



North Carolina Industrial Commission

IMPORTANT NOTICE TO ALL PARTIES

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

**FEBRUARY 3, 11, 13, AND 18, 2014
DOBBS BUILDING
SECOND FLOOR, ROOM 2173
430 NORTH SALISBURY STREET
RALEIGH, NORTH CAROLINA 27603**

Please enter the building through the security desk area located on the third floor (on the mall area). You will be required to present a photo ID in order to enter the building.

Please review the enclosed calendar to determine the exact date on which your case will be heard. The cases docketed 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.

For cases set on the attached calendar before the Full Commission, all motions, requests for continuances, and other inquiries should be directed to the attention of Amber Cronk, Law Clerk, 4336 Mail Service Center, Raleigh, North Carolina 27699-4336. The telephone number for Ms. Cronk is (919) 807-2651 and the e-mail address is amber.cronk@ic.nc.gov.

Requests for continuances should 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 the Docket Director. Stipulations for first extensions of time to file Forms 44 or briefs must 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 Motion and proposed Order to the Commission; however, the parties must inform the Commission, in writing, as to the extension of time agreed upon. Any party who fails to timely file a brief may not be allowed oral argument before the Full Commission.

For additional information, your attention is directed to the Rules of the Industrial Commission as they apply to hearings before the Full Commission.

NORTH CAROLINA INDUSTRIAL COMMISSION

Linda Langdon
Docket Director

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

DANNY L. MCDONALD, CHAIR OF PANEL
TAMMY R. NANCE, COMMISSIONER
PAMELA T. YOUNG, COMMISSIONER
BERNADINE S. BALLANCE, COMMISSIONER
LINDA CHEATHAM, COMMISSIONER
ANDREW T. HEATH, CHAIRMAN

MONDAY, FEBRUARY 3, 2014

9:00 A.M.

RALEIGH, NORTH CAROLINA

570867 RH RESET 9:00	HERMAN SIMMONS, JR. v WILLIAM E. SMITH TRUCKING, INC. AMERICAN INTERSTATE INSURANCE COMPANY	PLF: HALL & GREEN WILMINGTON, N.C. DFT: BROOKS STEVENS AND POPE RALEIGH, N.C.
-------------------------------	---	--

(YOUNG*, BALLANCE & HEATH)

X32874 PH RESET 9:00	MICHAEL G. SUTTON v ATLANTIC SEAFOOD COMPANY THE HARTFORD	PLF: HALL & GREEN WILMINGTON, N.C. DFT: CRANFILL SUMNER & HARTZOG WILMINGTON, N.C.
-------------------------------	--	---

(YOUNG*, BALLANCE & HEATH)

X41641 MG RESET 9:00	KEITH TEDDER v A&K ENTERPRISES PROTECTIVE INSURANCE COMPANY	PLF: THE LAW OFFICES OF DAVID GANTT ASHEVILLE, N.C. DFT: GOODMAN MCGUFFEY LINDSEY & JOHNSON, CHARLOTTE, N.C.
-------------------------------	--	---

(YOUNG*, BALLANCE & MCDONALD)

X90813 RH RESET 9:00	STEPHANIE W. GASKINS v UNIHEALTH POST-ACUTE CARE – NEUSE, LLC ZURICH NORTH AMERICAN CLAIMS (ESIS)	PLF: KELLUM LAW FIRM NEW BERN, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C.
-------------------------------	--	--

(MCDONALD*, CHEATHAM & YOUNG)

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

DANNY L. MCDONALD, CHAIR OF PANEL
TAMMY R. NANCE, COMMISSIONER
PAMELA T. YOUNG, COMMISSIONER

TUESDAY, FEBRUARY 11, 2014

9:00 A.M.

RALEIGH, NORTH CAROLINA

X67717 GH 9:00	TIMOTHY W. HOLLIDAY v TROPICAL NUT & FRUIT CO. FARMINGTON CASUALTY CO.	PLF: GANLY & RAMER ASHEVILLE, N.C. DFT: NORTHUP MCCONNELL & SIZEMORE ASHEVILLE, N.C.
----------------------	---	---

X46113 RH 9:00	JIMMY WILSON v TIDEWATER EQUIPMENT CO./ TEAMWORK SERVICES, INC. BRIDGEFIELD CASUALTY INSURANCE COMPANY (SUMMIT)	PLF: POISSON POISSON & BOWER WADESBORO, N.C. DFT: ALLEN KOPET & ASSOCIATES CHARLOTTE, N.C.
----------------------	---	---

Y05598 MWG 9:00	WILLIAMS H. WILKINSON v SPIRIT CONSTRUCTION SERVICES INSURANCE COMPANY OF PENNSYLVANIA (GALLAGHER BASSETT)	PLF: BRIDGES & GILBERT SHELBY, N.C. ----- THE BOLLINGER LAW FIRM CHARLOTTE, N.C. DFT: ALLEN KOPET & ASSOCIATES CHARLOTTE, N.C.
-----------------------	---	--

Y16592 &	JILL CRABTREE v EVP PROPERTIES, LLC, NON INSURED	PLF: THE BOLLINGER LAW FIRM CHARLOTTE, N.C. ----- N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
-------------	---	--

PH-3192 AP 9:00	N.C. INDUSTRIAL COMMISSION v EVP PROPERTIES, LLC, NON-INSURED, JAMES MALATESTA, INDIVIDUALLY, AND BRIAN J. DEMPSEY, INDIVIDUALLY	DFT: RUDISILL WHITE & KAPLAN CHARLOTTE, N.C.
-----------------------	--	---

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

DANNY L. MCDONALD, CHAIR OF PANEL
TAMMY R. NANCE, COMMISSIONER
PAMELA T. YOUNG, COMMISSIONER

THURSDAY, FEBRUARY 13, 2014

9:00 A.M.

RALEIGH, NORTH CAROLINA

X90467 DIEGO DE LA VEGA
MWG v
9:00 FAMILY FOODS, INC.
 PMA INSURANCE GROUP

PLF: LANIER LAW GROUP
JAMESTOWN, N.C.

DFT: CRANFILL SUMNER & HARTZOG
RALEIGH, N.C.

Y08729 DANNY CROUSE
CS v
9:00 ESTES EXPRESS LINES
 GALLAGHER BASSETT

PLF: OXNER THOMAS + PERMAR
GREENSBORO, N.C.

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

W62046 DAVID WHITTALL
CS v
9:00 WAL-MART, INC.
 CLAIMS MANAGEMENT, INC.

PLF: OXNER THOMAS + PERMAR
GREENSBORO, N.C.

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

13-712739 BEATRICE LESTER
MV v
ADM CASWELL HOUSE
APP COMMERCE AND INDUSTRY
9:00 (AIG DOMESTIC CLAIMS)

PLF: OXNER THOMAS + PERMAR
GREENSBORO, N.C.

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

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

DANNY L. MCDONALD, CHAIR OF PANEL
TAMMY R. NANCE, COMMISSIONER
PAMELA T. YOUNG, COMMISSIONER

TUESDAY, FEBRUARY 18, 2014

9:00 A.M.

RALEIGH, NORTH CAROLINA

764844 MWG 9:00	DAVID A. SCHMALE v ROBESON COUNTY SHERIFF'S DEPARTMENT SYNERGY COVERAGE SOLUTIONS	PLF: MUSSELWHITE MUSSELWHITE BRANCH & GRANTHAM, LUMBERTON, N.C. DFT: CRANFILL SUMNER & HARTZOG WILMINGTON, N.C.
W49356 JG 9:00	SUSAN CHRISTIAN v CAROLINA HEALTH PROFESSIONALS AIG INSURANCE	PLF: THE LAW OFFICES OF TIMOTHY D. WELBORN, WILKESBORO, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
X83455 BH 9:00	ARIEL REYES v LANEHART ELECTRIC COMPANIES GALLAGHER BASSETT SERVICES, INC.	PLF: SELLERS HINSHAW AYERS DORTCH & LYONS, CHARLOTTE, N.C. DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
X37863 CS 9:00	LIZZIE M. GAY v HARRIS TEETER, INC. TRAVELERS	PLF: THOMAS AND FARRIS WILSON, N.C. ----- CONNER BUNN ROGERSON WOODARD & BLAKE, WILSON, N.C. ----- THE MORRISON LAW FIRM WILSON, N.C. DFT: MCANGUS GOUDELOCK & COURIE RALEIGH, N.C.
