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**Dec 15 2025**

**S.C. SUPREME COURT**

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

William H. Seals Jr., Circuit Court Judge

Appellate Case # 2025-002148

Target Motors, LLC d/b/a Port City Motors,

Petitioner,

v.

Grand Strand Nissan, Inc., and Grainger  
Companies, Inc. d/b/a Grainger Honda,

Defendants,

Of which Grand Strand Nissan, Inc., is the

Respondent.

**Reply in Support of Motion to Supplement the Record**

The Return In Opposition To Motion To Supplement The Record erroneously argues that “nothing in Grand Strand’s return to the petition for a writ of certiorari changes the relevance of the materials.” (Ret. to Mot. p. 1). This is not so: The Return to the Petition states that “Grand Strand has not argued that it is entitled to any kind of immunity . . . .” (Ret. to Pet. for Writ of Cert., p. 2). But in reality, Grand Strand has argued that Petitioner may not sue, and has argued that nor can the intermediate purchaser sue it—i.e., that it is immune from suit for its wrongful act. The materials at issue in the present motion show that.

Even worse, after Petitioner’s Reply Brief to the Court of Appeals pointed out that

Grand Strand was telling the circuit court no one may sue it for its wrongful act, while simultaneously telling the Court of Appeals that Grainger, the intermediate purchaser, may sue it, Grand Strand withdrew its motion, taking care to state the withdrawal was “without prejudice”—i.e., it explicitly reserves the right to renew the motion once this appeal ends. Petitioner believes the Court should be aware of Respondent’s machinations.

The Return to the Motion is also wrong in stating on its page two, "Target Motors could have designated these items for inclusion in the record on appeal when filing its reply with the court of appeals, but it failed to do so." Respondent’s withdrawal of its motion “without prejudice” to its ability to renew happened only after Petitioner’s Reply Brief alerted the Court of Appeals to the discrepancy between what it was telling that Court and the circuit court.

The reference to the motion in the Reply Brief before the Court of Appeals to which the current Return refers was only in a footnote, prefaced by “To the extent it may be relevant . . . .” (Am. Reply Br. p. 24 n. 25). It did not seem important enough at the time for a full-fledged Motion to Supplement the Record. It is important enough now, given Respondent’s assertion to this Court that it has not claimed to be entitled to any immunity; its motion to the contrary; and its reserving its right to re-assert the same.

As noted in the motion, Petitioners request that if the motion to supplement is denied, they be allowed to reference Grand Strand’s summary judgment motion against Grainger via the lower court’s online docket, as they did in the Court of Appeals Reply Brief.

The Court should grant the Motion to Supplement.

Respectfully submitted,

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