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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM YORK COUNTY  
Court of Common Pleas

The Honorable Jean H. Toal  
Acting Circuit Court Judge

Appellate Case No. 2019-  
Circuit Court Case No. 2015-CP-46-3456

**RECEIVED**  
FEB 01 2019  
SC Court of Appeals

Timothy W. Howe, Individually and as Personal Representative of  
the Estate of Wayne Erwin Howe, Deceased, and Jeannette Howe ..... Respondents,

v.

Air & Liquid Systems Corp., Individually and as Successor-in-Interest to Buffalo Pumps, Inc; Airco, Inc.; Airgas USA, LLC, f/ka National Welding Supply, Inc.; Albany International Corp.; Asten-Johnson, Inc.; Aurora Pump Company; A.W. Chesterton Company; Beloit Corporation; Black Clawson Converting Machinery, LLC, Individually and as a Subsidiary of Davis-Standard LLC; CBS Corporation, a Delaware Corporation f/k/a Viacom, Inc., Successor by Merger to CBS Corporation, a Pennsylvania Corporation, f/k/a Westinghouse Electric Corporation; CGR Productions, Inc., f/k/a Carolina Gasket and Rubber Company; CNA Holdings, Inc., f/k/a Hoechst Celanese Corporation; Celanese Corporation f/k/a Hoechst Celanese Corporation (Sued Individually and as Successor-in-Interest to Fiber Industries, Inc.); Cleaver Brooks, Inc.; Covil Corporation; Crane Co.; Crown Cork & Seal Company, Inc.; Daniel International Corporation; Davis-Standard Corporation, LLC; Dezurik, Inc. d/b/a Dezurik-Apco Williamette Eagle, Inc.; Fisher-Klosterman, Inc., as Successor-in-Interest to Buell Engineering Co.; Flowserve Corporation, Individually and as Successor-in-Interest to Durco Pumps; Fluor Enterprises, Inc., f/k/a Fluor Daniel, Inc.; Fluor Daniel Services Corporation; Foster Wheeler Energy Corporation; General Electric Company; The Gorman-Rupp Company; Goulds Pumps, Incorporated; Ingersoll-Rand Company; Linde, LLC f/k/a The Boc Group, Inc., f/k/a Airco, Inc.; Marsulex Environmental Technologies Corporation, Individually and as Successor-in-Interest to Buell Engineering Co.; Marsulex Environmental Technologies, LLC, as Successor-in-Interest to Buell Engineering Co.; Metropolitan Life Insurance Company, a Wholly-Owned Subsidiary of Metlife Inc.; Peerless Pump Company; Presnell Insulation, Inc.; Riley Power, Inc.,

Individually and as Successor-in-Interest to Babcock Borsig Power, Inc., and Riley Stoker Corporation, Individually and as Successor-in-Interest to D.B. Riley; SCAPA Waycross, Inc.; Sepco Corporation; SPX Cooling Technologies, Inc., f/k/a Marley Cooling Technologies, Inc., f/k/a The Marley Cooling Tower Co.; Sterling Fluid Systems (USA) LLC; Trane U.S., Inc., f/k/a American Standard, Inc., f/k/a American Radiator & Standard Manufacturing Company; Union Carbide Corporation; Uniroyal, Inc., f/k/a United States Rubber Company, Inc.; United Conveyor Corporation; Velan Valve Corp.; Viking Pump, Inc.; Warren Pumps LLC; Yuba Heat Transfer Corporation; and Zurn Industries ... Defendants,

of whom

Cleaver-Brooks, Inc. is the ..... Appellant.

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NOTICE OF APPEAL

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Please take notice that Cleaver-Brooks, Inc. appeals (1) the circuit court's order granting Plaintiffs' Motion for Sanctions Against Cleaver-Brooks, Inc., which was entered on December 7, 2018; and (2) the circuit court's order denying Cleaver-Brooks, Inc.'s Motion to Alter or Amend Order, which was entered on January 4, 2019. Copies of both orders on appeal are attached. Cleaver-Brooks received written notice of entry of the latter of these orders on January 4, 2019, making this notice timely. Cleaver-Brooks further states that all necessary transcripts for this appeal have previously been ordered from and provided by the appropriate court reporters. Finally, pursuant to Rule 404(c), SCACR, Cleaver-Brooks attaches hereto the order admitting M. Elizabeth O'Neill *pro hac vice* in this matter, which was entered on March 6, 2018.

*Signature Page Attached*

Respectfully submitted,

WOMBLE BOND DICKINSON (US) LLP

By:  \_\_\_\_\_

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Attorneys for Appellant Cleaver-Brooks, Inc.

January 30, 2019

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*Counsel for Respondents*

**PROOF OF SERVICE**

I, the undersigned Legal Assistant of the law offices of Womble Bond Dickinson (US) LLP, attorneys for Cleaver-Brooks, Inc., do hereby certify that I have served all parties in this action with a copy of the pleading(s) specified below through the United States mail, postage prepaid, at the address(es) below:

Pleading(s): Cleaver-Brooks, Inc.'s Notice of Appeal

Parties Served:

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*Counsel for Respondents*

By: 

Edwin T. Mathis

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SC Court of Appeals

January 30, 2019



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January 30, 2019

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

**RECEIVED**  
FEB 01 2019  
SC Court of Appeals

Re: *Howe et al. v. Air & Liquid Systems Corp. et al.*  
Circuit Court Case No. 2015-CP-46-3456

Dear Ms. Kitchings:

Enclosed for filing please find Appellant Cleaver-Brooks, Inc.'s Notice of Appeal in the above-referenced case, along with our check in the amount of \$250. Please file the original and return a clocked copy to us in the enclosed envelope.

By copy of this letter, we are serving this Notice on all Respondents.

With kind regards, I remain

Very truly yours,

A handwritten signature in black ink, appearing to read "M. Todd Carroll", written over a horizontal line.

M. Todd Carroll

Enclosures

cc: Respondents' Counsel (via United States mail and electronic filing)



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DICKINSON

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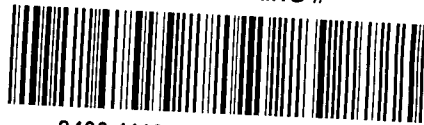
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**SHIP TO:** The Honorable Jenny Abbott Kitchings  
South Carolina Court Of Appeals, Clerk o  
PO Box 11629  
Columbia SC 29211-1629

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