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deputy
Murphy
6/23/06

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON
IN THE COURT ON COMMON PLEAS

JUDGEMENT IN A CIVIL CASE

CASE NO.: 2005-CP-10-359

BEE'S FERRY LANDING, LLC, ROBERT L. SCROGGS, JR., BSEM, LLC
Plaintiff

versus

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
Defendant

FILED
2006 JUN 26 AM 9:17
JULIE J. ARMSTRONG
CLERK OF COURT
BY [Signature]

CHECK ONE :

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and the verdict has been rendered.
- DECISION BY COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK ONE):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Voluntary nonsuit),
 Rule 43(k), SCRPC (Settled); Other - _____
- ACTION STRICKEN (CHECK ONE):** Rule 40(j), SCRPC; Bankruptcy; Other- _____

IT IS ORDERED AND ADJUDGED: See attached order; Statement of Judgment by Court; Jury Verdict for the Plaintiff's Bees Ferry Landing, LLC and Robert L. Scroggs, Jr., against the South Carolina Department of Transportation under the following causes of action: Inverse Condemnation in the amount of \$2,700,000.00 Actual Damages. Substantive Due Process in the amount of \$2,700,000.00 actual damages. Equal Protection in the amount of \$2,700,000.00 Actual Damages. Jury Verdict for the Plaintiff BSEM, LLC against the South Carolina Department of Transportation in the amount \$1,500,000.00 actual damages. Defendant's Post-Trial motions were made and denied. Plaintiff's elected remedy of inverse condemnation. Both Plaintiff's given 30 days to submit affidavit in support of award of attorney fees. Defendant to respond within 10 days of receipt.

Dated at Charleston, South Carolina, 6/23/2006

[Signature]

Judge Signature
6 12 2006

Judge Code

This judgment was entered on the ___ Day of _____, 200___, and a copy mailed first class this ___ Day of _____, 200___, to attorneys of record or to parties (when appearing pro-se) as follows:

JUSTIN LUCEY
Attorney(s) for Plaintiff(s)

CHRISTOPHER MURPHY
Attorney(s) for Defendant(s)

SCRPC Form 4 (rev 2/96)

Clerk of Court

SCRPC Form 4(Rev. 2/96)

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

IN THE COURT OF COMMON PLEAS
CASE NO: 2005-CP-10-0359

Bees Ferry Landing, LLC, Robert L. Scroggs, Jr., and BSEM, LLC,)

Plaintiffs,)

vs.)

South Carolina Department of Transportation,)

Defendant.)

VERDICT

We, the Jury, find for the Plaintiffs Bees Ferry Landing, LLC, and Robert L. Scroggs, Jr., against the South Carolina Department of Transportation under the following causes of action:

Inverse Condemnation, in the amount of 2,700,000.00 actual damages. (Do not include any damages for shopping center that are included in an award to BSEM, if any.)

Substantive Due Process, in the amount of 2,700,000.00 actual damages. (Do not include any damages for shopping center that are included in an award to BSEM, if any.)

Equal Protection, in the amount of 2,700,000.00 actual damages. (Do not include any damages for shopping center that are included in an award to BSEM, if any.)

Walter B. Darnell 6-23-06
FOREPERSON/DATE

- We the Jury find for the Defendant South Carolina Department of Transportation.

FOREPERSON/DATE

- We, the Jury, find for the Plaintiff BSEM, LLC, against the South Carolina Department of Transportation for Inverse Condemnation, in the amount of \$1,500,000.00 actual damages.

Walter B. Davis Jr. 6-23-06
FOREPERSON/DATE

- We the Jury find for the Defendant South Carolina Department of Transportation.

FOREPERSON/DATE