

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas  
Jean Hoefler Toal, Chief Justice (Ret.)

**RECEIVED**  
**Nov 16 2020**  
**SC Court of Appeals**

Case Nos. 2019-CP-40-06956 and 2019-CP-40-02285

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Appellate Case No. 2020-001437

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Peter D. Protopapas, as Receiver for Covil Corporation, Plaintiff,

v.

Wall, Templeton & Haldrup, P.A.; Sentry Casualty Company; United States Fidelity and Guaranty Company; Zurich American Insurance Company, Defendants

AND

Sandra S. Hutto, individually and as Personal Representative of the Estate of Donald L. Hutto, Brian Hutto, and Candace H. Youngblood, Plaintiffs,

v.

Covil Corporation; Sentry Insurance A Mutual Company; Southern Insulation, Inc.; Starr Davis Company, Inc.; Starr Davis Company of South Carolina, Inc.; United States Fidelity & Guarantee Company; Zurich American Insurance Company; 3M Company; AECOM; Armstrong International, Inc.; Aurora Pump Company; BW/IP, Inc.; Carboline Company; CBS Corporation; CGR Products, Inc.; Daniel International Corporation; Fisher Controls International, L.L.C.; Fluor Constructors International, Inc.; Fluor Enterprises, Inc.; Foster Wheeler Energy Corporation; The Goodyear Tire And Rubber Company; Grinnell, LLC; Hajoca Corporation; IMG Industries, Inc.; John Crane, Inc.; Metropolitan Life Insurance Company; Spirax Sarco, Inc.; Trane U.S., Inc.; Uniroyal Holding, Inc; Velan Valve Corporation; Viking Pump, Inc.; Weir Valves & Controls U.S.A., Inc., Defendants,

of which

United States Fidelity and Guaranty Company is the Appellant,

and

Covil Corporation, by and through its Receiver, Peter D. Protopapas and Peter D. Protopapas, in his capacity as Receiver of Covil Corporation are the Respondents.

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**JOINT MOTION FOR AN EXTENSION OF TIME TO FILE  
MEMORANDA ON APPEALABILITY**

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Respondents Covil Corporation, by and through its Receiver, Peter D. Protopapas; and Peter D. Protopapas, in his capacity as Receiver for Covil Corporation (collectively, “the Receiver”) and Appellant United States Fidelity and Guaranty Company (“USF&G”), by and through the undersigned counsel, hereby jointly move the Court, pursuant to Rule 240 of the South Carolina Appellate Court Rules, for an extension of time of fourteen days to submit memoranda of appealability to the Court. On November 6, 2020, the Court sent a letter to the parties requesting each party serve and file a memorandum addressing the issue of appealability within ten days after a preliminary review of the orders challenged on appeal indicated they might not be immediately appealable. These memoranda are currently due on November 16, 2020. The Receiver and USF&G jointly request an additional 14 days to serve and file their respective memorandum addressing the issue of appealability, making the memoranda due on November 30, 2020.

Respectfully submitted,

SMITH ROBINSON HOLLER DUBOSE  
AND MORGAN, LLC

By: /s/Shanon N. Peake  
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Attorneys for Respondents Covil Corporation, by and through  
its Receiver, Peter D. Protopapas; and Peter D. Protopapas, in  
his capacity as Receiver for Covil Corporation

*(Signatures continue on next page)*

AND

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of which

United States Fidelity and Guaranty Company is the Appellant,

and

Covil Corporation, by and through its Receiver, Peter D. Protopapas and Peter D. Protopapas, in his capacity as Receiver of Covil Corporation are the Respondents.

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**PROOF OF SERVICE**

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I certify that a true copy of the Joint Motion for Extension of Time to File Memoranda on Appealability in this case has been served on the following, this 16th day of November, 2020, by emailing a copy to each attorney listed below using their primary email address listed in the Attorney Information System pursuant to subsection (g)(3) of the South Carolina Supreme Court's March 20, 2020 Order, as amended May 29, 2020. Pursuant to subsection (g)(3) of the South Carolina Supreme Court's Order, service on the attorneys admitted pro hac vice is accomplished by service on the associated South Carolina lawyer.

Counsel Served:     **E-Mail**

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*(Signature page follows)*

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**Cc:** [Jon Robinson](#); [Murrell Smith](#); [Dot Faulkenberry](#); [Jescelyn Spitz](#); ["Lindsay Valek"](#)  
**Subject:** 2020-001437 - USF&G v. Covil - Joint Motion for Extension of Time  
**Date:** Monday, November 16, 2020 12:47:00 PM  
**Attachments:** [Joint Motion for Extension of Time.pdf](#)  
[Proof of Service Joint Motion.pdf](#)

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Good Afternoon,

Attached for service please find Respondents' and Appellant's Joint Motion for Extension of Time to File Memoranda on Appealability which we are filing with the Court of Appeals today.

Thank you,  
Shanon



**Shanon Peake**  
Attorney at Law

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