

Beverly Eaves Perdue, Governor  
Pamela T. Young, Chair



Bernadine S. Ballance, Commissioner  
Linda Cheatham, Commissioner  
Danny L. McDonald, Commissioner  
Staci Meyer, Commissioner  
Tammy R. Nance, Commissioner  
Christopher Scott, 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, 6, and 8, 2012, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Thomas Perlungher, Law Clerk to Commissioner Danny L. McDonald, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Mr. Perlungher is (919) 807-2510. 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:

**FEBRUARY 2, 6 & 8, 2012  
DOBBS BUILDING  
SECOND FLOOR, ROOM 2173  
430 NORTH SALISBURY STREET  
RALEIGH, NORTH CAROLINA 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

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW            DOCKET

DANNY L. MCDONALD, CHAIR OF PANEL  
CHRISTOPHER SCOTT, COMMISSIONER  
PAMELA T. YOUNG, CHAIR

THURSDAY, FEBRUARY 2, 2012

9:00 A.M.

RALEIGH, NORTH CAROLINA

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784870 MV 9:00	MARK BUTRYN v GRASS AMERICA THE PHOENIX INSURANCE CO.	PLF: SCOTT LAW OFFICE HIGH POINT, N.C.  DFT: ORBOCK RUARK & DILLARD WINSTON-SALEM, N.C.
062227 MG 9:00	CRAIG L. MURPHY v THE GOODYEAR TIRE & RUBBER CO. LIBERTY MUTUAL INSURANCE GROUP	PLF: LAW OFFICE OF KATHLEEN G. SUMNER GREENSBORO, N.C.  DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
604014 MV 9:00	ROVERTO RIVERA v VOLVO OF THE TRIAD BRENTWOOD SERVICE ADMINISTRATORS	PLF: MAYNARD & HARRIS WINSTON-SALEM, N.C.  DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
W75287 BH 9:00	TIMOTHY R. WADE v UNITED PARCEL SERVICE, INC. LIBERTY MUTUAL INSURANCE CO.	PLF: COPELEY JOHNSON & GRONINGER DURHAM, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.

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

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DANNY L. MCDONALD, CHAIR OF PANEL  
CHRISTOPHER SCOTT, COMMISSIONER  
PAMELA T. YOUNG, CHAIR

THURSDAY, FEBRUARY 2, 2012

1:30 P.M.

RALEIGH, NORTH CAROLINA

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791223 PB 1:30	PATRICIA DE JESUS BORGES, BIOLOGICAL MOTHER AND NATURAL LEGAL GUARDIAN OF DECEASED- EMPLOYEE'S MINOR CHILDREN, AND MARIA GUADALUPE GONZALEZ DE JESUS AND ALEJANDRO GONZALEZ DE JESUS, MINOR CHILDREN OF DECEASED EMPLOYEE FRANCISCO GONZALEZ, THROUGH THEIR GUARDIAN AD LITEM,  v JOHN EARL MCVICKER BUILDERS MUTUAL INSURANCE	PLF: THE VINCENT LAW FIRM SOUTHERN SHORES, N.C.  DFT: LEWIS & ROBERTS RALEIGH, N.C.
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TA-20204 SG 1:30	JOHN C. RUSSELL AND WIFE, DAWN RUSSELL,  v N.C. DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES	PLF: HARVELL AND COLLINS MOREHEAD CITY, N.C.  DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
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NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW          DOCKET

DANNY L. MCDONALD, CHAIR OF PANEL  
CHRISTOPHER SCOTT, COMMISSIONER  
PAMELA T. YOUNG, CHAIR

WEDNESDAY, FEBRUARY 8, 2012

9:00 A.M.

RALEIGH, NORTH CAROLINA

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TA-13518 GG 9:00	WILLIAM R. COUCHON, JR., INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF THE ESTATE OF TRICIA ANN COUCHON, DECEASED v N.C. DEPARTMENT OF TRANSPORTATION AND STATE BOARD OF TRANSPORTATION	PLF: LENNON AND CAMAK RALEIGH, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
996724 & 101163 JG 9:00	JAMES YINGLING v BANK OF AMERICA GALLAGHER BASSETT SERVICES, INC.	PLF: LAW OFFICE OF KATHLEEN SHANNON GLANCY, WILMINGTON, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C.
702263 PH 9:00	ANTHONY ANTELO v WAL-MART ASSOCIATES, INC. AMERICAN HOME ASSURANCE (CLAIMS MANAGEMENT, INC.)	PLF: GREG JONES & ASSOCIATES WILMINGTON, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C.

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