

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

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 4, 14, and 20, 2013, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Nikki S. Williams, Law Clerk to Commissioner Bernadine S. Ballance, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Williams 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:

**FEBRUARY 4, 14 & 20, 2013
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

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

MONDAY, FEBRUARY 4, 2013

9:00 A.M.

RALEIGH, NORTH CAROLINA

X46840 BH RESET 9:00	ANTONIO R. COOPER v WEYERHAEUSER COMPANY SPECIALTY RISK SERVICES, INC. (MCDONALD*, YOUNG & MEYER)	PLF: GRANDY & MARTIN CHARLOTTE, N.C. DFT: WARD AND SMITH NEW BERN, N.C.
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259078 & 829442 RH RESET 9:00	BERNADETTE SMITH v GUILFORD COUNTY SELF-INSURED (KEY RISK MANAGEMENT SERVICES, INC.) (CHEATHAM*, NANCE & YOUNG)	PLF: PRO SE. DFT: SMITH MOORE LEATHERWOOD GREENSBORO, N.C.
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392600 GH 9:00	ROBERT ANTHONY v CONTINENTAL TIRE NORTH AMERICA, INC. SELF-INSURED (MCDONALD*, NANCE & CHEATHAM)	PLF: PRO SE. DFT: SMITH MOORE LEATHERWOOD GREENSBORO, N.C.
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NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

BERNADINE S. BALLANCE, CHAIR OF PANEL
DANNY L. MCDONALD, COMMISSIONER
PAMELA T. YOUNG, CHAIR

THURSDAY, FEBRUARY 14, 2013

9:00 A.M.

RALEIGH, NORTH CAROLINA

X09438 VH 9:00	DAVID MOJICA-PALACIOS v BRIEGAN CONSTRUCTION SERVICES ACCIDENT FUND INSURANCE COMPANY OF AMERICA	PLF: LAW OFFICE ROBERT J. WILLIS RALEIGH, N.C. DFT: MCANGUS GOUDELOCK & COURIE RALEIGH, N.C.
X59230 BH 9:00	ROBERT SCOGGINS v DAVID NEAL, ET AL., T/A RAMADA FHM/USIS	PLF: LAW OFFICE OF JAMES SCOTT FARRIN DURHAM, N.C. DFT: GALLIVAN WHITE & BOYD CHARLOTTE, N.C.
X26407 TS 9:00	MARC MANDARICH v XTREME CONCRETE PUMPING OF NC ERIE INSURANCE COMPANY	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
X00411 JG 9:00	DEBRA ALAFFITA v NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION CORVEL CORPORATION	PLF: PRO SE. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

BERNADINE S. BALLANCE, CHAIR OF PANEL
DANNY L. MCDONALD, COMMISSIONER
PAMELA T. YOUNG, CHAIR

WEDNESDAY, FEBRUARY 20, 2013

9:00 A.M.

RALEIGH, NORTH CAROLINA

743433 KL 9:00	MICHAEL CONNOR v THERESA CONNOR DRYWALL KEY RISK INSURANCE COMPANY	PLF: MARTIN & JONES RALEIGH, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
X37684 GH 9:00	ALEXANDRA JIMENEZ YOUNG v UNC HOSPITALS SELF-INSURED (ALLIED CLAIMS ADMINISTRATION)	PLF: A.G. LINETT & ASSOCIATES GREENSBORO, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
W78533 RH 9:00	TALMADGE BARBER v THE SHAW GROUP, INC. ZURICH NORTH AMERICAN (FARA)	PLF: CAMPBELL & ASSOCIATES CHARLOTTE, N.C. DFT: BROTHERTON FORD YEOMAN BERRY & WEAVER, GREENSBORO, N.C.
947939 JG 9:00	MIGUEL ANGEL HERRERA-MENDEZ v MODULAR HOME SETS, INC. BROADSPIRE	PLF: LAW OFFICES OF STEFAN R. LATORRE CHARLOTTE, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
