

STATE OF SOUTH CAROLINA

) IN THE COURT OF COMMON PLEAS

COUNTY OF CHARLESTON

) NINTH JUDICIAL CIRCUIT

) CASE NO.: 2019-CP-10-01108

Balfour Beatty Construction, LLC,

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Plaintiff,

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v.

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

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Defendants.

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Library Associates, LLC,

Third-Party Plaintiff,

v.

Lithko Contracting, LLC, Guy M. Beaty, Inc., Bernard MCC, LLC, Gulf Stream Construction Company, 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, Lowcountry Case & Millwork, Inc., Quantum Coatings, LLC, Balfour Beatty Construction Group, Inc.

Third-Party Defendants.

**ORDER DENYING  
BALFOUR BEATTY CONSTRUCTION,  
LLC’S MOTION FOR  
RECONSIDERATION OF ORDER  
GRANTING SUMMARY JUDGMENT TO  
PREMIER EXTERIORS, LLC AND  
CERTIFYING JUDGMENT AS FINAL  
PURSUANT TO RULE 54(b), S.C.R.C.P.  
  
(ENDING THE CASE AS TO PREMIER  
EXTERIORS, LLC )**

**RECEIVED**  
**May 06 2024**  
**SC Court of Appeals**

This matter came before the Court on Balfour Beatty Construction, LLC’s (“BBC”) Motion for Reconsideration (“Motion”) of this Court’s December 22, 2021 Order granting partial summary

judgment to Premier Exteriors, LLC (“Premier”) against BBC and certifying said judgment as final pursuant to Rule 54(b), S.C.R.C.P. (“Order”). For the reasons set forth in Premier’s briefing and during oral argument at the hearing of this matter on March 13, 2024, BBC’s Motion is **DENIED**.

This Court’s Order is hereby confirmed in its entirety, with post-judgment interest accruing from the date of its entry at a rate of 7.25% per annum.<sup>1</sup> As this Court previously certified in the Order, no just reason exists to delay entry of final judgment pursuant to Rule 54(b), S.C.R.C.P. because there are no remaining claims by or against Premier. The above-styled action and the companion case bearing Civil Action No. 2019-CP-10-3727 are hereby ended as to Premier.

**IT IS SO ORDERED!**

\_\_\_\_\_, 2024  
Charleston, South Carolina

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Honorable Mikell R. Scarborough  
Charleston County Master-In-Equity

<sup>1</sup> *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.”).



Charleston Common Pleas

**Case Caption:** Balfour Beatty Construction LLC VS Library Associates LLC ,  
defendant, et al  
**Case Number:** 2019CP1001108  
**Type:** Master/Order/Form 4

So Ordered

s/Mikell R. Scarborough 3062