

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



Bernadine S. Ballance, Commissioner
Buck Lattimore, Commissioner
Laura K. Mavretic, Commissioner
Danny L. McDonald, 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 3, 5, and 10, 2009, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Monica Jackson, Agency Legal Specialist to Commissioner Bernadine S. Ballance, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Jackson is (919) 807-2647.

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 3, 5 & 10, 2009
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

BERNADINE S. BALLANCE, PANEL CHAIR
CHRISTOPHER SCOTT, COMMISSIONER
PAMELA T. YOUNG, CHAIR

TUESDAY, FEBRUARY 3, 2009

9:30 A.M. RALEIGH, NORTH CAROLINA

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| 614811 PB 9:30 | GEORGE REAMS v VANCE TRUCKING COMPANY AIG CLAIM SERVICES, INC. | PLF: MAST SCHULZ MAST JOHNSON & WELLS, SMITHFIELD, N.C. DFT: MCANGUS GOUDELOCK & COURIE RALEIGH, N.C. |
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| 771311 TS 9:30 | RENE MCKNIGHT v ELKAY MANUFACTURING TRAVELERS | PLF: HUGGINS POUNDS & DAVIS LUMBERTON, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C. |
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| 791771 AP 9:30 | MELANIE CLYDE v WILCO HESS STORE, # 1891 ACE PROPERTY & CASUALTY/ ESIS | PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C. |
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| 655056 RWR 9:30 | AARON RANDY BOLEJACK v MOBILIFT OF BURLINGTON, INC. KEY RISK INSURANCE COMPANY | PLF: ROBERT A. LAUVER KERNERSVILLE, N.C. DFT: PRATHER LAW FIRM RALEIGH, N.C. |
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| 512535 KL 9:30 | PHYLLIS J. HILL v WALGREEN CO. SEDGWICK JAMES (CMS) | PLF: MAKO & ASSOCIATES WILMINGTON, N.C. DFT: CRANFILL SUMNER & HARTZOG CHARLOTTE, N.C. |
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(COURT RECESS)
(ORAL ARGUMENT TO RESUME AT 1:30 P.M.)

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

BERNADINE S. BALLANCE, PANEL CHAIR
CHRISTOPHER SCOTT, COMMISSIONER
PAMELA T. YOUNG, CHAIR

THURSDAY, FEBRUARY 5, 2009

9:30 A.M. RALEIGH, NORTH CAROLINA

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| 527265 & 785677 PH 9:30 | DEBRA MARSHALL v NORTH CAROLINA DEPARTMENT OF CORRECTION | PLF: HARDISON & COCHRAN RALEIGH, N.C. DFT: NC DEPARTMENT OF JUSTICE RALEIGH, N.C. |
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| 596010 RWR 9:30 | AHMAD HAMZE v AUTO BODY OF AMERICA, INC. ZURICH DIRECT UNDERWRITERS | PLF: SCHLOSSER & PRITCHETT GREENSBORO, N.C. DFT: BROOKS STEVENS & POPE CARY, N.C. |
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| 678653 MG 9:30 | JERRY LEE FARRINGTON v TYSON FOODS INC. SELF-INSURED | PLF: FRANKLIN SMITH ELKIN, N.C. DFT: BROOKS STEVENS & POPE CARY, N.C. |
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| 541730 BH 9:30 | RANDALL C. POOLE v WAUGH ASPHALT COMPANY SELECTIVE INSURANCE CO. AND/OR AIG INSURANCE COMPANY | PLF: BRETZMANN & ALDRIDGE HIGH POINT, N.C. DFT: RUDISILL WHITE & KAPLAN CHARLOTTE, N.C. |
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TEAGUE CAMPBELL DENNIS &
GORHAM, RALEIGH, N.C.

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| 787834 PH 9:30 | ALLISON HOWARD v N.C. DEPARTMENT HEALTH AND HUMAN SERVICES/TEMPORARY SOLUTIONS | PLF: PRO SE DFT: NC DEPARTMENT OF JUSTICE RALEIGH, N.C. |
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(COURT RECESS)
(ORAL ARGUMENT TO RESUME AT 1:30 P.M.)

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

BERNADINE S. BALLANCE, PANEL CHAIRS
CHRISTOPHER SCOTT, COMMISSIONER
PAMELA T. YOUNG, CHAIR

THURSDAY, FEBRUARY 5, 2009

1:30 P.M. RALEIGH, NORTH CAROLINA

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| 420240 | DEAN MAINES | PLF: | LAW OFFICES OF LEE & SMITH |
| & | v | | SPARTANBURG, S.C. |
| PH-1559 | J. BENTLEY COMPANIES INC. | | |
| GH | SPECTRUMHR, LLC | | NC DEPARTMENT OF JUSTICE |
| 1:30 | NON-INSURED | | RALEIGH, N.C. |

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| | NC INDUSTRIAL COMMISSION | DFT | PRO SE |
| | v | | |
| | J. BENTLEY COMPANIES, INC. | | YOUNG MOORE & HENDERSON |
| | NON-INSURED | | RALEIGH, N.C. |
| | AND JOE B. STAPLETON, INDIVIDUALLY, | | |
| | AND SPECTRUMHR AND BRET DANZIG, | | |
| | INDIVIDUALLY | | |

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| 488824 | MELODY BURLESON | PLF: | BELL BARDEN & BELL |
| JD | v | | ASHEVILLE, N.C. |
| 1:30 | DEPARTMENT OF PUBLIC INSTRUCTION | DFT: | NC DEPARTMENT OF JUSTICE |
| | KEY RISK MANAGEMENT SERVICES | | ASHEVILLE, N.C. |

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| 464953 | KENNETH BOHANON | PLF: | JUDITH C. FRASER |
| BD | v | | ASHEVILLE, N.C. |
| 1:30 | AARON RENTS, INC. | DFT: | DICKIE MCCAMEY & CHILCOTE |
| | THE PHOENIX INSURANCE CO. | | CHARLOTTE, N.C. |
