



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

CATHERINE S. HARRISON  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

October 11, 2024

The Honorable Julie J. Armstrong  
100 Broad St Ste 106  
Charleston SC 29401-2210

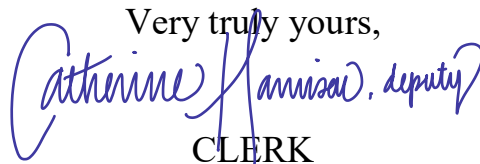
## PARTIAL REMITTITUR

Re: Balfour Beatty Construction, LLC v. Low Country Case & Millwork, Inc.  
Lower Court Case No. 2019CP1001108  
Appellate Case No. 2024-000753

Dear Clerk of Court:

The above referenced matter is hereby partially remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

  
CLERK

Enclosure

cc: Robert C. Byrd, Esquire  
Katon Edwards Dawson, Jr., Esquire  
Thomas C. Hildebrand, Jr., Esquire  
William Greyson Land, Esquire  
Paul Nicholas Nybo, Esquire  
James Lynn Werner, Esquire  
Jaan Gunnar Rannik, Esquire  
Steven L. Smith, Esquire  
Samuel Melvil Wheeler, Esquire  
Don Russell Terry, Esquire

# The South Carolina Court of Appeals

Balfour Betty Construction, LLC, Appellant,

v.

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

And

Library Associates, LLC, Defendant/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; 1<sup>st</sup> Choice  
Glass, Inc.; 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; Robert  
Thomas Iron Design, 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; and Balfour Beatty  
Construction Group, Inc.; Third-Party Defendants,

Of which Strong Tower Construction, LLC d/b/a Koch  
Corporation and Watson Electrical Construction Co.,  
LLC, are the Respondents.

Appellate Case No. 2024-000753

---

ORDER

---

Appellant moves for partial dismissal of the appeal, seeking dismissal of its claims against Respondent Low Country Case & Millwork, Inc. Low Country Case & Millwork, Inc., filed a return indicating it consents to this relief. The motion is granted.

Appellant also moves to consolidate this appeal with one of the notices of appeal that was included under appellate case number 2024-000788. The respondents did not file a return. The motion is granted, and the appeals will be aligned as follows:

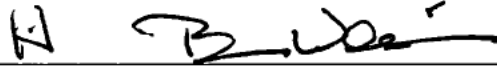
Appellate Case No. 2024-000753

Appellant: Balfour Beatty Construction, LLC  
Respondents: Strong Tower Construction, LLC  
Watson Electrical Construction Co., LLC  
Orders on appeal: 9/9/21 order granting Strong Tower's motion for partial summary judgment  
4/4/24 order denying Balfour Beatty's motion to reconsider  
9/13/21 order granting Watson's motion for partial summary judgment  
4/12/24 order granting Watson's motion for reconsideration of  
10/6/23 order

Appellate Case No. 2024-000788

Appellant: Balfour Beatty Construction, LLC  
Respondent: Library Associates, LLC  
Orders on appeal: 10/6/23 order entering judgment in favor of Library Associates, LLC  
4/12/24 order awarding punitive damages  
4/12/24 order awarding attorney's fees  
4/29/24 order granting in part and denying in part Balfour Beatty's Rule 59(e) motion  
5/6/24 order denying Balfour Beatty's motion to amend  
5/15/24 order denying Balfour Beatty's motions to alter or amend

The parties are directed to use the caption above on all future filings. The appellant's initial brief and designation of matter are due to be served and filed within 30 days of the date of this order.



---

FOR THE COURT

Columbia, South Carolina

cc:

Robert C. Byrd, Esquire  
Katon Edwards Dawson, Jr., Esquire  
Thomas C. Hildebrand, Jr., Esquire  
William Greyson Land, Esquire  
Paul Nicholas Nybo, Esquire  
James Lynn Werner, Esquire  
Jaan Gunnar Rannik, Esquire  
Steven L. Smith, Esquire  
Samuel Melvil Wheeler, Esquire  
Don Russell Terry, Esquire

**FILED**  
**Sep 05 2024**

---