

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF Pickens
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2021CP3900329

Michael Smith et al
PLAINTIFF(S)

King Asphalt Inc
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

Statement of Judgment on the following page.

ORDER INFORMATION

This order ends does not end the case. See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 02/18/2025 .

Mary Ann Smith for Mary Ann Smith
Mary Ann Smith for Mary Ann Smith
Michael Smith for Michael Smith
Michael Smith for Michael Smith

RECEIVED

JUL 01 2025

SC Court of Appeals

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

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Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

Defendant's Motion for Summary Judgment and Plaintiffs' Opposition and Cross Motion for Summary Judgment were before the Court on January 27, 2025. Michael Smith appeared pro se and Catharine Griffin appeared on behalf of Defendant. No one appeared on behalf of Plaintiff MaryAnn Smith. Defendant's oral motion for the Court to grant its Motion for Summary Judgment and deny Plaintiff's Cross Motion as to Ms. Smith for failure to appear is denied. The Court finds Ms. Smith waived her appearance and chose to rely on her brief. Defendant's Motion for Summary Judgment is granted and Plaintiffs' Opposition and Cross Motion for Summary Judgment is denied. The Court finds that absent expert testimony Plaintiff cannot establish the essential elements of their claims.

Defendant's counsel shall draft a more formal order within twenty (20) days.

IT IS SO ORDERED.



Pickens Common Pleas

Case Caption: Michael Smith , plaintiff, et al VS Themistoklis Economo , defendant,
et al
Case Number: 2021CP3900329
Type: Order/Electronic Form 4

So Ordered

Jessica A. Salvini