

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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**Mar 07 2025**

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

**SC Court of Appeals**

Mikell R. Scarborough, Master-In-Equity

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Appellate Case No.: 2024-000753

Case No.: 2019-CP-10-1108

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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.

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**RESPONDENT STRONG TOWER CONSTRUCTION, LLC D/B/A KOCH  
CORPORATION'S DESIGNATION OF MATTER TO BE INCLUDED IN THE  
RECORD ON APPEAL**

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Respondent Strong Tower Construction, LLC d/b/a Koch Corporation (“Strong Tower”) responds to the Appellant’s (“BBC”) Designation of Matter and proposes the following be included in the Record on Appeal:

1. Subcontract between BBC and Strong Tower
2. Strong Tower’s lien, recorded in Book 0781, Page 071, including affidavit of account
3. BBC’s first lien, recorded in Book 0774, Page 273, including affidavit of account
4. BBC’s second lien, recorded in Book 0810, Page 324, including affidavit of account
5. Strong Tower’s complaint in 2019-CP-10-2686
6. BBC’s answer in 2019-CP-10-2686
7. BBC’s complaint in 2019-CP-10-1108
8. Order of consolidation of cases
9. Order of reference to Master-In-Equity
10. BBC’s responses to Strong Towers interrogatories, attached to Strong Tower’s first motion for summary judgment
11. Transcript of first deposition of Kim Brown, specifically excerpts of any questions by Strong Tower and answers of the deponent
12. Transcript of first deposition of Jim Clements, specifically excerpts of any questions by Strong Tower and answers of the deponent
13. Strong Tower’s first motion for summary judgment, including all exhibits to that motion
14. BBC’s memorandum in opposition to Strong Tower’s first motion for summary judgment, including all exhibits to that memorandum
15. Full transcript of the first summary judgment hearing, January 6, 2021
16. Form 4 denial of Strong Tower’s first motion for summary judgment

17. Full transcript of status conference, March 19, 2021
18. Transcript of second deposition of Jim Clements, specifically excerpts of any questions by Strong Tower and answers of the deponent
19. Transcript of second deposition of Kim Brown, specifically excerpts of any questions by Strong Tower and answers of the deponent
20. Transcript of deposition of Mark Boe, specifically excerpts of any questions by Strong Tower and answers of the deponent
21. Transcript of deposition of Sam Hadley, specifically excerpts of any questions by Strong Tower and answers of the deponent
22. Strong Tower's second motion for summary judgment, including all exhibits
23. Strong Tower's supplemental memorandum in support of second motion for summary judgment, including all exhibits (transcripts)
24. BBC's memorandum in opposition to Strong Tower's second motion for summary judgment, including all exhibits
25. Full transcript of hearing on Strong Tower's motion for summary judgment, August 16, 2021
26. Order granting Strong Tower's motion for summary judgment
27. Consent order of dismissal between Strong Tower and Library Associates
28. Strong Tower's motion to dismiss and certify summary judgment award as final
29. BBC's motion to reconsider summary judgment order
30. Strong Tower's memorandum in opposition to BBC's motion to reconsider
31. Trial Order

32. Strong Tower's memorandum in support of dismissal and certification of summary judgment award
33. BBC's second memorandum in support of motion to reconsider
34. Order dismissing Strong Tower's remaining claims and certifying summary judgment award as final
35. Form 4 of final judgment in favor of Strong Tower

Pursuant to Rule 209(c), SCACR, Strong Tower, by and through its below counsel, certifies that this Designation contains no matter which is irrelevant to the appeal.

WHITFIELD-CARGILE LAW, PLLC

s/Samuel M. Wheeler

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*Attorney for Respondent Strong Tower Construction,  
LLC d/b/a Koch Corporation*

March 7, 2025  
Brevard, North Carolina