

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Perrin Babb, Debbie Babb, Wayne)
Elstrom, Sarah Elstrom, Alan Jackson,)
and Kathy Jackson,)
)
Plaintiffs,)
)
vs.)
)
Lee County Landfill SC, LLC,)
)
Defendant.)
_____)

C/A No.: 3:10-cv-01724-JFA

ORDER


JUDGE JOSEPH F. ANDERSON, JR.

This court hereby directs the parties in this case to prepare and submit briefs on the issue of what damages are available to the plaintiffs as a result of the jury verdict based on nuisance. Specifically, the court is interested in whether nuisance damages should be limited to the rental values of the plaintiffs' properties. The court is aware that the parties have addressed this issue in previous submissions to this court, but the court asks that the parties now provide specific language from South Carolina cases indicating whether South Carolina courts have allowed plaintiffs to recover damages beyond rental value in nuisance cases.

The parties are directed to submit the briefs on the issue of nuisance damages by July 3, 2012.

IT IS SO ORDERED.

June 12, 2012
Columbia, South Carolina


Joseph F. Anderson, Jr.
United States District Judge