

**From:** [Josh Thompson](#)  
**To:** [Brad Cranshaw](#); [Shealy, Brenda](#); [robert.deloach@wilsonelser.com](mailto:robert.deloach@wilsonelser.com); [jboggioni@batescarey.com](mailto:jboggioni@batescarey.com); [afleischer@batescarey.com](mailto:afleischer@batescarey.com); [jellison@reedsmith.com](mailto:jellison@reedsmith.com); [tlaw@reedsmith.com](mailto:tlaw@reedsmith.com)  
**Subject:** RE: Great American Ins. Co. of NY v. J M Smith Corp.  
**Date:** Thursday, October 22, 2026 4:20:04 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)

---

**\*\*\* EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. \*\*\*

Dear Ms. Shealy,

Perry Boulrier, John Ellison, Tim Law and I represent J M Smith Corporation. The breakdown of the attorneys' names and who they represent is correct in the email below.

For purposes of this certified question with the Supreme Court, J M Smith Corporation believes that it should be identified as the Plaintiff. Our position is that the certified question is not a duty-to-defend issue, but rather an insurance policy interpretation issue that needs to be decided in the context of J M Smith Corporation's lawsuit for damages against the insurance companies, who are seeking declaratory judgments of no insurance coverage. Therefore, we believe J M Smith is the natural plaintiff.

Thank you for your consideration.

Josh Thompson

Joshua T. Thompson  
101 W. St. John St., Ste. 300  
Spartanburg, SC 29306  
PO Box 6470  
Spartanburg, SC 29304  
864-606-9710  
[jthompson@btblawfirm.com](mailto:jthompson@btblawfirm.com)  
[www.btblawfirm.com](http://www.btblawfirm.com)

BOULIER THOMPSON  
& BARNES, LLC  
ATTORNEYS AT LAW

---

**From:** Brad Cranshaw <[bcranshaw@griercoxandcranshaw.com](mailto:bcranshaw@griercoxandcranshaw.com)>  
**Sent:** Thursday, October 22, 2026 2:30 PM  
**To:** Shealy, Brenda <[BShealy@sccourts.org](mailto:BShealy@sccourts.org)>; [robert.deloach@wilsonelser.com](mailto:robert.deloach@wilsonelser.com); [jboggioni@batescarey.com](mailto:jboggioni@batescarey.com); [afleischer@batescarey.com](mailto:afleischer@batescarey.com); Josh Thompson <[jthompson@btblawfirm.com](mailto:jthompson@btblawfirm.com)>; [jellison@reedsmith.com](mailto:jellison@reedsmith.com); [tlaw@reedsmith.com](mailto:tlaw@reedsmith.com)  
**Subject:** RE: Great American Ins. Co. of NY v. J M Smith Corp.

Dear Ms. Shealy –

Thank you for your email. The following identifies the remaining parties and their designations in the federal action, followed by their counsel:

| <b><u>Party</u></b>                                                                                                 | <b><u>Federal-court designation</u></b>                         |
|---------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| Great American Insurance Company of New York                                                                        | Intervening plaintiff and counterclaim defendant                |
| Great American Alliance Insurance Company                                                                           | Intervening plaintiff and counterclaim defendant                |
| Great American Assurance Company                                                                                    | Intervening plaintiff and counterclaim defendant                |
| Great American Insurance Company                                                                                    | Cross-defendant                                                 |
| Westport Insurance Corporation                                                                                      | Cross-defendant and cross-claimant                              |
| North American Specialty Insurance Company, now known as Swiss Re Corporate Solutions America Insurance Corporation | Cross-defendant and cross-claimant                              |
| J.M. Smith Corporation                                                                                              | Defendant, counterclaimant, cross-claimant, and cross-defendant |

All the insurers identified above are represented by:

- Adam H. Fleischer and Joshua A. Boggioni, BatesCarey LLP; and
- Bradford William Cranshaw, Grier Cox and Cranshaw.

George Robert DeLoach III, whose name appears on the federal docket, no longer represents these parties.

J.M. Smith Corporation is represented by:

- John N. Ellison and Timothy P. Law, Reed Smith LLP; and
- Perry D. Boulter and Joshua Tate Thompson, Boulter Thompson and Barnes LLC.

For purposes of the “duty to defend” issue that is the subject of the proposed certified question, the Great American intervening plaintiffs and Westport have affirmative pleadings pending in the trial court seeking declarations that they owe no duty to defend J.M. Smith. By contrast, J.M. Smith’s operative pleading seeks no ruling against the Great American entities and Westport relative to the duty to defend. Instead, J.M. Smith’s operative pleading sought a duty to defend only against two other insurers that have since been dismissed. Accordingly, our position is that the Great American intervening plaintiffs and Westport are plaintiffs relative to the issue that stands for potential certification to the South Carolina Supreme Court.

Please let us know if any additional information would assist the Court.

Sincerely,



Bradford W. Cranshaw, Esquire  
GRIER, COX & CRANSHAW, LLC  
2001 Assembly Street, Suite 204  
Columbia, SC 29201  
**Mailing Address:**  
**P.O. Box 2823**  
**Columbia, S.C. 29202**

Office: (803) 731-0030

Mobile: (803) 760-8064

Fax: (803) 731-4059

"ATTORNEY-CLIENT PRIVILEGED; DO NOT FORWARD WITHOUT PERMISSION."

The information contained in this transmission is privileged and confidential. It is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone or by email to [Grier@GrierCoxandCranshaw.com](mailto:Grier@GrierCoxandCranshaw.com) or by replying to this email and delete all copies of this message and all attachments.

---

**From:** Shealy, Brenda <[BShealy@sccourts.org](mailto:BShealy@sccourts.org)>

**Sent:** Thursday, October 22, 2026 8:25 AM

**To:** Brad Cranshaw <[bcranshaw@griercoxandcranshaw.com](mailto:bcranshaw@griercoxandcranshaw.com)>; [robert.deloach@wilsonelser.com](mailto:robert.deloach@wilsonelser.com);  
[jboggioni@batescarey.com](mailto:jboggioni@batescarey.com); [afleischer@batescarey.com](mailto:afleischer@batescarey.com); [jthompson@btblawfirm.com](mailto:jthompson@btblawfirm.com);  
[jellison@reedsmith.com](mailto:jellison@reedsmith.com); [tlaw@reedsmith.com](mailto:tlaw@reedsmith.com)

**Subject:** Great American Ins. Co. of NY v. J M Smith Corp.

Dear Counsel:

We have received a copy of the docket sheet in the above case and the designation of counsel is not completely clear. Could you please give me the breakdown of the attorneys' name and who they represent. Also, please advise if that entity is a plaintiff, defendant, etc., for purposes of this certified question with the Supreme Court.

Thank you,

*Brenda F. Shealy*

*Chief Deputy Clerk*

**Supreme Court of South Carolina**  
**P. O. Box 11330**  
**Columbia, SC 29211**



**Office: (803) 734-1080**

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.