

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

104985

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

RECEIVED

Mikell R. Scarborough, Master-In Equity

JUN 16 2025

SC Court of Appeals

Appellate Case No. 2024-000788
Case No.: 2019-CP-10-01108

Balfour Beatty Construction, LLC, Appellant,

v.

Library Associates, LLC; and Metropolitan Life Insurance Company, a New York Corporation, Defendant

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 Library Associates, LLC is the Respondent.

APPELLANT'S MOTION TO BE RELIEVED AS COUNSEL

Counsel for Appellant Balfour Beatty Construction, LLC ("Appellant") respectfully request that Paul N. Nybo be removed as attorney of record pursuant to Rule 11(b), SCRCP, and Rule 240(a), SCACR. Pursuant to Rule 24(b), Appellant has consented to the withdrawal of Mr.

Nybo as counsel of record and received written notice that he is withdrawing as counsel for Appellant in this matter.

The representation of Appellant will remain with James L. Werner, Katon E. Dawson, Jr., Thomas C. Hildebrand, and Robert C. Byrd of Parker Poe Adams & Bernstein LLP.

PARKER POE ADAMS & BERNSTEIN LLP

By: /s/ Paul N. Nybo
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

Thomas C. Hildebrand, Jr. (S.C. Bar No. 2501)
Robert C. Byrd (S.C. Bar No. 1069)
P. Nicholas Nybo (S.C. Bar No. 105825)
850 Morrison Drive, Suite 400
Charleston, SC 29403
(843) 727- 2650 (Office)
tomhildebrand@parkerpoe.com
bobbybyrd@parkerpoe.com
nicknybo@parkerpoe.com

*Attorneys for Appellant, Balfour Beatty
Construction, LLC*

June 13, 2025
Columbia, South Carolina

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Mikell R. Scarborough, Master-In-Equity

RECEIVED

JUN 16 2025

SC Court of Appeals

Appellate Case No. 2024-000788
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 Library Associates, LLC is the Respondent.

PROOF OF SERVICE

The undersigned hereby certifies that on June 13, 2025, 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:

Walter H. Bundy, Jr., Esquire
M. Brent McDonald, Esquire
Bundy McDonald, LLC
1516 Old Trolley Rd 2nd Floor
Summerville, SC 29485-8209
walter@bundymcdonald.com
brent@bundymcdonald.com

and

John P. Linton, Sr.
Mary Kathleen Linton
Duffy & Young, LLC
96 Broad Street
Charleston, SC 29401
jlinton@duffyandyoung.com
mlinton@duffyandyoung.com

Attorneys for Library Associates, LLC

PARKER POE ADAMS & BERNSTEIN LLP

By: /s/ Paul N. Nybo
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
katondawson@parkerpoe.com

Thomas C. Hildebrand, Jr. (S.C. Bar No. 2501)
Robert C. Byrd (S.C. Bar No. 1069)
P. Nicholas Nybo (S.C. Bar No. 105825)
850 Morrison Drive, Suite 400
Charleston, SC 29403
(843) 727- 2650 (Office)
tomhildebrand@parkerpoe.com
bobbybyrd@parkerpoe.com
nicknybo@parkerpoe.com

June 13, 2025
Columbia, South Carolina

*Attorneys for Appellant Balfour Beatty Construction,
LLC*

Heuss, Lauren A.

From: Heuss, Lauren A.
Sent: Friday, June 13, 2025 1:42 PM
To: Court Of Appeals Filings
Cc: walter@bundymcdonald.com; brent@bundymcdonald.com; jlinton@duffyandyoung.com; mlinton@duffyandyoung.com; Dawson, Jr., Katon E.; Werner, James Lynn; Byrd, Robert C.; Hildebrand, Jr., Thomas C.; Nybo, Nick; Becoats, Albertha E.; Gouin, Kelly J.; Conte, Tracy L.
Subject: Balfour Beatty Construction, LLC v. Library Associates, LLC et al: Appellate Case No. 2024-000788
Attachments: Hotel - Motion to Withdraw.pdf; Hotel - Proof of Service.pdf

Mrs. Kitchings,

Good afternoon. Attached for filing regarding Balfour Beatty Construction, LLC v. Library Associates, LLC, et al, Appellate Case No. 2024-000788, please find Appellant's Motion of Withdrawal of Counsel, as well as Proof of Service for same. Copies are being served upon all Counsel of record by copy of this email. The required motion filing fee in the amount of \$50 will be mailed to your office today.

RECEIVED

JUN 16 2025

SC Court of Appeals

RECEIVED

JUN 16 2025

SC Court of Appeals


Parker Poe

CHARLESTON SC 29403

13 JUN 2025 PM 3 L



US POSTAGE™PITNEY BOWES



ZIP 29403 \$ 000.97⁰
02 4W
0000382966 JUN. 13. 2025.

Court of Appeals
Attn: Jenny Abbott Kitchings
1220 Senate St.
Columbia, SC 29201

RECEIVED

JUN 16 2025

SC Court of Appeals

29201-376999

