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IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM YORK COUNTY
Court of Common Pleas

MAR 05 2018

Jean Hoefler Toal, Circuit Court Judge

SC Court of Appeals

Timothy W. Howe, Individually and as Personal Representative of the Estate of Wayne Erwin Howe, Deceased, and Jeanette Howe, Plaintiffs.....Respondent,

v.

Air & Liquid Systems Corp.; Airco, Inc.; Airgas USA, LLC; Albany International Corp.; Asten-Johnson, Inc.; Aurora Pump Company; A.W. Chesterton Company; Beloit Corporation; Black Clawson Converting Machinery LLC; CBS Corporation; CGR Products, Inc.; CNA Holdings, Inc.; Celanese Corporation; Cleaver Brooks, Inc.; Covil Corporation; Crane Co.; Crown Cork & Seal Company, Inc.; Daniel International Corporation; Davis-Standard Corporation, LLC; Dezurik, Inc.; Fisher-Klosterman, Inc.; Flowserve Corporation; Fluor Enterprises, Inc.; Fluor Daniel Services Corporation; Foster Wheeler Energy Corporation; General Electric Company; The Gorman-Rupp Company; Goulds Pumps, Incorporated; Ingersoll-Rand Company; Linde, LLC; Marsulex Environmental Technologies Corporation; Marsulex Environmental Technologies, LLC; Metropolitan Life Insurance Company; Peerless Pump Company; Presnell Insulation, Inc.; Riley Power, Inc.; SCAPA Waycross, Inc.; SEPCO Corporation; SPX Cooling Technologies, Inc.; Sterling Fluid Systems (USA) LLC; Trane U.S., Inc.; Union Carbide Corporation; Uniroyal, Inc.; United Conveyor Corporation; Velan Valve Corp.; Viking Pump, Inc.; Warren Pumps LLC; Yuba Heat Transfer Corporation; Zurn Industries, Defendants,

Of which, Covil Corporation is.....Appellant.

Case No. 2015-CP-46-3456

NOTICE OF APPEAL

Pursuant to S.C. Code Ann. § 14-3-330(2) (2017), Appellant, Covil Corporation, appeals the Order of the Honorable Jean Hoefler Toal dated February 23, 2018, and electronically filed on March 1, 2018, which improperly struck Appellant's pleadings. Appellant received a copy of the signed order via electronic mail, and received Notice of electronic filing of the order, on March 1, 2018.

March 1, 2018.



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v.

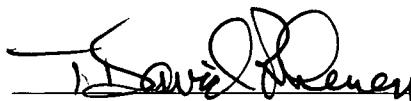
Air & Liquid Systems Corp.; Airco, Inc.; Airgas USA, LLC; Albany International Corp.; Asten-Johnson, Inc.; Aurora Pump Company; A.W. Chesterton Company; Beloit Corporation; Black Clawson Converting Machinery LLC; CBS Corporation; CGR Products, Inc.; CNA Holdings, Inc.; Celanese Corporation; Cleaver Brooks, Inc.; Covil Corporation; Crane Co.; Crown Cork & Seal Company, Inc.; Daniel International Corporation; Davis-Standard Corporation, LLC; Dezurik, Inc.; Fisher-Klosterman, Inc.; Flowserve Corporation; Fluor Enterprises, Inc.; Fluor Daniel Services Corporation; Foster Wheeler Energy Corporation; General Electric Company; The Gorman-Rupp Company; Goulds Pumps, Incorporated; Ingersoll-Rand Company; Linde, LLC; Marsulex Environmental Technologies Corporation; Marsulex Environmental Technologies, LLC; Metropolitan Life Insurance Company; Peerless Pump Company; Presnell Insulation, Inc.; Riley Power, Inc.; SCAPA Waycross, Inc.; SEPCO Corporation; SPX Cooling Technologies, Inc.; Sterling Fluid Systems (USA) LLC; Trane U.S., Inc.; Union Carbide Corporation; Uniroyal, Inc.; United Conveyor Corporation; Velan Valve Corp.; Viking Pump, Inc.; Warren Pumps LLC; Yuba Heat Transfer Corporation; Zurn Industries, Defendants,

Of which, Covil Corporation is.....Appellant.

Case No. 2015-CP-46-3456

PROOF OF SERVICE

I certify that I have served the Notice of Appeal upon all counsel of record, The Honorable Jenny Abbott Kitchings, Clerk of Court, South Carolina Court of Appeals, P.O. Box 11629, Columbia, SC 29211, and The Honorable David Hamilton, Clerk of Court York County, by electronic mail, by depositing copies of it in the United States Mail, and/or by hand-delivery, on March 1, 2018.



Daniel B. White (S.C. Bar No. 6070)

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Attorneys for Appellant

March 1, 2018

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: *Timothy W. Howe, Individually and as Personal Representative of the Estate of Wayne Ervin Howe, Deceased, and Jeanette Howe v. Air & Liquid Systems Corp., et al.*
C.A. No.: 2015-CP-46-3456

Dear Ms. Kitchings:

Pursuant to Rule 203(d)(1)(B), enclosed for filing please find the original and one (1) copy of Appellant Covil Corporation's Notice of Appeal, Proof of Service, and a copy of the Order to be challenged on appeal. I am also enclosing a check in the amount of \$100.00 for the filing fee. Please return a clocked copy of the documents to me in the enclosed envelope.

Thank you for your assistance in this matter.

Sincerely,

GALLIVAN, WHITE & BOYD, P.A.

Allyson R. Twilley

Allyson R. Twilley

ART/ct
Enclosures
cc: All Counsel of Record (via electronic mail only)

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