

**RECEIVED**

**Sep 23 2026**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas for the Fifth Judicial Circuit

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

---

Appellate Case No.: 2026-001127  
Trial Court Case No.: 2020-CP-40-03915

---

ATC Site Construction, LLC,

Respondent,

v.

NKD, Inc.,

Appellant.

---

**PROOF OF SERVICE**

---

I certify that I have served the Record on Appeal on Respondent ATC Site Construction, LLC by serving a copy on Respondent's counsel by electronic mail using the primary e-mail addresses listed in the Attorney Information System (AIS) in accordance with the Supreme Court's April 24, 2024 Amended Order, and the South Carolina Rules of Appellate Procedure as follows:

George C. James, III, Esq. (S.C. Bar No. 102745)  
[george.james@mgclaw.com](mailto:george.james@mgclaw.com)  
MCANGUS GOUDELOCK & COURIE, LLC  
1320 Main Street, 10<sup>th</sup> Floor  
Columbia, South Carolina 29201

*and*

Jeffrey Kuykendal, Esq. (S.C. Bar No. 107154)  
[jeffrey.kuykendal@mgclaw.com](mailto:jeffrey.kuykendal@mgclaw.com)  
MCANGUS GOUDELOCK & COURIE, LLC  
6302 Fairview Road, Suite 700  
Charlotte, North Carolina 28226

*and*

Robert L. Buchanan, Jr., Esq. (S.C. Bar No. 992)  
[rlbuchananjr@hullbarrett.com](mailto:rlbuchananjr@hullbarrett.com)  
HULL BARRETT, PC  
Post Office Box 517  
Aiken, South Carolina 29802

*and*

E. Russell Jeter, Esq. (S.C. Bar No. 2997)  
[rj@jeterlawsc.com](mailto:rj@jeterlawsc.com)  
THE JETER LAW FIRM, LLC  
1531 Blanding Street  
Columbia, South Carolina 29201

*Attorneys for Respondent ATC Site Construction, LLC*

Respectfully submitted,

By: s/Ellis R. Lesemann  
Ellis R. Lesemann, Esq. (S.C. Bar No. 15315)  
[erl@lalawsc.com](mailto:erl@lalawsc.com)  
Michelle A. Stewart, Esq. (S.C. Bar No. 100685)  
[mas@lalawsc.com](mailto:mas@lalawsc.com)  
LESEMAN & ASSOCIATES LLC  
418 King Street, Suite 301  
Charleston, SC 29403  
Phone: (843) 724-5155

*Attorneys for Appellant*

September 23, 2026  
Charleston, South Carolina