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**May 27 2026**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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

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

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In Re: Haren Construction, Co., Inc.

Project No. P24-6052-PG Beaufort-Waddel 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.

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**SCDNR MOTION TO SUPPLEMENT THE RECORD<sup>1</sup>**

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The South Carolina Department of Natural Resources (“SCDNR” or “Department”) submits this Motion to Supplement the Record in the above-captioned matter pursuant to Rules 209, 210, 212, and 240, SCACR.

Although this matter comes to the Court in the posture of an appeal from an administrative tribunal, the South Carolina Procurement Review Panel (“Panel”), this Court has previously invited, accepted, and considered “documentation and support evidencing the contract award” that

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<sup>1</sup> The Department does not intend this motion to be construed as a waiver or abandonment of the Department’s jurisdictional challenges reserved for argument before the Court.

was not contained in the administrative record before the Panel. *See* May 7, 2026 Order. Similarly, the Court’s May 20, 2026 Order provides in part:

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.

Therefore, for the sake of clarity, the Department requests an order confirming that the exhibits previously submitted by the Department and Haren Construction Co., Inc. to the Court with their respective memoranda may be designated and included as part of the record on appeal as if originally included in the administrative record. Thus, they may be specified in the designations due on June 19, 2026 and included in the record(s) on appeal to be submitted on August 31, 2026, *i.e.* -no supplemental / appendix record shall be required.

The Department consulted with counsel for all parties and requested consent to this motion. Haren has consented. With the exception of the Affidavit of Jeff Boyer, the Chief Procurement Officer and Paragon Inc. of South Carolina, LLC have “no objection to including in the record the other exhibits cited by Haren and DNR and the memoranda.”

Notwithstanding the partial consent of CPO and Paragon, the Department respectfully requests an order allowing the parties to designate the memoranda exhibits, including the Affidavit of Jeff Boyer, as part of the record as outlined above.

*[Signature Page Follows]*

Respectfully submitted,  
*s/ Van Whitehead* \_\_\_\_\_

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Natural Resources

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(SCDNR 25-0060)

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PROOF OF SERVICE

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I certify that I have served the SCDNR's **Motion to Supplement the Record** upon counsel for all parties and the South Carolina Procurement Review Panel in the above captioned matter by sending a copy by email to each attorney listed below on May 27, 2026.

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