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Dec 27 2024

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Anderson County
Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

Case No. 2021-CP-04-01349
Appellate Case No. 2024-002150

Poly-Med, Inc., Technology Drive 51, LLC,
Technology Drive 52, LLC, PMI Properties, LLC,

Respondents/Appellants,

v.

Research Park, LLC,

Appellant/Respondent.

NOTICE OF CROSS-APPEAL

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Research Park, LLC*

¹ Pursuant to Rule 404(c), SCACR, a copy of the circuit court order granting Mr. Zubi's pro hac vice admission is attached hereto as Exhibit 1. The associated regular member of the South Carolina Bar is William A. Coates, whose South Carolina Bar Number is 1289.

Plaintiffs/Respondents/Appellants, Poly-Med, Inc., Technology Drive 51, LLC, Technology Drive 52, LLC, PMI Properties, LLC (collectively, “Cross-Appellants”), hereby appeal the following orders of the Honorable R. Lawton McIntosh, Circuit Court Judge:

- **Form 4 Order filed November 6, 2023**, a copy of which is attached hereto as Exhibit A;
- **Memorandum and Order for Judgment and Form 4 Order filed February 29, 2024**, a copy of which is attached hereto as Exhibit B;
- **Form 4 Order filed July 26, 2024**, a copy of which is attached hereto as Exhibit C;
- **Form 4 Order filed July 29, 2024**, a copy of which is attached hereto as Exhibit D;
- **Form 4 Order filed August 27, 2024**, a copy of which is attached hereto as Exhibit E;
- **Order on Outstanding Motions Regarding Conversion & Injunctive Relief filed September 26, 2024**, a copy of which is attached hereto as Exhibit F;
- **Form 4 Order filed November 19, 2024**, a copy of which is attached hereto as Exhibit G;
- **Order on Award of Attorney’s Fees and Expenses filed December 9, 2024**, a copy of which is attached hereto as Exhibit H;
- **Form 4 Order filed December 17, 2024**, a copy of which is attached hereto as Exhibit I; and
- **Final Judgment in a Civil Case filed December 20, 2024**, a copy of which is attached hereto as Exhibit J.²

² Cross-Appellants recognize that “[o]nly a party aggrieved by an order, judgment, sentence or decision may appeal.” Rule 201(b), SCACR. As this is a cross-appeal, Cross-Appellants are, of course, only aggrieved by some aspects of the appealed orders. In fact, with regard to the appealed orders attached hereto as Exhibits C and D, Cross-Appellants may not be aggrieved by them at all—indeed, Cross-Appellants believe that Exhibit D amends and thereby supersedes Exhibit C—but as these orders (as well as others among the orders identified above, for instance, the orders attached hereto as Exhibits G and H, which rule in Cross-Appellants’ favor as to attorney fees/expenses but deduct 25% from Cross-Appellants’ award because Cross-Appellants did not prevail on the trailer-removal issue) at least reference an issue(s) as to which Cross-Appellants are aggrieved, Cross-Appellants are including these orders in this notice of appeal out of an abundance of caution. And, of course, when the time comes, Cross-Appellants will identify in their principal appellate brief each of the issues they present for this Court’s

Cross-Appellants received written notice of entry of each respective order on the date of its filing, the most recent of which was on December 20, 2024. Additionally, Cross-Appellants were served with a Notice of Appeal in this matter by Defendant/Appellant/Respondent, Research Park, LLC, on December 19, 2024, and an Amended Notice of Appeal on December 23, 2024. *See* Rule 203(c), SCACR (allowing “[a] respondent [to] institute a cross-appeal by serving a notice of appeal on all adverse parties . . . within five (5) days after receipt of appellant’s notice of appeal, or within the time prescribed by Rule 203(b), whichever period last expires”).

<SIGNED ON THE FOLLOWING PAGE>

review. *See* Rule 208(b)(1)(B), SCACR (requiring briefs of appellants to include “[a] statement of each of the issues presented for review”).

Respectfully submitted,

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R. Lawton McIntosh, Circuit Court Judge

Case No. 2021-CP-04-01349
Appellate Case No. 2024-002150

Poly-Med, Inc., Technology Drive 51, LLC,
Technology Drive 52, LLC, PMI Properties, LLC,

Respondents/Appellants,

v.

Research Park, LLC,

Appellant/Respondent.

PROOF OF SERVICE

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*Attorneys for Respondents/Appellants
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Technology Drive 52, LLC, and
PMI Properties, LLC*

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Respondents/Appellants, hereby certify that Respondents/Appellants' **NOTICE OF CROSS-APPEAL** was served on Appellant/Respondent on December 27, 2024, by emailing (see attached email) a copy of the same to Appellant/Respondent's counsel of record—and that it was likewise served on Respondents/Appellants' own additional counsel:

Steven Edward Buckingham, Esquire
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*Attorneys for Respondents/Appellants
Poly-Med, Inc., Technology Drive 51, LLC,
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PMI Properties, LLC*

I further certify that a copy of Respondents/Appellants' **NOTICE OF CROSS-APPEAL** was this day, December 27, 2024, E-Filed with the lower court (see attached NEF), thus also, i.e., in addition to service by email, effecting service of the notice today on Appellant/Respondent's above-identified counsel of record via the E-Filing System.

Respectfully submitted,

By: s/Russell G. Hines
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*Attorneys for Respondents/Appellants
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PMI Properties, LLC*

Charleston, South Carolina

December 27, 2024

From: [Hines, Russell](#)
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Subject: Poly-Med, Inc. v. Research Park, LLC (Appellate Case No. 2024-002150) -- Notice of Cross-Appeal
Date: Friday, December 27, 2024 3:40:19 PM
Attachments: [image001.png](#)
[Poly-Med v. Research Park \(2021-CP-04-01349\) -- 2d Notice of Cross-Appeal.pdf](#)
[Ex. 1 -- Order Admitting Marwan Zubi PHV.pdf](#)
[Ex. A -- Form 4 Order filed 11-6-23.pdf](#)
[Ex. B -- Memorandum and Order of Judgment filed 2-29-24.pdf](#)
[Ex. C -- Form 4 Order filed 7-26-24.pdf](#)
[Ex. D -- Form 4 Order filed 7-29-24.pdf](#)
[Ex. E -- Form 4 Order filed 8-27-24.pdf](#)
[Ex. F -- Order on Outstanding Motions Regarding Conversion & Injunctive Relief.pdf](#)
[Ex. G -- Form 4 Order filed 11-19-24.pdf](#)
[Ex. H -- Order on Award of Attorney's Fees and Expenses.pdf](#)
[Ex. I -- Form 4 Order filed 12-17-24.pdf](#)
[Ex. J -- Final Judgment in a Civil Case.pdf](#)

Attached for service in the above-referenced matter please find our **Notice of Cross-Appeal**, along with **Exhibit 1** (the circuit court order admitting Mr. Zubi *pro hac vice*) and **Exhibits A-J** (the appealed orders) thereto.

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******* IMPORTANT NOTICE - READ THIS INFORMATION *******
NOTICE OF ELECTRONIC FILING [NEF]

A filing has been submitted to the court RE: 2021CP0401349

Official File Stamp: 12-27-2024 03:29:36 PM
Court: CIRCUIT COURT
Common Pleas
Anderson
Case Caption: Poly-Med Inc , plaintiff, et al VS Research Park Llc
Document(s) Submitted: Appeal/Notice of Appeal to Court of Appeals
- Exhibit/Filing of Exhibits
- Exhibit/Filing of Exhibits
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- Exhibit/Filing of Exhibits
Filed by or on behalf of: Russell Grainger Hines

This notice was automatically generated by the Court's auto-notification system.

The following people were served electronically:

Stephen Lynwood Brown for Poly-Med Inc et al
Steven Edward Buckingham for Research Park Llc
Russell Grainger Hines for Poly-Med Inc et al
Ross Buchanan Plyler for Poly-Med Inc et al
John Kirkman Moorhead for Research Park Llc
William A. Coates for Poly-Med Inc et al

The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:

Marwan S Zubi for Poly-Med Inc, Pmi Properties Llc, Technology Drive 52 Llc, Technology Drive 51 Llc
John Kirkman Moorhead for Research Park Llc