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May 21, 2026

VIA E-MAIL:

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201
ctappfilings@sccourts.org

RECEIVED
May 21 2026
SC Court of Appeals

Re: *Balfour Beatty Construction, LLC v. Library Associates, LLC, et al.*
Appellate Case No.: 2024-000788

Dear Mrs. Kitchings,

Please accept this letter on behalf of Appellant Balfour Beatty Construction, LLC regarding the Court's Third Amended Order, filed May 19, 2026. Specifically, Appellant respectfully requests the Court clarify the remaining schedule in this appeal.

On April 29, 2026, the Court entered an Order instructing Appellant to prepare an amended record on appeal consisting of the following: "(1) the documents in Appellant's amended designation of matter and (2) materials cited in Respondent's final brief." The April 29 Order also: (1) directed Respondent Library Associates, LLC to notify Appellant of the pinpoint citations by May 4, 2026; (2) instructed Appellant to prepare and serve Respondent with an Amended Record on Appeal by May 22, 2026; and (3) ordered the parties to file the Amended Record on Appeal and their Final Briefs by June 11, 2026.

Thereafter, Respondent requested several extensions of time to comply with the Court's April 29 Order. On May 12, 2026, the Court entered an order extending the time for Respondent to comply with the April 29 Order, and instructed the Appellant to prepare and serve the Amended Record on Appeal on Respondent by June 1, 2026, and file the Amended Record on Appeal and Final Briefs with the Court by June 22, 2026. However, on May 19, 2026, the Court issued a third order extending the time for Respondent to comply with the April 29 Order until June 4, 2026. Since, the Court's May 19 Order does not address the Appellant's deadlines for preparing and serving the Amended Record on Appeal and for filing the Amended Record on Appeal and Final Briefs. Following the extensions of Respondent's deadlines, Appellant respectfully requests the Court specify the deadlines for Appellant to prepare and serve

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Respondent with an Amended Record on Appeal and the deadline for the parties to file their Final Briefs and the Amended Record on Appeal.

By copy of this correspondence via email, we are providing all counsel of record with a copy of this correspondence.

Should you have any questions or need anything further, please do not hesitate to contact me.

Sincerely,

s/Katon E. Dawson, Jr.

Katon E. Dawson, Jr.

KED/tlc

cc: Respondent's Counsel of Record (via email only)