

THE STATE OF SOUTH CAROLINA
In The Supreme Court

Edward D. Sloan, Jr.,
individually and as a Citizen,
Resident, Taxpayer, and
Registered Elector of the State of
South Carolina, and on behalf of
all others similarly situated, Petitioner,

v.

The Department of
Transportation, an Agency of
South Carolina, and the
Commission of the Department
of Transportation, Robert W.
Harrell, John N. Hardee, Eugene
Stoddard, F. Hugh Atkins, B.
Bayles Mack, L. Morgan Martin,
and J. M. Truluck, in their
capacities as Commissioners
thereof, Respondents.

ON WRIT OF CERTIORARI TO THE COURT OF APPEALS

Appeal From Richland County
G. Thomas Cooper, Jr., Circuit Court Judge

Opinion No. 26014

Washington Group International,
Inc., an Ohio Corporation,
successor to Raytheon Engineers
& Constructors, Inc., and
Zimmer/Raytheon Consortium
are the Appellants,

and

Wellman, Inc., a Delaware
Corporation, and Zimmer A.G., a
Division of MG Technologies, a
German Corporation,
Individually are the Respondents.

Appeal From Florence County
James E. Brogdon, Jr., Circuit Court Judge

Opinion No. 4018
Heard May 11, 2005 – Filed July 25, 2005

AFFIRMED IN PART, REVERSED IN PART, AND REMANDED

Henry P. Wall and Wesley D. Peel, both of
Columbia, for Appellants.

Alan M. Warshauer, of New York; Elizabeth Van
Doren Gray, A. Jackson Barnes, and J. Calhoun, all
of Columbia; Mark W. Buyck, Jr. and Marian H. Lee,

