.; Fisher Controls International LLC; Flame Refractories, Inc.; Flowserve Corporation; Flowserve US Inc.; Fluor Constructors International; Fluor Constructors International, Inc.; Fluor Daniel Services Corporation; Fluor Enterprises, Inc.; FMC Corporation; Foster Wheeler Energy Corporation; Gardner Denver Nash, LLC; General Boiler Casing Company, Inc.; General Cable Corporation; General Cable Industries, Inc.; General Electric Company; Gould Electronics Inc.; Goulds Pumps, Incorporated; Goulds Pumps LLC; Great Barrier Insulation Co.; Grinnell LLC; Hajoca Corporation; Howden North America Inc.; HPC Industrial Services, LLC; IMO Industries Inc.; ITT LLC; Joy Global Underground Mining LLC; K-Mac Services Incorporated; Metropolitan Life Insurance Company; Mine Safety Appliances Company, LLC; MP Supply, Inc.; The Nash Engineering Company; Occidental Chemical Corporation; Paramount Global; Patterson Pump Company;

PECW Holding Company; Pfizer Inc.; Piedmont Insulation, Inc.; Plastics Engineering Company; Presnell Insulation Co., Inc.; Redco Corporation; Riley Power Inc.; Rockwell Automation, Inc.; RSCC Wire & Cable LLC; Schneider Electric USA, Inc.; Sequoia Ventures Inc.; Spirax Sarco, Inc.; SPX Corporation; Stafford Insulation Company; Standard Insulation Company Of N. C., Inc.; Starr Davis Company, Inc.; Starr Davis Company Of S.C., Inc.; Sterling Fluid Systems (USA) LLC; TE Wire & Cable LLC; Thermo Electric Company, Inc.; Union Carbide Corporation; Valves And Controls Us, Inc.; Velan Valve Corp.; Viking Pump, Inc.; Vistra Intermediate Company LLC; The William Powell Company Wind Up, Ltd.; Yuba Heat Transfer LLC; Zurn Industries, LLC.....DEFENDANTS,

And

through its duly appointed Receiver Peter D. Protopapas, Third-Party Plaintiff  
..... RESPONDENT,

v.

Anglo American PLC, individually and as successor in interest to Anglo American Corporation of South Africa LTD., De Beers PLC, individually and as successor in interest to De Beers S.A., De Beers Centenary AG, De Beers Consolidated Mines Ltd., n/k/a De Beers Consolidated Mines Proprietary Ltd., De Beers UK Ltd., De Beers Jewellers LTD., De Beers Jewellers US, Inc., Anglo American US Holdings Inc., Element Six US Corp., Element Six Technologies US Corp., Element Six Technologies (OR) Corp., First Mode Holdings, Inc., Platinum Guild International (U.S.A.) Jewelry Inc., Lightbox Jewelry Inc., Forevermark US Inc., Anglo American Crop Nutrients (U.S.A.) LLC, Charter Consolidated Ltd., ESAB Corporation, Central Mining & Investment Corporation Ltd., Cape Holdco Ltd., The Law Debenture Corporation PLC, Cape Industrial Services Group Ltd., Mohed Altrad, Altrad UK Ltd., Cape UK Holdings Newco Ltd., Altrad Services, Ltd., f/k/a Cape Industrial Services Ltd., Altrad Investment Authority S.A.S., Sparrows Offshore Group Ltd., Hawk Bidco US Inc., Arran Co US, LLC, Sparrows Offshore, LLC, and The Sparrows Group, LLC  
..... THIRD-PARTY DEFENDANTS,

Of which Charter Consolidated Ltd., ESAB Corporation, and Central Mining & Investment Corporation Ltd.; Mohed Altrad; and Altrad Investment Authority SAS are the .....APPELLANTS

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**BEATTIE B. ASHMORE, P.A.’S NOTICE OF MOTION AND MOTION FOR  
LEAVE TO FILE *AMICUS CURIAE* BRIEF**

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Pursuant to Rule 213, South Carolina Appellate Court Rules, Beattie B. Ashmore, P.A. hereby moves this Court for leave to file an *amicus curiae* brief in this action. The above matter addresses issues of significant concern to this law firm, whose sole owner Beattie B. Ashmore has served as a Receiver to four different Federal Judges in South Carolina. In his first three Receiverships, he disbursed over 55 million dollars to 8,000 victims. His fourth Receivership will make a disbursement to 1,000 additional victims in the coming months. He has served as the Receiver for the Honorable G. Ross Anderson, Jr. (deceased), the Honorable Margaret B. Seymour, the Honorable J. Michelle Childs, and the Honorable Bruce H. Hendricks. His Receiverships include (1) *U.S.A. v. Virgil Womack, et al. (U.S.A., et al. v. Chemical Trust, et al., 6:00-cv-00236-GRA-WMC)*; (2) *U.S.A. v. Three Hebrew Boys (In Re Receiver, 3:10-cv-03141-MGL)*; (3) *U.S.A. v. Ron Wilson d/b/a Atlantic Bullion and Coin (In re: Receiver for Ronnie Gene Wilson and Atlantic Bullion & Coin, Inc., 8:12-cv-02078-TMC)*; and (4) *U.S.A. v. Scott Kohn d/b/a Future Income Payments (In re Receiver for Scott A. Kohn and Future Income Payments, LLC, 6:19-cv-01112-BHH)*.

As more fully explained in the brief being conditionally filed with this motion, Beattie B. Ashmore, P.A. has a substantial interest in the questions presented in this case, including: (1) appointing a Receiver to act in the case in which he or she was appointed, and only securing specified assets needed to pay the claim of the party responsible for seeking the appointment, is unworkable and (2) appointing a Receiver via a prejudgment order is necessary and proper in light of pre-litigation moral fraud and to prevent assets from further dissipation.

For the foregoing reasons, Beattie B. Ashmore, P.A. respectfully requests that this Honorable Court grant leave to file an *amicus curiae* brief. A copy of the proposed *amicus curiae*

brief is attached to this Motion and is being conditionally filed with this motion in accordance with Rule 213, South Carolina Appellate Court Rules.

This 11<sup>th</sup> day of February, 2026

Respectfully Submitted,

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