

# The South Carolina Court of Appeals

In Re: Haren Construction Co., Inc.

Project No. P24-6052-PG Beaufort-Waddell Mariculture  
Maturation Ponds Maintenance - Re-Bid

Paragon Inc. of South Carolina, LLC, Chief Procurement  
Officer, State Fiscal Accountability Authority, and South  
Carolina Department of Natural Resources,

of which Paragon Inc. of South Carolina, LLC and Chief  
Procurement Officer, State Fiscal Accountability  
Authority are the Appellants/Respondents, South  
Carolina Department of Natural Resources is the  
Respondent/Appellant, and Haren Construction Co., Inc.  
is the Respondent.

Appellate Case No. 2026-000914

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## ORDER

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On April 9, 2026, Paragon Inc. of South Carolina, LLC (Paragon) filed a notice of appeal involving a bid protest stemming from the South Carolina Department of Natural Resources' (SCDNR's) solicitation and intent to award construction services to Haren Construction Company (Haren) to renovate the Waddell Mariculture facility in Beaufort County. On April 13, 2026, the chief procurement officer (CPO) filed a notice of appeal joining Paragon's appeal, and on April 21, 2026, SCDNR filed a notice of cross-appeal. On April 22, 2026, Paragon filed a motion to stay the orders on appeal, pending resolution of this appeal, and requested an expedited briefing schedule. On April 27, 2026, and April 30, 2026, SCDNR and Haren filed returns in opposition, and on May 5, 2026, Paragon filed a reply. Haren's return to the motion to stay argued "the contract has already been awarded to Haren." On April 27, 2026, SCDNR filed a motion to dismiss, and on May 5, 2026, Haren filed a motion to strike Exhibit 2 from Paragon's reply to the motion to stay. On May 7, 2026, Paragon filed a motion for "enlargement of time"

to file a return to the motions to dismiss and strike and preemptively filed its returns to the motions. On May 7, 2026, this court granted a temporary stay and requested memorandums informing this court if SCDNR had indeed awarded the contract to Haren. On May 14, 2026, and May 15, 2026, SCDNR and Haren filed memorandums in response to the May 7, 2026 order. The memorandums and supporting documentation evidence that SCDNR sent Haren contract documents on April 22, 2026, following Paragon filing its motion to stay, and that the contract was entered into as of May 22, 2026.

After careful consideration, we deny SCDNR's motion to dismiss and Haren's motion to strike; accept Paragon's return to the motions to dismiss and strike as filed; and grant Paragon's motion to stay and for an expedited briefing schedule. Nothing in this order precludes the parties from briefing the arguments raised in the motions in their respective briefs. Indeed, the parties shall further brief the "award" arguments raised in the memorandums submitted in response to the May 7, 2026 order and the resultant remedies available under the South Carolina Procurement Code.

The expedited briefing schedule is as follows. First, as to Paragon's appeal that CPO joined, Paragon's and CPO's initial briefs and designations of matter must be served and filed no later than June 19, 2026. SCDNR's and Haren's initial briefs and designations of matter must be served and filed no later than July 20, 2026. Paragon's and CPO's initial reply briefs must be served and filed no later than July 30, 2026. Paragon and CPO shall serve and file a joint record on appeal no later than August 31, 2026. Paragon, CPO, SCDNR, and Haren shall serve and file their final briefs no later than September 21, 2026. Second, as to SCDNR's cross-appeal, SCDNR's initial brief and designation of matter must be served and filed no later than June 19, 2026. Paragon's and CPO's initial briefs and designations of matter must be served and filed no later than July 20, 2026. SCDNR's initial reply brief must be served and filed no later than July 30, 2026. SCDNR shall serve and file a record on appeal no later than August 31, 2026. SCDNR, Paragon, and CPO shall serve and file their final briefs no later than September 21, 2026.

  
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FOR THE COURT CJ

**FILED**  
**May 20 2026**

Columbia, South Carolina

cc:

James Mixon Griffin, Esquire

Manton M. Grier, Jr., Esquire

Evander Whitehead, Esquire

Susan Olmert Porter, Esquire

Dennis Gregory Placone, Esquire

Paul Nicholas Nybo, Esquire