

Michael F. Easley, Governor  
Buck Lattimore, Chairman



## North Carolina Industrial Commission

Thomas J. Bolch, Commissioner  
Laura K. Mavretic, Commissioner  
Christopher Scott, Commissioner  
Dianne C. Sellers, Commissioner  
Pamela T. Young, Commissioner

### 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 7, 9 & 11, 2005, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Jim Gillen, Agency Legal Specialist to Commissioner Christopher Scott, Dobbs Building, 430 N. Salisbury Street, Raleigh, North Carolina 27611. The telephone number for Jim Gillen is (919) 807-2522. If you need to contact the Full Commission regarding this docket on February 4<sup>th</sup> or 7<sup>th</sup>, please contact David Stahl at (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 Linda Langdon, 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 7, 9 & 11, 2005  
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. 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

A handwritten signature in cursive script that reads "Linda D. Langdon".

Linda D. Langdon  
Docket Director

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW            DOCKET

CHRISTOPHER SCOTT, CHAIR  
LAURA K. MAVRETIC, COMMISSIONER  
PAMELA YOUNG, COMMISSIONER

MONDAY, FEBRUARY 7, 2005

9:30 A.M. RALEIGH, NORTH CAROLINA

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TA-17544 GG 9:30	IRENE MAYO AND RONALD MAYO, CO-ADMINISTRATORS OF THE ESTATE OF CHRISTOPHER J. MAYO, v N.C. DEPARTMENT OF HEALTH AND HUMAN SERVICES	PLF: LAW OFFICE OF WADE BYRD FAYETTEVILLE, N.C.  DFT: ATTORNEY GENERAL OFFICE ROBERT T. HARGETT, RALEIGH, N.C.
151821 WT 9:30	ROMOLA EVANS v K-MART CAMBRIDGE INTEGRATED SERVICES	PLF: YOUNCE HOPPER VTIPIL & BRADFORD RALEIGH, N.C.  DFT: HILL EVANS DUNCAN JORDAN & BEATTY, GREENSBORO, N.C.
235306 PH 9:30	RICHARD LUCAS v L L BUILDING PRODUCTS CRAWFORD & COMPANY	PLF: TAFT TAFT & HAIGLER GREENVILLE, N.C.  DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
049714 MC 9:30	BOBBY C. IVEY v MCMAHAN BROTHERS PIPELINE, INC. TRANSCONTINENTAL INS CO.	PLF: PRO SE.  DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.

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(COURT RECESS)

(ORAL ARGUMENTS TO RESUME AT 1:30)

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
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MONDAY, FEBRUARY 7, 2005

1:30 P.M.    RALEIGH, NORTH CAROLINA

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LH-0334 GG 1:30	IN THE MATTER OF THE ESTATE OF DOUGLAS BRUCE COFFEY	PLF: DI SANTI WATSON CAPUA & WILSON BOONE, N.C.
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DFT: ATTORNEY GENERAL OFFICE  
STACEY A. PHIPPS, RALEIGH, N.C.

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186101 KL 1:30	INEZ J. HILL v MISSION ST, JOSEPH'S HEALTH SYSTEM CAMBRIDGE INTEGRATED SERV
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PLF: LAW OFFICES OF DAVID GANTT  
ASHEVILLE, N.C.

DFT: VAN WINKLE BUCK WALL STARNES &  
DAVIS, ASHEVILLE, N.C.

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189631 AP 1:30	RANDALL SWINEY v ARVIN MERITOR INC. SELF-INSURED
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PLF: J. KERR, JR.  
ASHEVILLE, N.C.

DFT: WILSON JONES CARTER & BAXLEY  
GREENVILLE, S.C.

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NORTH CAROLINA INDUSTRIAL COMMISSION  
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CHRISTOPHER SCOTT, CHAIR  
LAURA K. MAVRETIC, COMMISSIONER  
PAMELA YOUNG, COMMISSIONER

WEDNESDAY, FEBRUARY 9, 2005

9:30 A.M.    RALEIGH, NORTH CAROLINA

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252880 AP 9:30	ROBERT T. BUTNER v PIEDMONT TRIAD HOMES, INC. BERKLEY INSURANCE CO. OF THE CAROLINAS	PLF: CRUMLEY & ASSOCIATES WINSTON-SALEM, N.C.  DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.
026434 KL 9:30	THOMAS KEITH v MANPOWER TEMPORARY SERVICES LIBERTY MUTUAL INSURANCE CO.	PLF: CROSSLEY MCINTOSH PRIOR & COLLIER, WILMINGTON, N.C.  DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
258467 LD 9:30	JOHN F. HURT v PRO TRANSPORTATION, INC. SELF-INSURED	PLF: THE WORKERS COMPENSATION LAW FIRM, WILMINGTON, N.C.  DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
125056 SG 9:30	LATONYA MORGAN v CRACKER BARREL RESTAURANTS RISK ENTERPRISE MANAGEMENT	PLF: MAST SCHULZ MAST MILL STEM & JOHNSON, SMITHFIELD, N.C.  DFT: MOREAU & MARKS CHARLOTTE, N.C.
236892 MC 9:30	GWENDOLYN BOONE v FMC SLINTON DIALYSIS RSK COMPANY	PLF: LAW OFFICES OF KATHLEEN SHANNON GLANCY, WILMINGTON, N.C.  DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.

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CHRISTOPHER SCOTT, CHAIR  
LAURA K. MAVRETIC, COMMISSIONER  
PAMELA YOUNG, COMMISSIONER

FRIDAY, FEBRUARY 11, 2005

9:30 A.M.    RALEIGH, NORTH CAROLINA

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028289 RR 9:30	WENDY REGISTER v J & S PIZZA EXPRESS SELF-INSURED	PLF: HALL & HORNE WILMINGTON, N.C.  DFT: PRATHER LAW FIRM RALEIGH, N.C.
970962 PH 9:30	JACQUELINE ORTIZ v CARPENTER INDUSTRIES INC. SELF-INSURED	PLF: COX GAGE & SASSER CHARLOTTE, N.C.  DFT: PRATHER LAW FIRM RALEIGH, N.C.
018339 GG 9:30	MARTHA ADKINS, EXECUTRIX OF THE ESTATE OF WILLIAM I. ADKINS, DECEASED v DREXEL HERITAGE FURNISHINGS, INC. AND/OR LIBERTY MUTUAL INSURANCE CO. AND/OR TRAVELERS INSURANCE CO.	PLF: WALLACE & GRAHAM SALISBURY, N.C.  DFT: MORRIS YORK WILLIAMS SURLES & BARRINGER, CHARLOTTE, N.C.  CRANFILL SUMNER & HARTZOG CHARLOTTE, N.C.
254383 NG 9:30	OTIS R. ROYSTER v HANNAFORD CORPORATION SELF-INSURED	PLF: PRO SE.  DFT: ROBINSON & LAWING WINSTON-SALEM, N.C.

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FRIDAY, FEBRUARY 11, 2005

1:30 P.M.    RALEIGH, NORTH CAROLINA

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082145 027168 AP 1:30	JANIE SMITH v FREIGHTLINER CORP SELF-INSURED	PLF: DORAN SHELBY PETHEL & HUDSON SALISBURY, N.C.  DFT: MORRIS YORK WILLIAMS SURLES & BARRINGER, CHARLOTTE, N.C.
263883 KL 1:30	HAROLD SURRETT v CALLAWASSIE ISLAND COMPANY ZENITH INSURANCE COMPANY	PLF: GRIMES & TEICH ASHEVILLE, N.C.  DFT: STILES BYRUM & HORNE CHARLOTTE, N.C.
058876 LD 1:30	KATHY B. WELLS v WESTERN CAROLINA CENTER SELF-INSURED	PLF: LAW OFFICE OF MICHAEL J. BEDNARIK, CHARLOTTE, N.C.  DFT: ATTORNEY GENERAL OFFICE MARC X. SNEED, RALEIGH, N.C.
313087 AP 1:30	MICKEY PLOTT v BOJANGLE'S RESTAURANTS, INC. INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA C/O AIG CLAIM SERVICES	PLF: RAYMOND MARSHALL WINSTON-SALEM, N.C.  DFT: ROBINSON & LAWING WINSTON-SALEM, N.C.

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