

Beverly Eaves Perdue, Governor  
Pamela T. Young, Chair



Bernadine S. Ballance, Commissioner  
Laura K. Mavretic, Commissioner  
Danny L. McDonald, Commissioner  
Staci Meyer, 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 February 2, 4, 8, and 10, 2010, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Deborah Bunn, Legal Assistant to Commissioner Danny L. McDonald, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Bunn is (919) 807-2519. 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 Linda Langdon., 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:

**FEBRUARY 2, 4, 8 & 10, 2010  
DOBBS BUILDING  
SECOND FLOOR, ROOM 2173  
430 NORTH SALISBURY STREET  
RALEIGH, NC 27603**

Hearings will be held in the Industrial Commission Hearing Room, Room No. 2173, (Second Floor) Dobbs Building, Raleigh, North Carolina. The Dobbs Building has now been secured. 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

Linda Langdon  
Docket Director

Docket Section • 4336 Mail Service Center • Raleigh, North Carolina 27699-4336  
Telephone: (919) 807-2504 • Fax: (919) 715-0282 • Internet Address: <http://www.ic.nc.gov>

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW          DOCKET

DANNY L. MCDONALD, PANEL CHAIR  
STACI MEYER, COMMISSIONER  
PAMELA T. YOUNG, CHAIR

TUESDAY, FEBRUARY 2, 2010

9:30 A.M.

RALEIGH, NORTH CAROLINA

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449688 BH 9:30	MEGHAN E. EDMISTEN v MAMA'S PIZZA ST. PAUL TRAVELERS	PLF: LENNON & CAMAK RALEIGH, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
801244 TS 9:30	TERESA OKAURU v REX HEALTHCARE ALLIED CLAIMS ADMINISTRATION	PLF: THE COLE LAW FIRM RALEIGH, N.C.  DFT: YOUNG MOORE AND HENDERSON RALEIGH, N.C.
793010 BD 9:30	DOUGLAS E. FULLER v BEST SERVICES GROUP, INC. NATIONAL INTERSTATE INS.	PLF: LAW OFFICE OF MARK T. ATKINSON WINSTON-SALEM, N.C.  DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
851603 TS 9:30	IGNACIO RAMIREZ v JOSE DOMINGO RODRIGUEZ D/B/A MINGO'S CARPENTRY HARTFORD UNDERWRITERS INS CO.	PLF: LAW OFFICE OF MARK T. ATKINSON WINSTON-SALEM, N.C.  DFT: WOMBLE CARLYLE SANDRIDGE & RICE CHARLOTTE, N.C.

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

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TUESDAY, FEBRUARY 2, 2010

1:30 P.M.

RALEIGH, NORTH CAROLINA

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571833     JIMMY W. RUDISILL  
&                            v  
776912     COMMOSCOPE, INC.  
TS         LIBERTY MUTUAL INS CORP  
1:30

PLF:    CAMPBELL & ASSOCIATES  
          CHARLOTTE, N.C.  
  
DFT:    CRANFILL SUMNER & HARTZOG  
          CHARLOTTE, N.C.

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093044     JEFFREY CIFELLI  
PH                            v  
1:30        U.S. AIRWAYS, INC.  
              NEW HAMPSHIRE INS CO.,  
              C/O AIG

PLF:    THE SUMWALT LAW FIRM  
          CHARLOTTE, N.C.  
  
DFT:    BROOKS STEVENS AND POPE  
          RALEIGH, N.C.

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802357     ARMANDO RODRIGUEZ  
CS                            v  
1:30        PC KHOSLA, INC D/B/A  
              MIDAS MUFFLER  
              AMERICAN HOME ASSURANCE

PLF:    LAW OFFICES OF MICHAEL A. DEMAYO  
          CHARLOTTE, N.C.  
  
DFT:    MCANGUS GOUDELOCK & COURIE  
          CHARLOTTE, N.C.

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785930     DARLENE J. LOCKARD  
BD                            v  
1:30        CHAPEL HILL REHABILITATION  
              CENTER  
              SEDGWICK CLAIMS SERVICES

PLF:    BRUMBAUGH MU & KING  
          FAYETTEVILLE, N.C.  
  
DFT:    MCANGUS GOUDELOCK & COURIE  
          CHARLOTTE, N.C.

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THURSDAY, FEBRUARY 4, 2010

9:30 A.M.

RALEIGH, NORTH CAROLINA

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795171 TS 9:30	GLORIA WILSON LEWIS v HOPE CHARTER ELEMENTARY SCHOOL CINCINNATI INSURANCE CO.	PLF: SCUDDER & HEDRICK RALEIGH, N.C.  DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
482983 TS 9:30	MONICA BOLING v POTTERS TRUCKING CO., INC. AIG CLAIM SERVICES	PLF: TANNER & ROMARY CLAYTON, N.C.  DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
998789 RH 9:30	MICHAEL A. PREISACH v ANDY'S FENCE CO., L.L.C. BUILDERS MUTUAL INS CO.	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C.  DFT: LEWIS & ROBERTS RALEIGH, N.C.
580048 KL 9:30	PATRICIA AUSTIN v MANAGEMENT CLEANING CONTROLS TRANSCONTINENTAL INS CO.	PLF: PRO SE  DFT: CRANFILL SUMNER & HARTZOG WILMINGTON, NC

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THURSDAY, FEBRUARY 4, 2010

1:30 P.M.

RALEIGH, NORTH CAROLINA

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180100	ROSA HARMON	PLF: PRO SE
RH	v	
1:30	FUNDER AMERICA, INC. THE PMA GROUP	DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.

**(MAVRETIC\*, MEYER & BALLANCE)**

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856484	RALPH E. BELL	PLF: TIMOTHY D. WELBORN
JD	v	WILKESBORO, N.C.
1:30	COUNTY OF WILKES KEY RISK INSURANCE CO.	DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.

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761201	JAMES R. TIPPETT	PLF: ROMALLUS O. MURPHY
MG	v	GREENSBORO, N.C.
1:30	MS MANAGEMENT OF NC, INC. HARTFORD UNDERWRITERS INS CO.	DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.

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896947	GUILLERMO ARMENTEROS	PLF: THE LAW OFFICES OF G. LEE MARTIN
RR	v	CONCORD, N.C.
1:30	MID CAROLINA ELECTRICAL, INC. SELECTIVE INS CO.	DFT: RUDISILL WHITE & KAPLAN CHARLOTTE, N.C.

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MONDAY, FEBRUARY 8, 2010

9:30 A.M.

RALEIGH, NORTH CAROLINA

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876907 VH 9:30	ATTALUH D. WALKER v NC DEPARTMENT OF CORRECTION SELF-INSURED (KEY RISK MANAGEMENT SERVICES)	PLF: OXNER THOMAS + PERMAR RALEIGH, N.C.  DFT: NC DEPARTMENT OF JUSTICE RALEIGH, N.C.
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795142 TS 9:30	KATRICKS R. EDWARDS v CONAGRA FOODS, INC. SEDGWICK CMS	PLF: LUCAS DENNING & ELLERBE SELMA, N.C.  DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
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527246 TS 9:30	MARJORIE RAYNOR v NC DEPARTMENT OF CORRECTION SELF-INSURED (KEY RISK MANAGEMENT SERVICES)	PLF: LUCAS DENNING & ELLERBE SELMA, N.C.  DFT: NC DEPARTMENT OF JUSTICE RALEIGH, N.C.
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785754 TS 9:30	SCOTT HARRISON v NC DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY SELF-INSURED (KEY RISK MANAGEMENT SERVICES)	PLF: ROSE RAND WALLACE WILSON, N.C.  DFT: NC DEPARTMENT OF JUSTICE RALEIGH, N.C.
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PAMELA T. YOUNG, CHAIR

MONDAY, FEBRUARY 8, 2010

1:30 P.M.

RALEIGH, NORTH CAROLINA

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564710 CS 1:30	GLORIA KING v BEVERLY ENTERPRISES CONSTITUTION STATE SERVICE	PLF: RAMSAY LAW FIRM CHARLOTTE, N.C.  DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
646983 WT 1:30	KATHERINE F. TYSON, EXECUTRIX OF THE ESTATE OF CHARLES B. TYSON, DECEASED, v H. K. PORTER COMPANY ACE USA	PLF: WALLACE & GRAHAM SALISBURY, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
734524 GH 1:30	JERRY W. LAMBERT v ALCOA, INC SELF-INSURED (SPECIALTY RISK SERVICES)	PLF: WALLACE & GRAHAM SALISBURY, N.C.  DFT: OGLETREE DEAKINS NASH SMOAK & STEWART, GREENSBORO, N.C.
886300 GH 1:30	WILLIAM D. SHERRILL v FOAMEX INTERNATIONAL TRAVELER'S INSURANCE CO. TRANSPORTATION INSURANCE CO. LIBERTY MUTUAL INSURANCE CO. NATIONAL UNION FIRE INS CO. (AIG CLAIMS SERVICES) INSURANCE OF THE STATE OF PA. (AIG CLAIMS SERVICES) AMERICAN HOME ASSURANCE CO. (AIG CLAIMS SERVICES) GALLAGHER BASSETT	PLF: WALLACE & GRAHAM SALISBURY, N.C.  DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.  ----- MULLEN HOLLAND & COOPER SALISBURY, N.C.  ----- JONES HEWSON & WOOLARD CHARLOTTE, N.C.  ----- DICKIE MCCAMEY & CHILCOTE CHARLOTTE, N.C.  ----- STILES BYRUM & HORNE, CHARLOTTE, N.C.

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WEDNESDAY, FEBRUARY 10, 2010

9:30 A.M.

RALEIGH, NORTH CAROLINA

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197131 &	BOBBY JAMES v CAROLINA STAFFING & HOME HEALTH CARE NON-INSURED	PLF: HARDISON & ASSOCIATES RALEIGH, N.C.
		----- NC DEPARTMENT OF JUSTICE RALEIGH, N.C.

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PH-2272 AP 9:30	NC INDUSTRIAL COMMISSION v CAROLINA STAFFING & HOME HEALTH CARE, NON-INSURED, AND ISRAEL OJIMADU, INDIVIDUALLY	DFT: ALLEN KOPET & ASSOCIATES RALEIGH, N.C.
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894828 TS 9:30	VICTOR MARTINEZ v EXCEL MOVING & STORAGE VANLINER INSURANCE CO.	PLF: HARDISON & ASSOCIATES RALEIGH, N.C.
		DFT: OGLETREE DEAKINS NASH SMOAK & STEWART, GREENSBORO, N.C.

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063803 JG 9:30	TERESA STEWART v NC DEPARTMENT OF COMMUNITY COLLEGES (KEY RISK MANAGEMENT SERVICES)	PLF: LYNN BISHOP CHARLOTTE, N.C.
		DFT: NC DEPARTMENT OF JUSTICE RALEIGH, N.C.

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888066 CS 9:30	CONNIE R. POOLE v DUKE UNIVERSITY SELF-INSURED	PLF: PRO SE
		DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.

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WEDNESDAY, FEBRUARY 10, 2010

1:30 P.M.

RALEIGH, NORTH CAROLINA

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785840 JD 1:30	AMY STILLER v STONE TRUCK PARTS HARTFORD INSURANCE CO.  <b>(SELLERS*, MEYER &amp; MCDONALD)</b>	PLF: THE BOLLINGER LAW FIRM CHARLOTTE, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
725935 RH 1:30	EUNICE POLSTON v INGLES MARKETS SELF-INSURED (BROADSPIRE)	PLF: DAVID GANTT ASHEVILLE, N.C.  DFT: NORTHUP MCCONNELL & SIZEMORE ASHEVILLE, N.C.
332836 PB 1:30	BILLY R. BOWMAN, JR. v O'MARA INCORPORATED LIBERTY MUTUAL	PLF: MITCHELL BLACKWELL & MITCHELL VALDESE, N.C.  DFT: MULLEN HOLLAND & COOPER GASTONIA, N.C.

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