

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 5, 7, and 12, 2008, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Yolanda Lawrence, Agency Legal Specialist to Commissioner Danny L. McDonald, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Lawrence is (919) 807-2510.**

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 5, 7 & 12, 2008  
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

DANNY L. MCDONALD, CHAIR OF PANEL  
BUCK LATTIMORE, COMMISSIONER  
PAMELA T. YOUNG, CHAIR

TUESDAY, FEBRUARY 5, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

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114098 BH 9:30	JOSE E. RIVERA, JR. v MORRIS & ASSOCIATES, INC. AMERICAN PROTECTION INS	PLF: LENNON & CAMAK RALEIGH, N.C.  DFT: MARSHALL WILLIAMS & GORHAM WILMINGTON, N.C.
641532 RH 9:30	JASON D. JENKS v ATLANTIC STONEWERKS GENERAL CASUALTY INS CO.	PLF: BRUMBAUGH MU & KING WILMINGTON, N.C.  DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
599446 TS 9:30	ROENELL LIDEA FIELDS v PITT COUNTY MEMORIAL HOSPITAL AEGIS ADMINISTRATIVE SERVICES	PLF: EDWARDS & RICCI ROCKY MOUNT, N.C.  DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
529392 PH 9:30	LINDA BATCHELOR v SUN HEALTHCARE BROADSPIRE	PLF: VICTOR H.E. MORGAN JACKSONVILLE, N.C.  DFT: SHARPLESS & STAVOLA GREENSBORO, N.C.

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

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TUESDAY, FEBRUARY 5, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

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379788	FRANCES HOLT	PLF:	MARK V. L. GRAY
MG	v		GREENSBORO, N.C.
1:30	KINRO, INC.		
<b>RESET</b>	GULF INSURANCE COMPANY	DFT:	HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
	<b>(SELLERS *, MAVRETIC &amp; YOUNG)</b>		

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156560	MARY S. ADAMS	PLF:	FRANKLIN SMITH
JD	v		ELKIN, N.C.
1:30	WINSTON-SALEM/FORSYTH COUNTY SCHOOLS	DFT:	NC DEPARTMENT OF JUSTICE
	SELF-INSURED (KEY RISK MANAGEMENT SERVICES)		RALEIGH, N.C.

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592345	DONOVAN MCENTYRE	PLF:	THE ROBERTS LAW FIRM
PB	v		GASTONIA, N.C.
1:30	ANCHOR MARINE, INC.	DFT:	NEXSEN PRUET ADAMS KLEEMEIR
	EMC INSURANCE COMPANIES		CHARLOTTE, N.C.

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PAMELA T. YOUNG, CHAIR

THURSDAY, FEBRUARY 7, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

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875686 TS 9:30	GEORGE MORRIS v KELLY SPRINGFIELD TIRE CO TRAVELERS	PLF: BEAVER HOLT LAW FIRM FAYETTEVILLE, N.C. ----- HAYES WILLIAMS TURNER & DAUGHTRY, DUNN, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GARAFALO, CHARLOTTE, N.C.
186094 PB 9:30	REBECCA HOLMES v CAPE FEAR VALLEY HEALTH SYSTEM SELF-INSURED	PLE: ADAMS BURGE & GOUGHMAN FAYETTEVILLE, N.C.  DFT: YORK WILLIAMS BARRINGER LEWIS & BRIGGS, CHARLOTTE, N.C.
496170 AP 9:30	JOHNNY SPAINHOUR v SARA LEE ACE/ESIS	PLF: KENNETH JOHNSON GREENSBORO, N.C.  DFT: ORBOCK RUARK & DILLARD WINSTON-SALEM, N.C.
655494 &	ESTATE OF ROGER KEITH TROLLINGER v JOE SHAW D/B/A JOE SHAW BUILDERS AND JOE SHAW, INDIVIDUALLY NON-INSURED	PLF: KENNETH M. JOHNSON GREENSBORO, N.C. ----- NC DEPARTMENT OF JUSTICE RALEIGH, N.C.
PH-1710 GH 9:30	NORTH CAROLINA INDUSTRIAL COMMISSION v JOE SHAW D/B/A JOE SHAW BUILDERS AND JOE SHAW, INDIVIDUALLY	DFT: PINTO COATES KYRE & BROWN GREENSBORO, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
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DANNY L. MCDONALD, CHAIR OF PANEL  
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PAMELA T. YOUNG, CHAIR

THURSDAY, FEBRUARY 7, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

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234469 GH 1:30	MELVIN BROUSSARD, JR. v AMERICHEM ATLANTIC MUTUAL INSURANCE CO.	PLF: LAW OFFICE OF C. MURPHY ARCHIBALD, CHARLOTTE, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
255270 PB 1:30	MICHAEL KEATLEY v CUTTING SYSTEMS, INC. KEY RISK INSURANCE CO.	PLF: LAW OFFICE OF LEE & SMITH SPARTANBURG, S.C. DFT: MCANGUS GOUELOCK & COURIE CHARLOTTE, N.C.
353461 GG 1:30	DAVID LEINER, JR. v EDWARD'S DESIGNS BUILDERS MUTUAL INS CO.	PLF: CHARLES G. MONNETT, III & ASSOC CHARLOTTE, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.

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TUESDAY, FEBRUARY 12, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

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400914 & 487507 KL 9:30	FLOYCE J. CARRIKER v R.A.G.S., INC. SELECTIVE INSURANCE CO. AND/OR K & W CAFETERIA KEY RISK INSURANCE CO.	PLF: WALLACE & GRAHAM SALISBURY, N.C.  DFT: RUDISILL WHITE & KAPLAN CHARLOTTE, N.C.  ----- PRATHER LAW FIRM RALEIGH, N.C.
TA-18353 &	CHARLES ROGER HOLLOWAY, EXECUTOR OF THE ESTATE OF LOIS RAPER HOLLOWAY, DECEASED, v N.C. DEPARTMENT OF CRIME CONTROL & PUBLIC SAFETY/N.C. HIGHWAY PATROL	PLF: CAHOON SWISHER NORTH COOKE & LANDRETH, GREENSBORO, N.C.  DFT: NC DEPARTMENT OF JUSTICE RALEIGH, N.C.  ----- ROBERTS & STEVENS ASHEVILLE, N.C.
TA-18354 9:30 GG	DENNIS EDGAR BORING AND JUDITH BORING BODNAR, CO- ADMINISTRATORS OF THE ESTATE OF BLANCH RAPER BORING, DECEASED, AND JUDITH BORING BODNER, INDIVIDUALLY, v N.C. DEPARTMENT OF CRIME CONTROL & PUBLIC SAFETY/ N.C. HIGHWAY PATROL	
458404 BD 9:30	JEFFREY PAIT v WORLD CUSTOM HOMES ERIE INSURANCE GROUP	PLF: TED A. GREVE & ASSOCIATES CHARLOTTE, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
469663 BD 9:30	JOHN A. SMITH, JR. v WORLD CUSTOM HOMES ERIE INSURANCE GROUP	PLF: TED A. GREVE & ASSOCIATES CHARLOTTE, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.

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