

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Mikell R. Scarborough, Circuit Court Judge

Case No.: 2019-CP-10-01108

RECEIVED
May 13 2024
SC Court of Appeals

Balfour Beatty Construction, LLC, Appellant,

v.

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

Of which Library Associates, LLC is the Respondent.

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.

NOTICE OF APPEAL

Balfour Beatty Construction, LLC (“Balfour”) appeals the following orders issued by the Honorable Mikell R. Scarborough:

1. The Order Awarding Attorneys’ Fees & Costs, filed April 12, 2024;
2. The Order Awarding Punitive Damages, filed April 12, 2024; and

3. The Order granting, in part, and denying in part, Balfour's Motion to Alter or Amend the Order Awarding Punitive Damages and Motion for Election of Remedy, filed April 29, 2024.

Balfour received notice of the Court's orders on the dates each of the respective orders were filed by the Court.

PARKER POE ADAMS & BERNSTEIN LLP

By: /s/ James Lynn Werner
James Lynn Werner, (SC Bar No. 6029)
1221 Main Street, Suite 1100
Columbia, SC 29201
(803) 255-8000
jimwerner@parkerpoe.com

Thomas C. Hildebrand, Jr. (S.C. Bar No. 2501)
Robert C. Byrd (S.C. Bar No. 1069)
W. Greyson Land (S.C. Bar No. 104179)
P. Nicholas Nybo (S.C. Bar No. 105825)
850 Morrison Drive, Suite 400
Charleston, SC 29403
(843) 727- 2650 (Office)
tomhildebrand@parkerpoe.com
bobbybyrd@parkerpoe.com
greysonland@parkerpoe.com
nicknybo@parkerpoe.com

*Attorneys for Plaintiff Balfour Beatty Construction,
LLC*

May 13, 2024
Columbia, South Carolina