

The Supreme Court of South Carolina

Select Sentry Insurance Co., Plaintiff,

v.

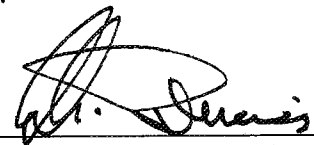
Maybank Law Firm, LLC, and
Roy P. Maybank, Defendants.

ORDER

Pursuant to Rule 244, SCACR, the Court will answer the following questions certified to this Court by order of the Honorable J. Michelle Childs, United States District Judge for the District of South Carolina, Orangeburg Division:

1. May an insurer maintain a direct malpractice action against counsel hired to represent its insured where the insurance company has a duty to defend?
2. May a legal malpractice claim be assigned to a third party who is responsible for payment of legal fees and any judgments incurred as a result of the litigation in which the alleged malpractice arose?

The parties shall proceed to serve and file briefs as provided by Rule 244(e), SCACR. Rule 244 does not provide for the filing of initial briefs; therefore, only final briefs should be filed in this matter.



C. J.

FOR THE COURT

Columbia, South Carolina
August 19, 2016

cc:

Daryl G. Hawkins, Esquire

David W. Overstreet, Esquire

Steven Raymond Kropski, Esquire

The Honorable J. Michelle Childs

US District Court Clerk in Greenville