

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 14 & 16, 2006, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Carrie Broder, Agency Legal Specialist to Commissioner Laura K. Mavretic, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Broder is (919) 807-2512. 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 Full Commission schedules the attached cases for disposition. 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 14 & 16, 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

LAURA K. MAVRETIC, CHAIR
BUCK LATTIMORE, CHAIRMAN
THOMAS BOLCH, COMMISSIONER

TUESDAY, FEBRUARY 14, 2006

9:30 A.M. RALEIGH, NORTH CAROLINA

314550 CS 9:30	JEAN S. CARTER v WAKE COUNTY PUBLIC SCHOOLS SELF-INSURED KEY RISK MANAGEMENT SERVICES	PLF: SCUDDER & HEDRICK RALEIGH, N.C. DFT: NC DEPARTMENT OF JUSTICE SHARON PATRICK WILSON RALEIGH, N.C.
370481 & PH-1028 GH 9:30	DAVID BRITT v DURDEN HOME IMPROVEMENTS NON-INSURED	PLF: HUTCHENS SENTER & BRITTON FAYETTEVILLE, N.C. ----- DEPARTMENT OF JUSTICE SCARLETTE GARDNER, RALEIGH, N.C. DFT: CARMEN J. BATTLE FAYETTEVILLE, N.C.
428287 MG 9:30	JOHN WHITLEY v WILSON WOODWORKS BUILDERS MUTUAL INS CO.	PLF: ROSE RAND WILSON WILSON, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
352706 BH 9:30	MARLON RAY HOLLINGSWORTH v GOODYEAR TIRE & RUBBER CO. D/B/ KELLY SPRINGFIELD TIRE CO. LIBERTY MUTUAL GROUP	PLF: LAW OFFICES OF KATHLEEN G. SUMNER, GREENSBORO, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
962980 PH 9:30	STANLEY E. DEAN v PEE DEE EMC FEDERATED RURAL ELECTRIC MANAGEMENT CORP	PLF: POISSON POISSON & BOWER WADESBORO, N.C. DFT: TEAGUE CAMPBELL DENNIS GORHAM, RALEIGH, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

LAURA K. MAVRETIC, CHAIR
BUCK LATTIMORE, CHAIRMAN
THOMAS BOLCH, COMMISSIONER

TUESDAY, FEBRUARY 14, 2006

1:30 P.M. RALEIGH, NORTH CAROLINA

378299 PH 1:30	JOE LAMAR WATSON (DECEASED) v DIXIE TRUCKING COMPANY CAMBRIDGE INTEGRATED SERVICE	PLF: LAWRENCE U. DAVIDSON CHARLOTTE, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
282434 JG 1:30	LUIS F. MOLINA v ALEX LEE, INC. KEMPER INSURANCE CO.	PLF: LOVEKIN YOUNG & ORNDOF HICKORY, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
264253 & 418313 MC 1:30	MISHEL MOORE, JR. v BROYHILL FURNITURE INDUSTRIES, INC. SELF-INSURED (COMPMANAGEMENT, SERVICING AGENT)	PLF: LAW OFFICE OF LYNDON R. HELTON HICKORY, N.C. DFT: MORRIS YORK WILLIAMS SURLES & BARRINGER, CHARLOTTE, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

LAURA K. MAVERICK, CHAIR
BUCK BALTIMORE, CHAIRMAN
THOMAS BLOCH, COMMISSIONER

THURSDAY, FEBRUARY 16, 2006

9:30 A.M. RALEIGH, NORTH CAROLINA

283730 JG 9:30	ODETTA BATTS v FRESNIUS KABI CLAYTON, LLP. N.C. INSURANCE GUARANTY ASSOC	PLF: SCHILLER & SCHILLER RALEIGH, N.C. DFT: TEAGUE ROTENSTREICH & STANALAND, GREENSBORO, N.C.
392979 TS 9:30	ARTHUR M. LEWIS v DELHAIZE AMERICA D/B/A FOOD LION, L.L.C. AND/OR BLOOM RISK MANAGEMENT SERVICES, INC.	PLF: JERRY D. PARKER, JR. DUNN, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
224154 PH 9:30	RICKY MCLEMORE v GARNER CONSTRUCTION FIRE & CASUALTY CO./ BRENTWOOD SERVICES	PLF: TAFT TAFT & HAIGLER GREENVILLE, N.C. DFT: BROOKS STEVENS & POPE CARY, N.C.
379071 PH 9:30	MARCIA E. KINNEY v SEA TRAIL CORPORATION AMCOMP ASSURANCE COMPANY	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: CRANFILL SUMNER & HARTZOG WILMINGTON, N.C.
075104 AP 9:30	DEBRA BENNETT v SHERATON GRAND CORNHUSKER INSURANCE CO	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: BROTHERTON FORD YEOMAN & WORLEY, GREENSBORO, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
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LAURA K. MAVRETIC, CHAIR
BUCK LATTIMORE, CHAIRMAN
THOMAS BOLCH, COMMISSIONER

THURSDAY, FEBRUARY 16, 2006

1:30 P.M. RALEIGH, NORTH CAROLINA

247892 JG 1:30	JOHN GAINER v GRAEBEL VAN LINES LIBERTY MUTUAL INSURANCE CO.	PLF: THE SUMWALT LAW FIRM CHARLOTTE, N.C. DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.
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415519 AP 1:30	WALTER DEAL v SPRINT, INC. GALLAGHER BASSETT SERVICES, INC.	PLF: PRO SE. DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
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269421 & PH-1134 GH 1:30	PHILLIP OXENDINE v TWL, INC. CANAL INSURANCE COMPANY AND/OR THE KEY GROUP INSURANCE CO. AND/OR NONINSURED	PLF: VAN CAMP MEACHAM & NEWMAN PINEHURST, N.C. ----- DEPARTMENT OF JUSTICE, SCARLETTE GARDNER, RALEIGH, N.C. DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C. ----- HESTER GRADY HESTER GREENE & PAYNE, ELIZABETHTOWN, N.C. PRO SE. (KEY INSURANCE GROUP)
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420796 JDE 1:30	BARBARA YEARY v ERMC BROADSPIRE SERVICES	PLF: STANFORD CLONTZ ASHEVILLE, N.C. DFT: BROTHERTON FORD YEOMAN & WORLEY, GREENSBORO, N.C.
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