

SOUTH CAROLINA PROCUREMENT REVIEW PANEL

In re: Contract Controversy – Agricultural
Biotechnology/Molecular Biology Complex

EllisDon Construction, Inc.

v.

Clemson University

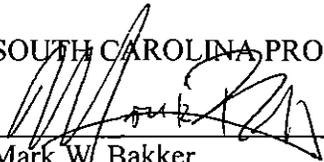
Case No. 2005-2

**ORDER STAYING
ADMINISTRATIVE PROCEEDINGS**

EllisDon Construction, Inc. (“EllisDon”), with the consent of Clemson University (“Clemson”), comes before the South Carolina Procurement Review Panel (the “Panel”) requesting a Supplemental Order And Stipulation As To Finality Of Decision Of Hearing Officer. EllisDon, with Clemson’s consent,¹ has announced its intention to file an interlocutory appeal of the June 25, 2005 Order issued by the undersigned Hearing Officer.² EllisDon and Clemson also seek a Stay of the June 25, 2005 Conference and Scheduling Order. The undersigned Hearing Officer hereby denies the request for the stipulation.³ However, the deadlines in the June 25, 2005 Conference and Scheduling Order shall be stayed so that the parties can file their intended appeal.⁴

IT IS SO ORDERED.

SOUTH CAROLINA PROCUREMENT REVIEW PANEL



Mark W. Bakker
Hearing Officer

Greenville, SC
July 22, 2005

¹ The Chief Procurement Officer did not consent to the filing of the appeal or the request for a full Panel review.

² In this Order, and by granting the stay, the Hearing Officer makes no finding that the June 25, 2005 Order is or is not immediately appealable to the South Carolina Circuit Court, pursuant to S.C. Code Ann. § 1-23-380 *et seq.* of the Administrative Procedures Act.

³ Relying on the earlier appointment dated March 22, 2005, the full Panel has elected not to hear interlocutory appeals of prehearing motions in this matter or convert the June 25 Order into a full Panel Order.

⁴ The parties reserve the right to move to, and the Hearing Officer may *sua sponte*, lift the stay at any time. The parties are requested to apprise the Hearing Officer of the status of any appeals and decisions regarding the appeal when they occur and/or on a monthly basis.