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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 hereby certify that I have served a true and correct copy of Appellant NKD, Inc.'s Final Brief and Final Reply Brief on Respondent ATC Site Construction, LLC by serving 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:

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Respectfully submitted,

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October 13, 2026
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October 13, 2026

VIA HAND-DELIVERY/OVERNIGHT DELIVERY

Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Re: *ATC Site Construction, LLC, Respondent v. NKD, Inc., Appellant*
Appellate Case No. 2026-001127

Dear Ms. Kitchings:

Pursuant to the Court's letter dated August 19, 2026, and Rule 267, SCACR, Appellant NKD, Inc. ("Appellant") respectfully submits one (1) bound paper copy of each of the following: (i) Record on Appeal; (ii) Final Brief of Appellant; and (iii) Final Reply Brief of Appellant.

These bound copies are filed contemporaneously with Appellant's Final Briefs and Record on Appeal, which were filed electronically with the Court on October 13, 2026, and served on all counsel of record.

Should you have any questions or concerns, please do not hesitate to contact me.

Respectfully,

s/ Ellis R. Lesemann

Ellis R. Lesemann

ERL/krs
Enclosures

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