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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Mikell R. Scarborough, Master-In-Equity

Appellate Case No 2024-000787
Civil Case No.: 2019-CP-10-01108

Balfour Beatty Construction, LLC, Appellant,

v.

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

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.

MOTION TO DISMISS APPEAL

Appellant Balfour Beatty Construction, LLC (“Balfour”) moves to withdraw its appeal in the above-captioned matter (Appellate Case No 2024-000787) pursuant to Rule 260(c), SCACR. The basis for this Motion is that Balfour no longer wishes to proceed with the above-captioned

appeal. Neither party to this appeal has filed an initial brief. There are no other outstanding motions and no cross-appeal was filed by Premier. Therefore, Premier will not be prejudiced by the dismissal of the above-captioned appeal. Accordingly, Balfour respectfully requests that this appeal be dismissed and that no costs or fees be taxed to either party.

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PROOF OF SERVICE

The undersigned hereby certifies that on August 1, 2024, a copy of **Appellant's Motion to Dismiss** 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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