

Michael F. Easley, Governor  
Buck Lattimore, Chairman



Bernadine S. Ballance, Commissioner  
Thomas J. Bolch, Commissioner  
Laura K. Mavretic, Commissioner  
Christopher Scott, Commissioner  
Dianne C. Sellers, Commissioner  
Pamela T. Young, 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 13 & 15, 2006, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Victoria Homick, Agency Legal Specialist to Commissioner Pamela T. Young, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Homick is (919) 807-2518. 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 13 & 15, 2006  
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

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

MONDAY, FEBRUARY 13, 2006

9:30 A.M. RALEIGH, NORTH CAROLINA

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393009 PB 9:30	JAMES MYLES v LUCAS AND MCCOWAN MASONRY THE TRAVELERS	PLF: SCUDDER & HEDRICK RALEIGH, N.C.  DFT: HEDRICK EATMAN GARDNER & KINCHELOE, RALEIGH, N.C.
060757 AP 9:30	RONALD JEVICKY v GENEVA CORPORATION SENTRY CLAIMS SERVICE	PLF: BRANTLEY JENKINS & RIDDLE GOLDSBORO, N.C.  DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
280409 GG 9:30	JOSEPH R. PENNY v WAL-MART STORES, INC. AMERICAN HOME ASSURANCE	PLF: HARVEY D. JACKSON HENDERSON, N.C.  DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.
232343 KL 9:30	FRED W. HENDERSON, III v GO FORTH PEST MANAGEMENT NORTH CAROLINA INSURANCE GUARANTY ASSOCIATION	PLF: CRUMLEY & ASSOCIATES HIGH POINT, N.C.  DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.
433820 PH 9:30	ANITA JOHNSON v VOLT SERVICES, INC. SPECIALITY RISK SERVICES AND/OR CDI CORPORATION AND/OR LIBERTY MUTUAL INSURANCE CO.	PLF: PRO SE.  DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.  ----- PRO SE. (CDI CORPORATION AND LIBERTY MUTUAL INSURANCE CO.)

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

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW            DOCKET

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

MONDAY, FEBRUARY 13, 2006

1:30 P.M. RALEIGH, NORTH CAROLINA

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383428 MC 1:30	CHRISTOPHER KELLY GAGNER v FREEDOM METALS, INC. ATLANTIC MUTUAL INS CO.	PLF: JUSTICE H. CAMPBELL CHARLOTTE, N.C.  DFT: HEDRICK & MORTON WILMINGTON, N.C.
360277 SG 1:30	HAROLD CALHOUN v LEVITON MANUFACTURING COMPANY GALLAGHER BASSETT SERVICES	PLF: LAW OFFICES OF DAVID R. PALETTA BOONE, N.C.  DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
380192 KL 1:30	JAMES L. GARDI, JR. v DEBRON ELECTRICAL CO., INC. BERKLEY INSURANCE COMPANY OF THE CAROLINAS	PLF: CHARLES PEED & ASSOCIATES WINSTON-SALEM, N.C.  DFT: LEWIS & ROBERTS RALEIGH, N.C.
290466 PH 1:30	DONNA MILLER v LOWE'S HOME IMPROVEMENT SELF-INSURED ( SPECIALITY RISK SERVICING AGENT)	PLF: NEWTON LAW FIRM BEAUFORT, N.C.  DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.

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NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW DOCKET

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

WEDNESDAY, FEBRUARY 15, 2006

9:30 A.M. RALEIGH, NORTH CAROLINA

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321022 CHARLES A. WINGATE PLF: C. ORVILLE LIGHT  
KL v EDEN, N.C.  
9:30 CREATIVE BUILDERS INC. OF NC  
KEY RISK INSURANCE COMPANY DFT: HEDRICK EATMAN GARDNER &  
KINCHELOE, RALEIGH, N.C.

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324663 RUBY EZZELL PLF: ADKINS & FLOWERS  
CS v DURHAM, N.C.  
9:30 WAL-MART ASSOCIATES, INC.  
AMERICAN HOME ASSURANCE DFT: HEDRICK EATMAN GARDNER &  
KINCHELOE, RALEIGH, N.C.

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444092 RAMON MEDINA PLF: LAW OFFICES OF LESLIE O.  
MC v WICKHAM, JR., DURHAM, N.C.  
9:30 J.C. PALLETT OF NORTH  
CAROLINA, INC. DFT: TEAGUE CAMPBELL DENNIS &  
INSURANCE COMPANY OF THE GORHAM, RALEIGH, N.C.  
STATE OF PENNSYLVANIA (AIG)

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305053 JOSE ONAN ULLOA PLF: JEANNE H. WASHBURN  
RR v RALEIGH, N.C.  
9:30 BOVIS LEND LEASE  
INSURANCE COMPANY OF THE DFT: ROBINSON & LAWING  
STATE OF PENNSYLVANIA WINSTON-SALEM, N.C.  
AIG CLAIM SERVICES, INC. (SERVICING AGENT)

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372835 DEBBIE L. PEARSON PLF: ROSE RAND  
BD v WILSON, N.C.  
9:30 BURGER KING OF WILSON  
COMPCAROLINA DFT: LEWIS & ROBERTS  
RALEIGH, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW DOCKET

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

WEDNESDAY, FEBRUARY 15, 2006

1:30 P.M. RALEIGH, NORTH CAROLINA

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**ADD-ON**

302118 VONDA KAY BROWN PLF: THE LAW OFFICE OF FAITH HERNDON  
DB v RALEIGH, N.C.  
1:30 THE KROGER CO.  
SEDGWICK CLAIMS MANAGEMENT DFT: TEAGUE CAMPBELL DENNIS &  
GORHAM, RALEIGH, N.C.  
**( SCOTT \*, LATTIMORE & YOUNG )**

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397246 WILLIAM H. LEE PLF: LAW OFFICES OF LYNDON R. HELTON  
MC v HICKORY, N.C.  
1:30 GETRAG CORPORATION  
PHOENIX INSURANCE CO. DFT: MORRIS YORK WILLIAMS SURLES  
& BARRINGER, CHARLOTTE, N.C.

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462343 RICHARD C. ALEXANDER PLF: WALLACE & GRAHAM  
GG v SALISBURY, N.C.  
1:30 ATLANTIC SERVICES INC.  
ESIS, INC. DFT: HEDRICK EATMAN GARDNER &  
KINCHELOE, CHARLOTTE, N.C.

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