

The Supreme Court of South Carolina

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

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;
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; and Zurn Industries, LLC, 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, Respondent,

v.

Anglo American PLC, individually and as successor in interest to Anglo American Corporation of South Africa, Ltd.; DeBeers, PLC, individually and as successor in interest to DeBeers S.A.; DeBeers Centenary AG; DeBeers Consolidated Mines, Ltd., n/k/a DeBeers Consolidated Mines Proprietary, Ltd.; DeBeers UK, Ltd.; DeBeers Jewelers, Ltd.; DeBeers Jewelers 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 (USA) Jewelry, Inc.;
Lightbox Jewelry, Inc.; Forevermark US, Inc.; Anglo
American Crop Nutrients (USA), 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.; Arranco US, LLC; Sparrows Offshore,
LLC; The Sparrows Group, LLC, Third-Party
Defendants,

Of Which Charter Consolidated, Ltd.; ESAB
Corporation; Central Mining & Investment Corporation,
Ltd.; Mohed Altrad; and Altrad Investment Authority
S.A.S., are the Appellants.

Appellate Case No. 2025-002104

ORDER

After careful consideration of the petition for rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied, and the matter is remanded to the circuit court. However, notwithstanding the issuance of the remittitur, this Court retains jurisdiction over the pending motions for sanctions that have been filed with this Court and any other sanctions issues related to this appeal.



C.J.



J.

D. Hamilton J.
C. C. Roper A. J.

Columbia, South Carolina

August 4, 2026

cc:

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The Honorable Jean Hoefer Toal