

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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S.C. SUPREME COURT

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Alison R. Lee, Circuit Court Judge

Appellate Case No. 2025-002536

South Carolina Workers' Compensation Commission		Petitioner,
	v.	
WestPoint Home, LLC		Respondent.

MOTION FOR LEAVE TO FILE BRIEF OF AMICUS CURIAE

The undersigned law firms of Kassel McVey Attorneys at Law; Dean Omar Braham Shirley, LLP; Motley Rice, LLC; and Maune, Raichle, Hartley, French & Mudd, LLC (collectively, “Asbestos Victims Amici Curiae”) move for leave to file an *amicus curiae* brief in this matter. The Asbestos Victims Amici Curiae are a collection of law firms representing persons injured by asbestos, and their current and future clients are potential beneficiaries of the funds at issue in the underlying appeal.

The underlying appeal will ultimately determine whether certain workers exposed to asbestos while working at WestPoint Stevens’ South Carolina facilities have a worker’s compensation remedy available should they develop mesothelioma, lung cancer, asbestosis, or other latent diseases which can and do take decades to manifest.

Additionally, the language utilized by the Court of Appeals in its opinion has the potential to impact other worker’s compensation cases involving South Carolina workers suffering from latent injuries or disease, and if not narrowly tailored, could deprive numerous South Carolina workers of any remedy for latent workplace injuries.

At present, no party to this appeal directly represents these workers, who will ultimately be the ones to benefit from or be deprived of compensation based upon this Court’s decision in the underlying appeal. The Asbestos Victims Amici Curiae have either represented such individuals in the past, currently represent such individuals, or anticipate potentially representing such individuals in the future. They collectively have decades of experience representing persons injured by asbestos or suffering other latent injuries, and are uniquely situated to provide this Court with further information or argument in support of certain positions taken by the Petitioner South Carolina Workers’ Compensation Commission.

Wherefore, the Asbestos Victims Amici Curiae respectfully request leave to file an *amicus curiae* brief in support of Appellant, and conditionally file the accompanying brief pursuant to Rule 243, SCACR.

Dated: October 2, 2026

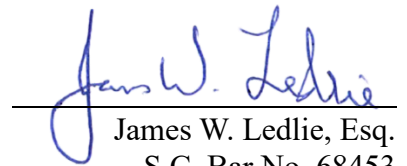
Respectfully submitted,

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