



RECEIVED

MAR 20 2026

S.C. SUPREME COURT

## The Supreme Court of South Carolina

JEAN HOEFER TOAL  
CHIEF JUSTICE, RETIRED  
SENIOR ACTIVE JUDGE

March 20, 2026

1220 SENATE STREET (ZIP CODE 29201)  
P.O. BOX 12456  
COLUMBIA, S.C. 29211  
TELEPHONE (803) 734-1504  
FAX (803) 734-1047  
E-MAIL: jtoal@sccourts.org

The Hon. Patricia A. Howard  
Clerk of Court  
South Carolina Supreme Court  
1231 Gervais Street  
Columbia, SC 29201

Re: John A. Tibbs and Margaret B. Tibbs, Plaintiffs, v. 3M Company, *et al.*, Defendants,  
and

Cape PLC, individually and as successor in interest to Cape Asbestos Company Limited, by  
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., *et al.*, Third-Party Defendants,

Of which Mohed Altrad, Altrad Investment Authority SAS, ArranCo US, LLC, Hawk Bidco  
(US) Inc., Sparrows Offshore, LLC, Charter Consolidated Ltd., ESAB Corporation, and  
Central Mining & Investment Corporation Ltd. are the Petitioners.

Appellate Case Nos. 2024-001423, 2024-00001499, 2024-000916, 2024-002114, 2024-002116,  
2024-002117, 2025-000052

Dear Ms. Howard:

The above-captioned matter was remanded to me by the Supreme Court of South Carolina  
on June 26, 2025, with directives by the Supreme Court.

I hereby file my Ninth Report to the Supreme Court as directed by the Tibbs Remand Order  
as of March 20, 2026.

I will continue to report my progress on this matter to the Court, and welcome any further  
guidance or directives given to me.

With my kindest personal regards,

I am, Sincerely yours,

  
Jean Hofer Toal

CC: via email to  
The Hon. Jenny A. Kitchings [jkitchings@sccourts.org](mailto:jkitchings@sccourts.org)  
John Chandler [jchandler@rplegalgroup.com](mailto:jchandler@rplegalgroup.com)  
Peter Protopapas [pdp@rplegalgroup.com](mailto:pdp@rplegalgroup.com)  
Harry Lee [hlee@steptoe.com](mailto:hlee@steptoe.com)  
Todd Carroll [todd.carroll@wbd-us.com](mailto:todd.carroll@wbd-us.com)  
Elizabeth O'Neill [elizabeth.oneill@wbd-us.com](mailto:elizabeth.oneill@wbd-us.com)  
Kevin K. Bell [kbell@robinsongray.com](mailto:kbell@robinsongray.com)  
Wesley B. Sawyer [wsawyer@murphygrantland.com](mailto:wsawyer@murphygrantland.com)  
Theile McVey [tmcvey@kassellaw.com](mailto:tmcvey@kassellaw.com)  
Trey Branham [tbranham@dobslegal.com](mailto:tbranham@dobslegal.com)  
Cameron Berthelsen [cberthelsen@richardsonplowden.com](mailto:cberthelsen@richardsonplowden.com)  
James Elliott [jelliott@richardsonplowden.com](mailto:jelliott@richardsonplowden.com)  
Scott Balber [scott.balber@hsf.com](mailto:scott.balber@hsf.com)  
Benjamin Rubinstein [Benjamin.Rubinstein@hsf.com](mailto:Benjamin.Rubinstein@hsf.com)  
Maxwell Herman [Maxwell.Herman@hsf.com](mailto:Maxwell.Herman@hsf.com)  
A. Vic Rawl [vrawl@grsm.com](mailto:vrawl@grsm.com)  
John T. Lay [jlay@gwblawfirm.com](mailto:jlay@gwblawfirm.com)  
Jon Robinson [jon@smithrobinsonlaw.com](mailto:jon@smithrobinsonlaw.com)  
Olesya Bracey [obracey@gwblawfirm.com](mailto:obracey@gwblawfirm.com)  
Shanon Peake [shanonp@smithrobinsonlaw.com](mailto:shanonp@smithrobinsonlaw.com)  
Paul A. Scudato [paul.scudato@morganlewis.com](mailto:paul.scudato@morganlewis.com)  
Andrew Melling [amelling@burr.com](mailto:amelling@burr.com)  
Elizabeth Kaminski [elizabeth.kaminski@hsfkramer.com](mailto:elizabeth.kaminski@hsfkramer.com)

**RECEIVED**

**MAR 26 2025**

STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND

**S.C. SUPREME COURT**

JOHN A. TIBBS and MARGARET B. TIBBS,

Plaintiffs,

v.

3M COMPANY, *et al.*,

Defendants.

and

CAPE PLC, individually and as successor in interest to CAPE ASBESTOS COMPANY LIMITED, by and through its duly appointed Receiver Peter D. Protopapas,

Third-Party Plaintiff,

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

IN THE COURT OF COMMON PLEAS  
FOR THE FIFTH JUDICIAL CIRCUIT

C.A. No. 2023-CP-40-01759

In Re: Asbestos Personal Injury Litigation  
Coordinated Docket

**NINTH REPORT TO THE  
SUPREME COURT OF SOUTH CAROLINA  
PURSUANT TO ITS ORDER OF REMAND  
DATED JUNE 26, 2025**

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.; ARRANCO US, LLC; SPARROWS OFFSHORE, LLC; THE SPARROWS GROUP, LLC,

Third-Party Defendants.

Pursuant to the South Carolina Supreme Court's Order of Remand in this matter, dated June 26, 2025, in which the Court asked that I submit monthly reports as to my progress in addressing the directives from the Court contained in its Remand Order, this will constitute my Ninth Report.

Since my Eighth Report to this Court, I have continued to review materials concerning cases on the Asbestos Docket, including matters involving the trial or settlement resolution of cases in which a Receiver has been appointed in the matter. I have also continued to administer the Asbestos Trial Docket, which includes hearing pre-trial matters considering Petitions for the approval of settlements and performing all other administrative duties involving the trial of cases on the Asbestos Docket. My current case management order for 2026 sets a trial docket through November 2026. Blocks of cases are set approximately every six weeks, and I have recently received notifications that all five cases on the March docket have been resolved. I will be evaluating Petitions for settlement as they are filed. All matters pending before me which involve *Tibbs v. 3M* and *Cape, by its Receiver v. Anglo American, Altrad, ESAB, and Central Mining* have been held in abeyance by me until the Supreme Court completes the appellate process regarding these matters. The *Tibbs* case was argued before the South Carolina Supreme Court on February 25, 2026.

Respectfully submitted,



Chief Justice (Ret.) Jean Hoefer Toal  
Presiding Circuit Court Judge

Dated March 20, 2026  
Columbia, South Carolina