

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas  
Perry H. Gravely, Circuit Court Judge

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2024-CP-23-05956

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Commissioners of Public Works of the City of Greenville, South Carolina, .....Respondent,

v.

United States Pipe and Foundry Company LLC, TEC Utilities Supply Inc.,  
and Hayes Pipe Supply Inc., ..... Defendants,

of which

United States Pipe and Foundry Company LLC, is the ..... Appellant.

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**NOTICE OF APPEAL**

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United States Pipe and Foundry Company LLC (“U.S. Pipe”) appeals the Order filed February 25, 2025 denying U.S. Pipe’s Motion to Dismiss or Stay Pending Arbitration. A copy of the Order is attached to this Notice. U.S. Pipe received written notice of the Order on February 25, 2025.

South Carolina case law provides that “[a]n order denying arbitration is immediately appealable.” *Cape Romain Contractors, Inc. v. Wando E., LLC*, 405 S.C. 115, 121, 747 S.E.2d 461, 464 (2013); *see also Towles v. United HealthCare Corp.*, 338 S.C. 29, 34-35, 524 S.E.2d 839, 842 (Ct. App. 1999) (noting section 16 of the FAA explicitly provides for an appeal from an order denying a motion to compel arbitration and finding that the circuit court’s order refusing to compel

arbitration was immediately appealable); *Coinbase, Inc. v. Bielski*, 599 U.S. 736, 740, 143 S. Ct. 1915, 1919, 216 L.Ed. 2d 671 (2023) (“Congress provided for immediate interlocutory appeals of orders denying—but not of orders granting—motions to compel arbitration.”). Therefore, this appeal is ripe for the Court’s review and consideration.

Date: March 14, 2025  
Greenville, South Carolina

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By: /s/ Beattie B. Ashmore  
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**PROOF OF SERVICE**

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I hereby certify that on the date indicated below, I have caused a copy of United States Pipe and Foundry Company LLC's Notice of Appeal to be served on the below persons, via email.

The Honorable Jenny Abbott Kitchings  
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Dated this 14th day of March 2025

/s/ Beattie B. Ashmore  
Beattie B. Ashmore