

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
)
In Re: Contract Controversy – Agriculture)
Biotechnology/Molecular Biology)
Complex,)
)
Ellis-Don Construction, Inc. vs.)
Clemson University)

**BEFORE THE SOUTH CAROLINA
PROCUREMENT REVIEW PANEL**

CASE NO. 2005-2

**ORDER DENYING
REQUEST TO REVIEW ORDER**

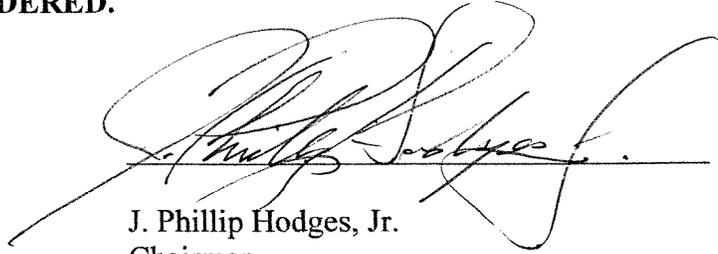
By Order of March 22, 2005, I, as chairman of the South Carolina Procurement Review Panel, appointed Mark W. Bakker, Esquire, as the hearing officer to conduct the administrative review of the referenced case. Mr. Bakker has been authorized to seek and engage in prehearing matters as he deems necessary prior to the hearing of the case. Consistent with this order, Mr. Bakker issued an order on June 25, 2005, after hearing a Motion to Limit Issues on Appeal.

Counsel to the Panel has shared a request with me from Ellis-Don Construction Inc. and Clemson University filed on July 14, 2005, in which they seek a decision from the Panel. The request seeks to have the Panel either adopt the hearing officer's June 25th order or convert it into an order of the Panel.

The Panel elects not to decide interlocutory matters in cases in which a hearing officer has been appointed. Pursuant to S.C. Code Ann. Section 11-35-4410 (5), the Panel will issue its final determination on the case after the hearing officer has conducted the administrative review and made his recommendations to the Panel.

THEREFORE, THE REQUEST IS DENIED.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "J. Phillip Hodges, Jr.", is written over a horizontal line. The signature is stylized and cursive.

J. Phillip Hodges, Jr.
Chairman
South Carolina Procurement Review Panel

This 21ST day of July, 2005