

May 06 2024

SC Court of Appeals

ELECTRONICALLY FILED - 2024 Apr 04 3:39 PM - CHARLESTON - COMMON PLEAS - CASE#2019CP1001108

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON)
)
 Balfour Beatty Construction, LLC,)
 Plaintiff,)
 v.)
 Library Associates, LLC; and Metropolitan)
 Life, a New York Corporation)
 Defendants,)
 _____)
 Library Associates, LLC,)
 Third-Party Plaintiff,)
 v.)
 Lithko Contracting, LLC, *et al.*)
 Third-Party Defendants.)

IN THE COURT OF COMMON PLEAS
 NINTH JUDICIAL CIRCUIT
 CASE NO.: 2019-CP-10-01108
 ORDER DENYING BALFOUR
 BEATTY CONSTRUCTION, LLC’S
 MOTION TO RECONSIDER GRANT
 OF SUMMARY JUDGMENT IN
 FAVOR OF STRONG TOWER
 CONSTRUCTION, LLC.
 - AND -
 ORDER GRANTING STRONG
 TOWER’S MOTION TO CERTIFY
 JUDGMENT AS FINAL
 (*Ending the case as to Strong Tower*)

On March 13, 2024, this matter came before the Court on Balfour Beatty Construction, LLC’s (“BBC”) Motion for Reconsideration of the grant of partial summary judgment to, and entry of judgment in favor of Strong Tower Construction, LLC (“Strong Tower”), in addition to on Strong Tower’s Motion to Certify its partial summary judgment as final. For the reasons set forth in Strong Tower’s briefing and as argued at the hearing of this matter on March 13, 2024, BBC’s Motion is **DENIED**. The September 9, 2021, grant of partial summary judgment and entry of judgment in favor of Strong Tower is confirmed and finalized, with post-judgment interest accruing from the date of the original judgment, September 9, 2021, at a rate of 7.25% per annum.¹

¹ *Calhoun v. Calhoun*, 339 S.C. 96, 104, 529 S.E.2d 14, 19 (2000) (“[W]hen a money judgment is finalized, whether in a lower court or in an appellate court, the interest on that amount, whether it has been modified upward or downward or remains the same, runs from the date of the original judgment.”).

With the denial of BBC’s Motion, and for the reasons set forth in Strong Tower’s briefing and as argued at the hearing of this matter on March 13, 2024, Strong Tower’s Motion to Certify is **GRANTED**. With this grant of Strong Tower’s Motion, no claims brought by or against Strong Tower remain, and the Court certifies the judgment in favor of Strong Tower as a final judgment pursuant to Rule 54(b), S.C.R.C.P. and directs entry of the same in favor of Strong Tower. This ends the case as to Strong Tower.²

IT IS SO ORDERED.

Dated _____

Mikell R. Scarborough
Master in Equity

² The above-captioned case represents a consolidation of several actions either initiated by Strong Tower or in which Strong Tower is named as a party, including Case No. 2019-CP-10-2868, Case No. 2019-CP-10-3005, and Case No. 2019-CP-10-3727. By virtue of this order, those cases are ended as to Strong Tower, and, to the extent necessary, this order can be filed in those cases as proof of Strong Tower’s judgment and certification of its judgment.



Charleston Common Pleas

Case Caption: Balfour Beatty Construction LLC VS Library Associates LLC ,
defendant, et al
Case Number: 2019CP1001108
Type: Master/Order/Other

So Ordered

s/Mikell R. Scarborough 3062