

**RECEIVED**

**Dec 20 2024**

**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. 2024-000753

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

---

**APPELLANTS' MOTION TO BE RELIEVED AS COUNSEL**

---

Counsel for Appellant Balfour Beatty Construction, LLC ("Balfour") respectfully request that William G. Land be removed as attorney of record pursuant to Rule 11(b), SCRCP, and Rule

240(a), SCACR. Pursuant to Rule 264(b), SCACR, Balfour has consented to the withdrawal of Mr. Land as counsel of record and received written notice that he is withdrawing as counsel for Balfour in this matter.

The representation of Balfour will remain with Thomas C. Hildebrand, Robert C. Byrd, Paul Nicholas Nybo, Jr., James Lynn Werner and Katon E. Dawson, Jr., of Parker Poe Adams & Bernstein, LLP

PARKER POE ADAMS & BERNSTEIN LLP

By: /s/ James Lynn Werner  
James Lynn Werner (SC Bar No. 6029)  
Katon E. Dawson, Jr. (SC Bar No. 101167)  
1221 Main Street, Suite 1100  
Columbia, SC 29201  
(803) 255-8000  
[jimwerner@parkerpoe.com](mailto:jimwerner@parkerpoe.com)  
[katondawson@parkerpoe.com](mailto:katondawson@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](mailto:tomhildebrand@parkerpoe.com)  
[bobbybyrd@parkerpoe.com](mailto:bobbybyrd@parkerpoe.com)  
[greysonland@parkerpoe.com](mailto:greysonland@parkerpoe.com)  
[nicknybo@parkerpoe.com](mailto:nicknybo@parkerpoe.com)

*Attorneys for Appellant Balfour Beatty Construction,  
LLC*

December 20, 2024  
Columbia, South Carolina

RECEIVED

Dec 20 2024

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. 2024-000753

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

---

**PROOF OF SERVICE**

---

The undersigned hereby certifies that on December 20, 2024, a copy of **Appellant's Motion to be Relieved as Counsel** was served on all counsel of record via email containing the above referenced documents to counsels' individual AIS email addresses:

<p>Don R. Terry, Esquire  Steele B. Windle, III, Esquire  Smith Terry Johnson &amp; Windle  150 Milestone Way, Suite C  Greenville, SC 29615  <a href="mailto:dterry@smithterrylaw.com">dterry@smithterrylaw.com</a>  <a href="mailto:awindle@smithterrylaw.com">awindle@smithterrylaw.com</a></p> <p><i>Attorneys for Watson Electrical Construction, Co., LLC</i></p>	<p>Samuel M. Wheeler, Esquire  Whitfield-Cargile Law, PLLC  23 South Brevard Street, Suite 204  Brevard, NC 28712  <a href="mailto:sam@whitfieldcargilelaw.com">sam@whitfieldcargilelaw.com</a></p> <p>and</p> <p>Steven L. Smith  Smith Closser, PA  P.O. Box 40578  Charleston, SC 29423  <a href="mailto:ssmith@scnlaw.com">ssmith@scnlaw.com</a></p> <p><i>Attorneys for Strong Tower Construction, LLC d/b/a Koch Corporation</i></p>
<p>Walter H. Bundy, Jr., Esquire  M. Brent McDonald, Esquire  Bundy McDonald, LLC  1516 Old Trolley Rd 2<sup>nd</sup> Floor  Summerville, SC 29485-8209  <a href="mailto:walter@bundymcdonald.com">walter@bundymcdonald.com</a>  <a href="mailto:brent@bundymcdonald.com">brent@bundymcdonald.com</a></p> <p><i>Attorneys for Library Associates, LLC</i></p>	

PARKER POE ADAMS & BERNSTEIN LLP

By: /s/ James Lynn Werner  
James Lynn Werner (SC Bar No. 6029)  
Katon E. Dawson, Jr. (SC Bar No. 101167)  
1221 Main Street, Suite 1100  
Columbia, SC 29201  
(803) 255-8000  
[jimwerner@parkerpoe.com](mailto:jimwerner@parkerpoe.com)  
[katondawson@parkerpoe.com](mailto:katondawson@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](mailto:tomhildebrand@parkerpoe.com)  
[bobbybyrd@parkerpoe.com](mailto:bobbybyrd@parkerpoe.com)  
[greysonland@parkerpoe.com](mailto:greysonland@parkerpoe.com)  
[nicknybo@parkerpoe.com](mailto:nicknybo@parkerpoe.com)

*Attorneys for Appellant Balfour Beatty Construction,  
LLC*

December 20, 2024  
Columbia, South Carolina