

The Supreme Court of South Carolina

Wilmot Shaw, Plaintiff,

v.

Psychemedics Corporation, Defendant.

Appellate Case No. 2017-002538

ORDER

Pursuant to Rule 244 of the South Carolina Appellate Court Rules (SCACR), the Court will answer the following question certified to this Court by order of the Honorable Timothy M. Cain, United States District Court Judge for the District of South Carolina:

Under South Carolina law, does a drug testing laboratory that has a contract with an employer to conduct and evaluate drug tests owe a duty of care to the employees who are subject to the testing so as to give rise to a cause of action for negligence for failure to properly and accurately perform the test and report the results?

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



FOR THE COURT

C.J.

Columbia, South Carolina

January 16, 2018

cc:

Aaron Vernon Wallace, Esquire

Donald Gist, Esquire

Matthew Kinard Johnson, Esquire

Steven Michael Nail, Esquire

Michael Clarkson, Esquire

Kay McAlister