

RECEIVED

Aug 14 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

The Honorable William W. Wheeler, III, Circuit Court Judge

Appellate Case No. 2026-001127

Lower Court Case No. 2020-CP-40-03915

ATC Site Construction, LLC, Respondent,

v.

NKD, Inc., Appellant,

DESIGNATION OF MATTER BY RESPONDENT

McANGUS, GOUDELOCK & COURIE,
LLC

George C. James, III
1320 Main Street, 10th Floor
Columbia, South Carolina 29201
Telephone: (803) 779-2300
george.james@mgclaw.com

Jeffrey Kuykendal
Post Office Box 30307
6302 Fairview Road, Suite 700
Charlotte, North Carolina 28226
Telephone: (704) 643-6303
jeffrey.kuykendal@mgclaw.com

THE JETER LAW FIRM, LLC
Russell Jeter
1531 Blanding Street
Columbia, South Carolina 29201
Telephone: (803) 765-0600
rj@jeterlawsc.com

HULL BARRETT, PC
Robert L. Buchanan, Jr.
111 Park Avenue, SW
Aiken, South Carolina 29801
Telephone: (803) 648-4213
rlbuchananjr@hullbarrett.com

Attorneys for Respondent

Respondent, ATC Site Construction, LLC (“Respondent”) proposes the following be included in the Record on Appeal:

Orders and Judgments

1. Consent Order to Stay Pending Arbitration filed July 10, 2024.
2. Form 4 Order filed April 8, 2026
3. Order Granting Motion to Confirm Award, and Denying Motion to Vacate, Modify in Part and Confirm in Part filed April 22, 2026.

Pleadings

4. Summons and Complaint (with exhibit) filed August 18, 2020.
5. NKD, Inc.’s Fourth Amended Answer, Counterclaims, and Cross Claims filed July 3, 2023.
6. Interim Award dated January 21, 2025.
7. NKD, Inc.’s Motion to Correct Interim Award dated February 11, 2025.
8. ATC Site Construction, LLC’s Petition for Award of Attorney Fees dated February 28, 2025.
9. Affidavit of Russell Jeter (with exhibit) dated February 28, 2025.
10. Affidavit of Robert L. Buchanan, Jr. dated February 28, 2025.
11. NKD, Inc.’s Petition for Attorney’s Fees and Expenses dated February 28, 2025.
12. Final Award dated April 9, 2025
13. NKD, Inc.’s Motion to Vacate, in part, Modify, in part, and Confirm, in part the Arbitration Award filed May 13, 2025.
14. ATC Site Construction, LLC’s Motion to Confirm the Final Award of the Arbitration Panel Dated April 9, 2025 filed June 16, 2025.

August 14, 2026

Respectfully submitted,

McANGUS, GOUDELOCK & COURIE, LLC

s/Jeffrey Kuykendal

Jeffrey Kuykendal (SC Bar No. 107154)

Post Office Box 30307

6302 Fairview Road, Suite 700

Charlotte, North Carolina 28226

Telephone: (704) 643-6303

jeffrey.kuykendal@mgclaw.com

George C. James, III (SC Bar No. 102745)

1320 Main Street, 10th Floor

Columbia, South Carolina 29201

Telephone: (803) 779-2300

george.james@mgclaw.com

THE JETER LAW FIRM, LLC

s/Russell Jeter

Russell Jeter (SC Bar No. 2997)

Post Office Box 7425

Columbia, South Carolina 29202

1531 Blanding Street

Columbia, South Carolina 29201

Telephone: (803) 765-0600

rj@jeterlawsc.com

HULL BARRETT, PC

s/Robert L. Buchanan, Jr.

Robert L. Buchanan, Jr. (SC Bar No. 992)

Post Office Box 517 (29802)

111 Park Avenue, SW

Aiken, South Carolina 29801

Telephone: (803) 648-4213

rlbuchananjr@hullbarrett.com

Attorneys for Respondent