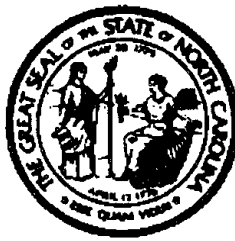


Michael F. Easley, Governor  
Pamela T. Young, Chair



Bernadine S. Ballance, Commissioner  
Buck Lattimore, Commissioner  
Danny L. McDonald, Commissioner  
Laura K. Mavretic, Commissioner  
Christopher Scott, Commissioner  
Dianne C. Sellers, Commissioner

## North Carolina Industrial Commission

### IMPORTANT NOTICE TO ALL PARTIES

Your attention is directed to the Rules of the Industrial Commission as they apply to hearings before the Full Commission. All briefs or motions to the Commission should be submitted in triplicate.

**For cases set on the attached calendar before the Full Commission on January 10, 15, and 23, 2008, all motions, requests for continuances, and telephone inquiries should be directed to the attention of David Stahl, Agency Legal Specialist to Commissioner Christopher Scott Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Mr. Stahl is (919) 807-2514. The appropriate contact person varies with each calendar and will be identified as above.**

Requests for continuances must be submitted at least two weeks prior to the date of hearing or oral argument may be waived in lieu of continuances for the requesting parties. Unexpected emergencies will be the exception. **In the event a case is continued, the case will be heard before the same panel at a later date.**

ALL BRIEFS AND FORMS 44 should be directed to the attention of Linda Langdon, Docket Director. Stipulations for first extensions of time to file Forms 44 or briefs may be submitted in writing and also directed to the attention of the Docket Director. If both parties agree to the extension of time, there will be no need to submit a formal Order to the Commission; however, please inform the Commission, in writing, as to the extension of time agreed between the parties. A party represented by counsel who fails to timely file a brief may not be allowed oral argument before the Full Commission.

The attached cases are scheduled for disposition by the Full Commission. Some may be determined without oral argument per I. C. Rule 701(8). The parties will be notified by Order of the Commission a week prior to the hearing dates below if oral argument is declined. If no such Order is issued, oral arguments will be held as scheduled below:

JANUARY 10, 15 & 23, 2008  
DOBBS BUILDING  
SECOND FLOOR, ROOM 2173  
430 NORTH SALISBURY STREET  
RALEIGH, NC 27611

Hearings will be held in the Industrial Commission Hearing Room, Room No. 2173, (Second Floor) Dobbs Building, Raleigh, North Carolina. Please enter the building through the receptionist's area located on the third floor (on the mall area).

Please review the enclosed calendar to determine the exact date on which your case will be heard. The docket prior to your case may be dismissed or continued. If you are not present in court when your case is reached, the Commission will consider the record and will render its decision without hearing oral argument.

NORTH CAROLINA INDUSTRIAL COMMISSION

A handwritten signature in cursive script that reads "Linda D. Langdon".

Linda D. Langdon  
Docket Director

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW                      DOCKET

CHRISTOPHER SCOTT, CHAIR PANEL  
BUCK LATTIMORE, COMMISSIONER  
DIANNE C. SELLERS, COMMISSIONER

THURSDAY, JANUARY 10, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

317583      JOHN PAUGH  
GG                      v  
9:30      FLUOR COMPANY  
            CNA

PLF: R. JAMES LORE  
CARY, N.C.

HARRISON & LAMAR  
AUGUSTA, GEORGIA

DFT: TEAGUE CAMPBELL DENNIS &  
GORHAM, RALEIGH, N.C.

361543      KENNETH D. EDWARDS  
PH                      v  
9:30      NC DEPARTMENT OF CORRECTION  
            SELF-INSURED

PLF: LENNON & CAMAK  
RALEIGH, N.C.

DFT: NC DEPARTMENT OF JUSTICE  
RALEIGH, N.C.

500184      RITA LIEVANO  
KL                      v  
9:30      FOOD LION  
            SELF-INSURED

PLF: K. GREGORY GUNTER  
RALEIGH, N.C.

DFT: HEDRICK GARDNER KINCHELOE &  
GAROFALO, RALEIGH, N.C.

563040      PATRICIA B. LEWIS  
BD                      v  
9:30      TRADE OIL COMPANY  
            SELECTIVE INSURANCE CO.

PLF: BRUMBAUGH MU & KING  
JACKSONVILLE, N.C.

DFT: LEWIS & ROBERTS  
RALEIGH, N.C.

448331      MELBA JEAN WILES  
MC                      v  
9:30      WAFFLE HOUSE  
            SELF-INSURED

PLF: BRUMBAUGH MU & KING  
JACKSONVILLE, N.C.

DFT: HEDRICK GARDNER KINCHELOE &  
GAROFALO, CHARLOTTE, N.C.

**(COURT RECESS)**  
**(ORAL ARGUMENTS TO RESUME AT 1:30 P.M.)**

FULL COMMISSION  
REVIEW                      DOCKET

CHRISTOPHER SCOTT, CHAIR PANEL  
BUCK LATTIMORE, COMMISSIONER  
DIANNE C. SELLERS, COMMISSIONER

THURSDAY, JANUARY 10, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

391486 CATHY HINCEMAN  
KL v  
1:30 FOOD LION  
SELF-INSURED

PLF: RANDY D. DUNCAN  
HICKORY, N.C.

DFT: HEDRICK GARDNER KINCHELOE &  
GAROFALO, CHARLOTTE, N.C.

517086 WALDO CERVANTES  
AP v  
1:30 TECHNIBILT, LTD.  
ST. PAUL / TRAVELERS  
CHARTER OAK FIRE INS CO.  
AND HARTFORD INS CO.

PLF: RANDY D. DUNCAN  
HICKORY, N.C.

DFT: HEDRICK GARDNER KINCHELOE &  
GAROFALO, CHARLOTTE, N.C.

MORRIS YORK WILLIAMS &  
BARRINGER, CHARLOTTE, N.C.

621802 SHANNON RENEE HOYLE  
AP v  
1:30 FRESenius MEDICAL CARE  
CNA CLAIMS PLUS

PLF: RANDY D. DUNCAN  
HICKORY, N.C.

DFT: MCANGUS GOUDELOCK & COURIE  
CHARLOTTE, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW                      DOCKET

CHRISTOPHER SCOTT, CHAIR PANEL  
BUCK LATTIMORE, COMMISSIONER  
DIANNE C. SELLERS, COMMISSIONER

TUESDAY, JANUARY 15, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

---

569317      NILSA MORALES  
KL                      v  
9:30      SMITHFIELD PACKING, INC.  
            GALLAGHER BASSETT

PLF: THE KILBRIDE LAW FIRM  
RALEIGH, N.C.

DFT: LEWIS & ROBERTS  
RALEIGH, N.C.

---

608967      CHRISTOPHER CLARK  
WT                      v  
9:30      TOWN OF CARRBORO  
            NC LEAGUE OF MUNICIPALITIES

PLF: HARDISON & ASSOCIATES  
RALEIGH, N.C.

DFT: TEAGUE CAMPBELL DENNIS &  
GORHAM, RALEIGH, N.C.

---

010291      MARY RIPPEY-MOTTESHEARD  
KL                      v  
9:30      BUENA VISTA NURSING CENTER  
            CONTINENTAL CASUALTY CO.

PLF: LEWIS & DAGGETT  
WINSTON-SALEM, N.C.

DFT: SHARPLESS & STAVOLA  
GREENSBORO, N.C.

---

628155      CHRISTOPHER D. GROGAN  
MC                      v  
9:30      BALL CORPORATION  
            SELF-INSURED  
            (SPECIALTY RISK SERVICES, INC.)

PLF: PATTERSON HARKAVY  
CHAPEL HILL, N.C.

DFT: TEAGUE CAMPBELL DENNIS &  
GORHAM, RALEIGH, N.C.

---

334355      VIRGINIA WHITE  
JD                      v  
9:30      J.P. STEVENS & CO., INC.  
            LIBERTY MUTUAL INS CO.

PLF: PATTERSON HARKAVY  
CHAPEL HILL, N.C.

DFT: HEDRICK GARDNER KINCHELOE &  
GAROFALO, CHARLOTTE, N.C.

---

**(COURT RECESS)**  
**(ORAL ARGUMENTS TO RESUME AT 1:30 P.M.)**

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW                      DOCKET

CHRISTOPHER SCOTT, CHAIR PANEL  
BUCK LATTIMORE, COMMISSIONER  
DIANNE C. SELLERS, COMMISSIONER

TUESDAY, JANUARY 15, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

---

474572	SHELA LEONARD	PLF:	LYNDON R. HELTON
RR	v		HICKORY, N.C.
1:30	VOLEX, INC.	DFT:	YORK WILLIAMS BARRINGER LEWIS
	THE HARTFORD		& BRIGGS, CHARLOTTE, N.C.

---

604135	HUGHIE MAREE	PLF:	THE ROBERTS LAW FIRM
RR	v		GASTONIA, N.C.
1:30	TEAM SERVICES, INC.	DFT:	HEDRICK GARDNER KINCHELOE &
	THE HARTFORD		GAROFALO, CHARLOTTE, N.C.

---

589494	CYNTHIA G. HAMILTON	PLF:	POISSON POISSON & BOWER
BD	v		WADESBORO, N.C.
1:30	NORTON DOORS/YALE SECURITY, INC.	DFT:	HEDRICK GARDNER KINCHELOE &
	THE PHOENIX INSURANCE GROUP		GAROLFALO, CHARLOTTE, N.C.

---

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW                      DOCKET

CHRISTOPHER SCOTT, CHAIR PANEL  
BUCK LATTIMORE, COMMISSIONER  
DIANNE C. SELLERS, COMMISSIONER

WEDNESDAY, JANUARY 23, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

---

385656 BH 9:30	CATHY BERARDI v CRAVEN COUNTY SCHOOL DISTRICT KEY RISK INSURANCE CO.	PLF: LENNON & CAMAK RALEIGH, N.C.  DFT: PRATHER LAW FIRM RALEIGH, N.C.
552461 MC 9:30	JACKIE MCNAIR v FRIENDLY MART, INC. KEY RISK INSURANCE CO.	PLF: HARRINGTON SAUNDERS & JONES GREENVILLE, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
558094 JG 9:30	ANDREA E. THOMPSON v KROGER COMPANY SELF-INSURED (SEDGWICK CMS)	PLF: WHITFIELD & BOWENS DURHAM, N.C.  DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
510117 RR 9:30	JULIE T. POWERS v NEW BERN DIALYSIS CNA CLAIMS PLUS	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C.  DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
430372 JS ADM APP 9:30	JACK BRYSON v PHIL CLINE TRUCKING KEY RISK MANAGEMENT SERVICES  (MCDONALD*, SELLERS & SCOTT)	PLF: ANNE R. HARRIS GREENSBORO, N.C.  DFT: YORK WILLIAM BARRINGER LEWIS & BRIGGS, CHARLOTTE, N.C.

---

**(COURT RECESS)**  
**(ORAL ARGUMENTS TO RESUME AT 1:30 P.M.)**

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW          DOCKET

CHRISTOPHER SCOTT, CHAIR PANEL  
BUCK LATTIMORE, COMMISSIONER  
DIANNE C. SELLERS, COMMISSIONER

WEDNESDAY, JANUARY 23, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

---

983909	LEWIS COWART	PLF:	NEILL S. FULEIHAN
BD	v		BREVARD, N.C.
1:30	RFS ECUSTA/P.H. GLATFELTER CO.	DFT:	PRATHER LAW FIRM
	SELF-INSURED		RALEIGH, N.C.
	(PMA INSURANCE GROUP)		

---

559094	BERT JAMES BAKER	PLF:	KELLUM LAW FIRM
AP	v		NEW BERN, N.C.
1:30	COASTAL DRAGLINE SERVICE, INC.	DFT:	HEDRICK GARDNER KINCHELOE &
	TRAVELERS INDEMNITY CO.		GAROFALO, RALEIGH, N.C.

---

TA-15952	CHARLES E. RYLES, JR.	PLF:	THE TWIFORD LAW FIRM
WT	v		MOYOCK, N.C.
1:30	NC DEPARTMENT OF CORRECTION	DFT:	NC DEPARTMENT OF JUSTICE
			RALEIGH, N.C.

---