

The Supreme Court of South Carolina

Behrooz Taghivand, Plaintiff,

v.

Rite Aid Corporation, Eckerd Corporation d/b/a Rite Aid,
Steve Smith, Defendants.

Appellate Case No. 2014-000073

ORDER

Pursuant to Rule 244, SCACR, the Court will answer the following question certified to this Court by order of the Honorable Richard Mark Gergel, United States District Court for the District of South Carolina, Charleston Division:

Under the public policy exception to the at-will employment doctrine in South Carolina, does an at-will employee have a cause of action in tort for wrongful termination where (1) the employee, a store manager, reasonably suspects that criminal activity, specifically, shoplifting, has occurred on the employer's premises, (2) the employee, acting in good faith, reports the suspected criminal activity to law enforcement, and (3) the employee is terminated in retaliation for reporting the suspected criminal activity to law enforcement?

The parties shall proceed to serve and file briefs as provided by Rule 244(d), SCACR.


FOR THE COURT

C.J.

Columbia, South Carolina

February 21, 2014

cc:

The Honorable Richard Mark Gergel

The Honorable Sandra Shealy

Allan R. Holmes, Esquire

Timothy O'Neill Lewis, Esquire

Benjamin Philip Glass, Esquire

Lucille Lattimore Nelson, Esquire