

1997-16C(III)

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

IN THE COURT OF COMMON PLEAS

Haas Construction Company, Inc. )  
Clontz-Garrison Mechanical, Inc., )  
and Utilities Construction Company, )  
Inc., )

Civil Action No.. 98-CP-40-2380

Appellants and Plaintiffs, )

vs. )

South Carolina State University, )

Respondent and Defendant, )

and )

The South Carolina Procurement )  
Preview Panel, )

Respondent. )

ORDER DISMISSING  
THIRD-PARTY DEFENDANT  
INTERNATIONAL FIDELITY  
INSURANCE COMPANY

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BARBARA A. SCOTT  
C.C.C. & G.S.

FILED

South Carolina State University, )

Third-Party Plaintiff, )

vs. )

International Fidelity Insurance )  
Company, )

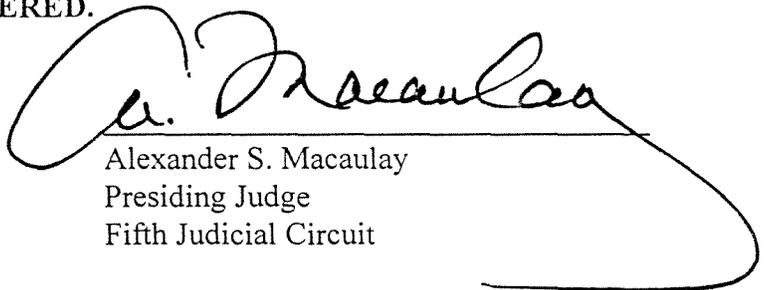
Third-Party Defendant. )

This matter comes before the Court upon the Motion to Dismiss of third-party defendant, International Fidelity Insurance Company ("International") for, among other things, lack of subject matter jurisdiction. This Motion was argued before the Court on

1.62  
[Signature]

February 26, 2001. This matter is a judicial review of the South Carolina Procurement Review Panel ("Panel") under the South Carolina Administrative Procedures Act, in other words an administrative appeal from the Panel. South Carolina State University's ("SCSU") attempt, therefore, to bring an original third-party action, the merits of which were not addressed by the Panel, as part of this administrative appeal is improper. While the Court recognizes the limited appearance made by International before the Panel previously, the Panel did not pass on the merits of SCSU's claim against International below. The Court, having reviewed the Motion and the applicable law, and having heard oral argument finds that it lacks subject matter jurisdiction over the Third Party Defendant. The Third-Party Complaint against International Fidelity Insurance Company is dismissed.

AND IT IS SO ORDERED.



Alexander S. Macaulay  
Presiding Judge  
Fifth Judicial Circuit

Columbia, South Carolina  
*A.S.M.*  
March 2, 2001