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**May 06 2024**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Mikell R. Scarborough, Circuit Court Judge

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Case No.: 2019-CP-10-01108

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Balfour Beatty Construction, LLC, Appellant,

v.

Library Associates, LLC; and Metropolitan Life Insurance Company, a New York Corporation, Defendant

And

Library Associates, LLC, Third-Party Plaintiff,

v.

Lithko Contracting, LLC, Guy M. Beaty, Inc., Bernard MMC, LLC, Gulf Stream Construction Company, Inc., Precision Walls, Inc., Palmetto Automatic Sprinkler Company, Inc., Cook & Boardman, LLC, Strong Tower Construction, LLC d/b/a Koch Corporation, Watson Electrical Construction Co., LLC, Trimark Foodcraft, LLC, Pleasant Places, Inc., David Allen Company, Inc., Premier Exteriors, LLC, Warco Construction, Inc., Old North State Masonry, LLC, Tom Rochester & Associates d/b/a Southeastern Architectural Systems, Forton Company, LLC, Low Country Case & Millwork, Inc., Quantum Coatings, LLC, Balfour Beatty Construction Group, Inc., Third-Party Defendants.

Of which Premier Exteriors, LLC is the Respondent.

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**NOTICE OF APPEAL**

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Balfour Beatty Construction, LLC (“Balfour”) appeals the Honorable Mikell R. Scarborough’s order granting summary judgment in favor of Premier Exteriors, LLC, filed on December 22, 2021, and the Honorable Mikell R. Scarborough’s order denying Balfour’s Motion

to Alter or Amend, filed April 4, 2024. Balfour received notice of the Court's denial of the Motion to Alter or Amend on April 4, 2024.

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*Attorneys for Plaintiff Balfour Beatty Construction,  
LLC*

May 6, 2024  
Columbia, South Carolina

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Of which Premier Exteriors, LLC is the Respondent.

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**PROOF OF SERVICE**

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The undersigned hereby certifies that on May 6, 2024, a copy of **Appellant's Notice of Appeal regarding Premier Exteriors, LLC** was served on all counsel of record via email containing the above referenced document to counsel's individual AIS email addresses:

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May 6, 2024  
Columbia, South Carolina



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SC Court of Appeals

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May 6, 2024

**VIA HAND-DELIVERY AND E-MAIL:**

The Honorable Jenny Abbott Kitchings  
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**Re: *Balfour Beatty Construction, LLC v. Library Associates, LLC, et al.***  
**Trial Court Case No.: 2019-CP-10-01108**

Dear Mrs. Kitchings:

Enclosed for filing in the *Balfour Beatty Construction, LLC v. Library Associates, LLC, et al.*, please find one copy of Appellant's Notice of Appeal and Proof of Service regarding Premier Exteriors, LLC. Copies of same are being provided to all counsel of record via e-mail.

Additionally, please find enclosed Check No. 513598 in the amount of \$250.00 which covers our filing fee.

Should you have any questions or need anything further, please do not hesitate to contact me.

Sincerely,

*s/Katon E. Dawson, Jr.*

Katon E. Dawson, Jr.

KED/aeb  
Enclosures  
cc: All Counsel of Record on Proof of Service