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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM THE SOUTH CAROLINA PROCUREMENT REVIEW PANEL
Willie D. Franks, Chairman

Appellate Case No. 2026-000914
Panel Case No. 2025-5

Paragon Inc. of South Carolina, LLC d/b/a Paragon Builders, Chief Procurement Officer, State Fiscal Accountability Authority, Appellants/Respondents,

v.

Haren Construction Co., Inc., Respondent

And

South Carolina Department of Natural Resources, Appellant/Respondent.

**RESPONDENT HAREN CONSTRUCTION CO., INC.'S RETURN TO APPELLANT
PARAGON INC. OF SOUTH CAROLINA, LLC D/B/A PARAGON BUILDERS'
MOTION TO STAY AND REQUEST FOR EXPEDITED BRIEFING SCHEDULE**

Respondent Haren Construction Co., Inc. ("**Haren**") respectfully submits this Return to Appellant/Respondent Paragon Inc. of South Carolina, LLC d/b/a Paragon Builders' ("**Paragon**") Motion to Stay and Request for Expedited Briefing Schedule (the "**Motion**").

INTRODUCTION

This appeal arises from a well-reasoned order of the South Carolina Procurement Review Panel (the "**Panel**") reversing the Chief Procurement Officer's ("**CPO**") decision sustaining Paragon's bid protest in connection with a South Carolina Department of Natural Resources ("**DNR**") construction project.

Paragon now moves this Court to stay DNR’s contract award to Haren and further delay what Paragon itself has characterized as a “time-sensitive” public project.¹ In seeking this extraordinary relief, Paragon applies the incorrect legal standard, requests a remedy which is no longer available under the South Carolina Consolidated Procurement Code (the “**Procurement Code**”), and fails to meet its burden under both Rule 241, SCACR, and S.C. Code Ann. § 1-23-380.

This is Paragon’s second attempt to obtain relief that the Panel has already correctly determined is unnecessary to preserve appellate jurisdiction or prevent mootness. South Carolina law permits appellate review even after contract award or performance where the issues are capable of repetition yet evade review or may affect future events. Paragon’s appeal falls squarely within these exceptions because it challenges the Panel’s standard of review and contractor licensure responsibility determinations—issues that are likely to reoccur yet evade review in time-sensitive procurements.

Paragon also mistakenly contends that a stay is necessary to preserve a remedy that is no longer authorized by statute. Because the contract has already been awarded to and executed by Haren, Paragon’s potential relief is limited to the post-award remedies expressly provided by the Procurement Code. A stay cannot preserve a remedy that is unavailable as a matter of law.

Even if the Court were to assess Paragon’s Motion under S.C. Code Ann. § 1-23-380 and S.C. R. Civ. P. 65, Paragon cannot meet its burden. Paragon retains an adequate remedy at law under the Procurement Code, cannot show a likelihood of success on the merits, and cannot establish irreparable harm. The Panel independently interpreted S.C. Code Ann. § 40-11-410, appropriately deferred only to DNR’s technical expertise, and found that Paragon failed to prove that at least 51% of the work fell within its asserted licensing subclassification. Finally, the public

¹ See Ex. 13 to App. Mot. at 1.

interest strongly disfavors a stay. The Project involves sensitive coastal and wetland infrastructure, and the public has a compelling interest in allowing state procurements to proceed without disruption. For all of these reasons, Paragon’s Motion to Stay should be denied.

FACTUAL AND PROCEDURAL BACKGROUND²

On August 12, 2025, the South Carolina Department of Natural Resources (“DNR”) issued an advertisement and solicitation for bids for Project No. P24-6052-PG, the Beaufort-Waddell Mariculture Maturation Ponds Maintenance Project (the “**Project**”). The Project involves renovation of hatchery infrastructure on DNR property, including rehabilitation of rearing ponds, replacement of piping networks, modifications to an existing head tower, upgrades to site electrical systems, and related improvements. The solicitation sought bids from a sole prime contractor but did not specify a required contractor license classification.³

Haren is a construction firm that specializes in engineered water improvement projects, including water and wastewater treatment plants, pumping stations, raw water impoundments, pipeline construction, and other related work.⁴ Haren holds a South Carolina General Contractor–Public Utility license with a Water and Sewer Lines subclassification (“**WL License**”).

² These proffered here are set forth in the Panel’s Order dated March 13, 2026. *See In Re: Haren Construction Co., Inc.*, Panel Case No. 2025-5, 2026 WL 1091940, at *1–2 (S.C. Procure. Rev. Panel Mar. 13, 2026) (Order granting appeal and reversing decision of the CPO).

³ A prime contractor “is an entity which contracts directly with an owner to perform general or mechanical construction.” S.C. Code Ann. § 40-11-20(20). A sole prime contractor is “the prime contractor for a project on which there is only one prime contractor.” S.C. Code Ann. § 40-11-20(24).

⁴ Homepage, HARENCONSTRUCTION.COM, <http://www.harenconstruction.com/> (last visited November 25, 2025).

Paragon markets itself as providing commercial, residential, and multi-family construction services.⁵ Paragon does not hold a WL License but instead possesses a South Carolina Mechanical Contractor’s license with subclassifications in Plumbing (“**PB License**”) and Electrical (“**EL License**”).

DNR received bids from both Haren and Paragon, and Paragon was the apparent low bidder. During its responsibility review, DNR sought guidance from the Contractor’s Licensing Board within the South Carolina Department of Labor, Licensing and Regulation (“**LLR**”) with respect to the required licensure for the Project. The LLR declined to issue a license classification determination and advised that licensing questions should be addressed by the local building official responsible for reviewing the Project plans.

DNR also relied on the engineer of record’s cost opinion and allocation of project costs by license classification contained in the administrative record (the “**Design Cost Estimate**”). In the Design Cost Estimate, the engineer of record determined that eighty percent of the Project fell within the WL License.

On October 17, 2025, DNR notified Paragon that it was determined to be a non-responsible bidder under S.C. Code Ann. § 11-35-1810 because Paragon’s PB License did not authorize it to act as a sole prime contractor for the Project.⁶ On October 20, 2025, DNR posted notice of its intent to award the contract to Haren. Paragon filed a notice of intent to protest on October 27,

⁵ Homepage, PARAGONBUILDERSSC.COM, <https://www.paragonbuildersssc.com/> (last visited November 25, 2025).

⁶ A responsibility determination is a determination that the bidder has the legal and technical ability to perform. *See* S.C. Code Ann. Regs. 19-445.2125(A)(1). “[T]he lack of a proper license to do the work solicited in a state contract will always render a bidder nonresponsible.” *Protest of Roofco, Inc.*, Panel Case No. 2000-14(I). *See also* S.C. Code Ann. § 40-11-200(B).

2025, followed by a formal protest on November 4, 2025, asserting that its PB License authorized it to bid the Project as a sole prime contractor.

On November 19, 2025, the Chief Procurement Officer (“CPO”) sustained Paragon’s protest, finding that the PB License encompassed the work described in the solicitation and permitted Paragon to bid the project as the sole prime contractor. Haren timely appealed, and the parties agreed to resolve the appeal on the written record.

The Panel deliberated on February 25, 2026, and issued its final decision on March 13, 2026, reversing the CPO. In doing so, the Panel independently interpreted S.C. Code Ann. § 40-11-410 and determined that DNR’s responsibility determination was not “clearly erroneous, arbitrary, capricious, or contrary to law” because Paragon failed to prove that at least 51% of the Project fell within the PB subclassification. The Panel specifically noted that Paragon failed to submit any competing engineering estimate or line-item cost analysis demonstrating that the Design Cost Estimate was factually unsupported or artificially structured.

Subsequently, Paragon and the CPO moved for reconsideration, which the Panel denied.⁷ Paragon also moved to stay the matter pending appeal, and that motion was likewise denied. Paragon and the CPO initiated the instant appeal, and DNR cross-appealed.

LEGAL STANDARD

Rule 241, SCACR directs the Court to determine whether a stay is “necessary to preserve jurisdiction of the appeal or to prevent a contested issue from becoming moot.” Rule 241(c)(2), SCACR.

⁷ See *In Re: Haren Construction Co., Inc.*, Panel Case No. 2025-5(II) (S.C. Procure Rev. Panel Apr. 6, 2026) (Order denying motions to reconsider).

Paragon also grounds its request for a stay under S.C. Code Ann. § 1-23-380(B).⁸ S.C. Code Ann. § 1-23-380 provides that, upon the filing of a petition under Rule 65 of the South Carolina Rules of Civil Procedure, the reviewing court may grant a stay upon appropriate terms. S.C. Code Ann. § 1-23-380(2). Paragon, however, without citing any authority applicable to appeals from the Panel, contends that the Panel should apply a generic four-factor test that considers: “(1) the likelihood of success on the merits of the appeal; (2) whether the movant will suffer irreparable harm absent a stay; (3) whether the stay will substantially injure other parties; and (4) where the public interest lies.” App. Mot. at 4–5. While those considerations may appear familiar,⁹ Paragon applies the incorrect standard. Even so, Paragon is not entitled to a stay under either the correct standard or the one it advances.

As the Panel has repeatedly recognized, “[a] request for a stay pursuant to § 1-23-380(c)¹⁰ is the same as a request for a temporary injunction.” *In re Protest of Gregory Electric Co.*, Panel Case No. 1989-17(III), 1990 WL 10008052, at *1 (S.C. Procure. Rev. Panel Jan. 26, 1990) (citing *Parker v. S.C. Dairy Comm’n*, 274 S.C. 209, 262 S.E.2d 38 (1980)). Accordingly, Paragon now bears the burden of making a prima facie showing (1) that it has no adequate remedy at law, (2) that it is likely to succeed on the merits, and (3) that the conduct sought to be restrained will cause irreparable harm. *Id.* (citing *Greenwood Cnty. v. Shay*, 202 S.C. 16, 23 S.E.2d 825 (1943)).

⁸ No such statutory subsection currently exists.

⁹ The factors cited by Paragon have been applied by federal courts in evaluating motions to stay under Fed. R. Civ. P. 62(d). See *George Sink PA Inj. Laws. v. George Sink II L. Firm LLC*, No. 2:19-CV-01206-DCN, 2019 WL 6318778, at *3 (D.S.C. Nov. 26, 2019). Any analysis under these factors likewise does not appear to materially benefit Paragon’s position.

¹⁰ The applicable language is now found in section 1-23-380(2) and expressly references S.C. R. Civ. P. 65.

In administrative cases such as this, it is also appropriate to consider the effect of the requested stay on the public interest. *Id.* (citing *M. Steintal & Co. v. Seaman*s, 455 F.2d 1289, 1303 (D.D.C. 1971)). The burden of establishing entitlement to this extraordinary relief rests squarely with Paragon. *See In re Protest of Royal Bus. Machines*, Panel Case No. 1984-7C(II), 1984 WL 563609, at *2 (S.C. Procure. Rev. Panel Nov. 15, 1984) (citing *Moss v. S.C. State Highway Dep't*, 223 S.C. 282, 75 S.E.2d 462 (1953)). Paragon is not entitled to a stay under the correct standard or the standard applied by Paragon.

ARGUMENT

I. A STAY IS UNNECESSARY TO PRESERVE JURISDICTION OF THE APPEAL OR PREVENT THE CONTESTED ISSUES FROM BECOMING MOOT.

Paragon contends that a stay is necessary because its appeal will become moot once Haren commences performance of the contract. *See* App. Mot. at 5–6. That assertion ignores well-settled South Carolina law recognizing that appellate review may proceed even after contract award or performance where the issues presented are capable of repetition yet evade review. *See Sloan v. Dep't of Transp.*, 379 S.C. 160, 168, 666 S.E.2d 236, 240 (2008). An appeal is likewise not moot where a decision on the merits “may affect future events,” even if no effective relief can be granted in the present case. *Curtis v. State*, 345 S.C. 557, 568, 549 S.E.2d 591, 596 (2001). Even when an issue is otherwise moot, “an appellate court may decide questions of imperative and manifest urgency to establish a rule for future conduct in matters of important public interest.” *Id.*

In the procurement context, South Carolina courts have recognized “a keen public interest in the stewardship of public funds and a strong need to provide guidance for future procurement decisions,” holding that the inability to grant effective relief in a specific case “should not be a barrier” to review of issues of exceptional public interest. *Sloan v. Greenville Cnty.*, 356 S.C. 531, 553, 590 S.E.2d 338, 350 (Ct. App. 2003).

In *Sloan v. Dep't of Transp.*, for example, a taxpayer challenged whether SCDOT properly authorized an emergency procurement for a road project that was completed during the pendency of the litigation. 379 S.C. at 164–66, 666 S.E.2d at 238–39. Despite completion of the project, the Supreme Court rejected SCDOT's mootness argument, explaining that the issue was capable of repetition yet would usually evade review due to the accelerated nature of emergency procurements. *Id.* at 168–69, 666 S.E.2d at 240. The Court further emphasized that a decision on the merits would affect how SCDOT authorizes emergency procurements in the future, warranting appellate review notwithstanding complete performance of the contract. *Id.* Finally, the Court noted that there existed no case law specifically addressing SCDOT's authorization of an emergency procurement, *see id.* at 169, 666 S.E.2d at 240, which parallels a basis of Paragon's Motion, *see App. Mot.* at 8.

The same principles apply here. Paragon's appeal raises issues concerning the standard of review applied by the Panel and responsibility determinations involving contractor licensure under the Procurement Code. *See App. Mot.* at 6–7. These issues are capable of repetition in time-sensitive procurements and, absent review, would evade appellate consideration. As in *Sloan*, the issues raised by Paragon may affect future procurements involving contractor licensing subclassifications. And, as Paragon notes in its Motion, there exists no case law specifically addressing “the application of Title 40 contractor licensing subclassifications to specialized mariculture infrastructure.” *See App. Mot.* at 8. Applying *Sloan* here, the mere commencement of contract performance will not necessarily render Paragon's appeal moot, and a stay is not “necessary” under Rule 241 to preserve the appellate court's jurisdiction.

Paragon further contends that, if it succeeds on appeal, the “only meaningful remedy” would be an award of the contract or a rebid, and that such relief will be unavailable once Haren

commences performance. App. Mot. at 5–6. But the relief Paragon seeks is available *only* prior to contract award. *See* S.C. Code Ann. § 11-35-4310(2). Because the contract has already been awarded to Haren, Paragon’s potential relief is limited to the post-award remedies expressly authorized by statute. *See* S.C. Code Ann. §§ 11-35-4310(3), (4); *In re Appeal by Public Consulting Group, Inc.*, Panel Case No. 2018-2(II), 2018 WL 3917698, at *3 n.1 (S.C. Procure. Rev. Panel June 18, 2018); *Protest of Business Systems of South Carolina, inc.*, Panel Case No. 2002-3, 2002 WL 31955065, at *2 (S.C. Procure. Rev. Panel Apr. 24, 2002) (finding that the CPO exceeded his authority when he rescinded an award to one contractor and re-awarded it to another contractor because the remedy was not one allowed by section 11-35-4310(3)). Paragon cannot justify a stay based on the need to preserve relief that is unavailable to a disappointed bidder under the Procurement Code at this stage of the proceedings.

II. PARAGON FAILED TO CARRY ITS BURDEN IN PROVING IT HAS NO ADEQUATE REMEDY AT LAW.

Because Paragon applies the incorrect legal standard, it fails to address, much less establish, that it lacks an adequate remedy at law. That failure *alone* is fatal to its Motion.

As the Panel has repeatedly recognized, a request for a stay pursuant to S.C. Code Ann. § 1-23-380(2) is “the same as a request for a temporary injunction,” and “injunctive relief is not the appropriate remedy for a disappointed bidder when public interest considerations are present and when a claim for damages is available, even if the bidder is limited to recovery of bid preparation costs.” *In re Protest of Gregory Electric Co.*, 1990 WL 10008052 at *1–2. Here, Paragon plainly has an adequate remedy at law, notwithstanding its failure to request it. S.C. Code Ann. § 11-35-4310(4) expressly authorizes an award of “a reasonable reimbursement amount, including reimbursement of reasonable bid preparation costs” to a bidder who claims it should have been

awarded the contract. *Id.* Because an adequate legal remedy is available, Paragon’s Motion must be denied. *See In re Protest of Gregory Electric Co.*, 1990 WL 10008052 at *2.

III. PARAGON CANNOT DEMONSTRATE A LIKELIHOOD OF SUCCESS ON APPEAL.

Paragon’s appeal raises three “principal questions”: (1) the Panel deferred to DNR’s interpretation of S.C. Code Ann. § 40-11-410(5)(f) (PB License), rather than independently interpreting the statute itself; (2) the Panel improperly deferred to DNR’s interpretation of a statute it does not administer; and (3) DNR’s Design Cost Estimate lacked an independent licensing basis. (Paragon’s Mot. at 6–7.) These arguments merely reprise positions the Panel considered and rejected twice.¹¹

First, the Panel expressly recognized that the subclassifications in § 40-11-410—including the PB License—“describe broad categories of construction work and do not, as applied to this mariculture infrastructure, compel a single classification as a matter of law.” *In Re: Haren Construction Co., Inc.*, 2026 WL 1091940, at *7. The Panel even noted that certain components resemble work typically performed under a PB License. *Id.* And it made clear that its Order “does not determine that WL licensure was the only possible classification for the Project.” *Id.* at *9. In short, the Panel independently interpreted the statute and determined that at most, the PB License could have been a *permissible* classification for some of the Project work, but not a *required* one. That conclusion reflects the Panel’s own statutory interpretation, not deference to DNR.

Second, Paragon improperly conflates interpretation of the licensing statutes and application of those statutes within a responsibility determination. The Panel did *not* afford DNR’s

¹¹ *See In Re: Haren Construction Co., Inc.*, 2026 WL 1091940 (Order granting appeal and reversing decision of the CPO); *In Re: Haren Construction Co., Inc.*, Panel Case No. 2025-5(II) (Order denying motions to reconsider).

interpretation of § 40-11-410 *Chevron* deference; it interpreted and evaluated the statute itself. The Panel properly deferred *only* to DNR’s technical application of how the Project’s complex piping network, integrated pumping components, manholes, and utility structures fit within the license categories. *In Re: Haren Construction Co.*, 2026 WL 1091940 at *7–8. The Panel also noted that the Project’s “core utility” involves the distribution of seawater through these components. *Id.*

The Panel’s deference to DNR’s technical judgment, rather than statutory interpretation, supported DNR’s conclusion that WL licensure permitted Haren to bid and serve as the sole prime contractor. In other words, DNR’s determination that the WL License was *one permissible* classification for the majority of the Project was not “clearly erroneous, arbitrary, capricious, or contrary to law” under S.C. Code Ann. § 11-35-2410(A). That deference is fully consistent with the applicable standard of review and provides no recognized basis to grant Paragon’s Motion.¹²

Third, Paragon’s arguments misstate the Panel’s analysis and ignore the dispositive point: although some components of the Project resemble work typically performed under a PB License, Paragon failed to carry its burden to *prove* that at least 51% of the Project fell within the PB subclassification as required by law. *In Re: Haren Construction Co.*, 2026 WL 1091940 at *8–9. Paragon’s protest asserted alternative percentage allocations without submitting the engineering or technical analysis necessary to substantiate those claims or meet its evidentiary burden. *Id.* at *9. Paragon likewise failed to avail itself of the opportunity to present such evidence at the

¹² See S.C. Code Ann. § 11-35-2410(A); *Appeal by Coastal Rapid Public Transit Authority*, Panel Case 1992-16, 1992 WL 12005286, at *3 (S.C. Procure. Rev. Panel Aug. 10, 1992) (“The Panel will not substitute its judgment for the judgment of the evaluators, who are often experts in their fields[.]”). See also S.C. Code Ann. Regs. 19-445.2125(B) (the procurement officer may rely on “knowledge of personnel within the using or purchasing agency.”); Daniel P. Selmi & Kenneth A. Manaster, *State Environmental Law* § 15:48 (2025-2026 ed.) (“When a court defers to an agency’s technical or scientific knowledge, in reality it is largely deferring to statements of fact and opinions of individuals within the agency.”).

appropriate stage of the proceedings before the Panel. *Id.* To the extent Paragon now attempts to challenge the sufficiency of the Design Cost Estimate, those arguments are unpreserved and untimely.¹³ Because Paragon failed to demonstrate that at least 51% of the Project work fell within the PB subclassification, DNR’s responsibility determination was not “clearly erroneous, arbitrary, capricious, or contrary to law” under S.C. Code Ann. § 11-35-2410(A). Paragon therefore cannot demonstrate a likelihood of success on appeal, and the Motion must be denied.

Finally, Paragon’s circular argument—that the Chief Procurement Officer’s decision to appeal the Panel’s ruling somehow demonstrates Paragon’s likelihood of success on the merits—is fundamentally flawed. *See* App. Mot. at 6. The filing of an appeal, in and of itself, carries no probative weight in assessing the likelihood of success. While Haren respects the CPO’s experience and statutory role under the Procurement Code, Paragon’s logic cuts the other way: the Panel’s decision to reverse the CPO weighs against Paragon’s likelihood of success on the merits.¹⁴

IV. PARAGON CANNOT SHOW THAT IT IS LIKELY TO SUFFER IRREPARABLE HARM.

Because an adequate legal remedy is available under S.C. Code Ann. § 11-35-4310(4), Paragon cannot demonstrate irreparable harm, and its Motion must be denied. *See In re Protest of*

¹³ *See Doe v. Doe*, 370 S.C. 206, 212, 634 S.E.2d 51, 54 (Ct. App. 2006) (issues must be raised to and ruled upon by the lower tribunal to be preserved for appellate review); *In Re: Protest of Logisticare Solutions, LLC*, Panel Case No. 2011-1, 2011 WL 7068066, at *1 (S.C. Procure. Rev. Panel May 11, 2011) (“The Panel has consistently held that the issues to be decided by the CPO and the Panel are established by the protest letter, and that issues raised for the first time in an appeal letter are untimely under the time constraints of S.C. Code Ann. section 11-35-4210.”).

¹⁴ The Panel is expressly vested with authority to review and overturn decisions of the Chief Procurement Officer. *See* S.C. Code Ann. § 11-35-4410. As our Supreme Court has observed, the Panel’s expertise in procurement matters exceeds that of generalist courts. *See Unisys Corp. v. S.C. Budget & Control Bd., Div. of Gen. Servs., Info. Tech. Mgmt. Off.*, 346 S.C. 158, 174, 551 S.E.2d 263, 272 (2001) (“As far as expertise, we question whether a circuit court judge would have any more expertise in the area of procurement contracts.”).

Gregory Electric Co., 1990 WL 10008052 at *2. See also *In Re: Protest By Royal Business Machines*, 1984 WL 563609, at *3 (“Any alleged harm that might be suffered by petitioners if a stay is not granted would be monetary, and is the same as the harm that [Haren] would suffer if a stay were granted.”).

V. THE PUBLIC INTEREST DISFAVORS A STAY.

The Panel has explained that “the public has a strong interest in having procurements of vital goods and services by the State proceed *without* disruption and delay.” See *In re Protest of Gregory Electric Co.*, 1990 WL 10008052 at *2 (emphasis added). “It would be intolerable for any frustrated bidder to render uncertain for a prolonged period of time government contracts which are vital to the functions performed by the sovereign.” *Id.* (quoting *M. Steinthal & Co. v. Seamans*, 455 F.2d 1289, 1303 (D.C. Cir. 1971) (internal quotation marks omitted)).¹⁵

In addition, the Project is directly connected to sensitive saltwater marsh and wetland systems. Research conducted at the WMC is directed toward the culture and practical production of aquatic species of economic importance to the State.¹⁶ Our Supreme Court has likewise described South Carolina’s tidelands as a “precious public resource.” *Kiawah Dev. Partners, II v. S.C. Dep’t of Health & Env’t Control*, 411 S.C. 16, 22, 766 S.E.2d 707, 710 (2014). Ensuring that the Project is performed by a properly qualified and licensed contractor in this sensitive wetlands environment is therefore vitally intertwined with the public interest.

VI. AN EXPEDITED BRIEFING SCHEDULE IS NOT WARRANTED UNDER THE CIRCUMSTANCES.

¹⁵ In the interest of brevity, Haren refers to and incorporates by reference DNR’s arguments regarding the public interest analysis in its Response in Opposition to Paragon’s Motion to Stay at 7–8.

¹⁶ *Located on the Colleton River, Beaufort County, SC*, DNR.SC.Gov, <https://www.dnr.sc.gov/marine/mrri/waddell/index.html> (last visited Jan. 12, 2025).

Although South Carolina courts recognize a public interest in certain procurement matters, this appeal does not present circumstances that ordinarily justify expedited briefing. *See, e.g., Re: Expediting Appeals in Matters Involving Child Custody and Visitation*, S.C. Sup. Ct. Order filed Nov. 17, 2022 (providing for expedited consideration of appeals from termination of parental rights proceedings, adoption proceedings, Department of Social Services actions involving the custody of a minor child, and domestic relations actions involving child custody and visitation); S.C. Code Ann. § 17-27-160 (providing for expedited consideration of applications for post-conviction relief in capital cases); Rule 607(d), SCACR. Accordingly, Haren respectfully submits that expedited briefing is not warranted in this case, nor has Paragon shown that it is necessary.

CONCLUSION

For the foregoing reasons, Haren respectfully submits that Paragon's Motion should be denied and no stay or expedited briefing schedule should be granted.

Respectfully submitted,

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PROOF OF SERVICE

The undersigned hereby certifies that on April 30, 2026, copies of **Respondent Haren Construction Co., Inc's Return to Appellant Paragon Inc. of South Carolina, LLC d/b/a Paragon Builders' Motion to Stay and Request for Expedited Briefing Schedule** were served on all counsel of record via email to counsels' individuals AIS email addresses:

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April 30, 2026