

Bond Case Briefs

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CONTRACTS - SOUTH CAROLINA

Stevens and Wilkinson of South Carolina, Inc. v. City of Columbia

Supreme Court of South Carolina - August 20, 2014 - S.E.2d - 2014 WL 4087936

Architectural firm and two developers sued city after city abandoned its plan under a memorandum of understanding into which the parties had entered to develop a publicly funded hotel, asserting claims for breach of contract, quantum meruit, and estoppel. The Circuit Court granted summary judgment in favor of city on all claims. Firm and developers appealed. The Supreme Court granted certiorari.

The Supreme Court of South Carolina held that:

- Where the language of a purported contract clearly expresses the intent to be non-binding, the analysis is limited to the four corners of the document;
- Memorandum of understanding was not a binding contract;
- Developers did not provide more than a mere scintilla of evidence that city retained a benefit from their work, such that city was entitled to summary judgment on a quantum meruit claim; and
- Any enrichment by the city from developers' work was not unjust.