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S.C. SUPREME COURT

October 27, 2026

Via E-Filing and Electronic Mail

The Honorable Jean H. Toal
Judge of the Circuit Court
jtoal@sccourts.org

Re: October Report to the Supreme Court

Dear Chief Justice Toal:

At the close of business on October 8, 2026, we received an email from your chambers transmitting two reports submitted by Your Honor to the South Carolina Supreme Court, dated August 24 and October 8, 2026.

Respectfully, the October 8 Report contains several inaccurate statements that attribute to our clients, Altrad Investment Authority S.A.S. and Mohed Altrad, individually, actions taken by others. For clarity, our representation is limited to these two defendants. References in this letter to “our clients” refer exclusively to these two defendants. We write to correct these inaccuracies and to ensure that the record before the Supreme Court accurately reflects our clients’ involvement in the litigation.

First, the October 8 Report indicates that the purpose of the Tibbs third-party case is to seek a declaration that certain defendants, including our clients, “are liable for asbestos injury claims filed by South Carolina claimants against this amalgamated group of companies.” We respectfully note, however, that the Tibbs plaintiffs are residents of North Carolina, not South Carolina. Indeed, a number of plaintiffs on the South Carolina Asbestos Docket reside outside this State.

Second, the October 8 Report states that “Altrad and ESAB sent this Court thousands of pages of material which these Defendants had filed at around 11:00 o’clock the evening before.” This is not correct. Neither Altrad Investment Authority S.A.S. nor Mohed Altrad made the late-night filing or submission described in the Report.

Separately, on the day trial resumed, our clients attempted to submit short affidavits explaining that neither Altrad Investment Authority nor Mr. Altrad have contacts with the State of South Carolina, along with relevant orders from the courts of the United Kingdom and France

supporting their jurisdictional objections. The Court declined to receive those materials or hear further argument from our clients.

Third, the October 8 Report states that our clients are defendants in *Stiwinter v. 3M Corp.*, Circuit Court Case No. 2026-CP-40-08457. This is not correct. Neither Altrad Investment Authority S.A.S. nor Mohed Altrad is a party to the *Stiwinter* action.

Fourth, the October 8th report states that certain Third-Party Defendants “continue to submit appeals to the Court of Appeals of what are clearly interlocutory orders.” This is not correct. Neither of our clients filed the appeal referenced in connection with the *Stiwinter* matter.

Fifth, the Report suggests that certain Third-Party Defendants have sought to delay trial proceedings through interlocutory appeals. We again respectfully clarify that neither of our clients filed the *Stiwinter* appeal or is a party to that action.

Finally, because Your Honor has requested copies of materials filed in the United States Supreme Court concerning the *Tibbs* matter, we enclose for your information the *amicus curiae* briefs submitted in support of the pending petition for certiorari. Today, the United States Supreme Court instructed the Receiver to respond to the certiorari petitions in *Tibbs* by November 27, 2026.

Since the October 8th Report was transmitted to the South Carolina Supreme Court, we are copying the Clerk of the Supreme Court so the Supreme Court’s record reflects the corrections and clarifications above.

Very truly yours,

/s/ M. Todd Carroll
Womble Bond Dickinson (US) LLP
*Counsel for Altrad Investment Authority S.A.S. and
Mohed Altrad*

Attachments: Amicus Curiae Briefs submitted to the U.S. Supreme Court in Case No. 26-350

cc: South Carolina Supreme Court (supctfilings@sccourts.org)
Counsel of Record