

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 15, 17, & 22, 2005, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Laura Carter, Agency Legal Specialist to Commissioner Dianne C. Sellers, Dobbs Building, 430 N. Salisbury Street, Raleigh, North Carolina 27611. The telephone number for Laura Carter is (919) 807-2524. 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 15, 17, & 22, 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

DIANNE C. SELLERS, CHAIR
THOMAS BOLCH, COMMISSIONER
BERNADINE S. BALLANCE, COMMISSIONER

TUESDAY, FEBRUARY 15, 2005

9:30 A.M. RALEIGH, NORTH CAROLINA

258375 SG 9:30	TERESA E. SMITH v BROOKWOOD FARMS, INC. THE HARTFORD	PLF: WILSON & REIVES SANFORD, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
305049 TS 9:30	WILLIAM M. KYLE v TRIANGLE GRADING & PAVING, INC. ZURICH NORTH AMERICA	PLF: VANCAMP MEACHAM & NEWMAN PINEHURST, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
287783 BH 9:30	ALTON R. NOBLES v FED EX SUPPLY CHAIN SERVICE PROTECTIVE INSURANCE CO.	PLF: PRO SE. DFT: MORRIS YORK WILLIAMS SURLES & BARRINGER, CHARLOTTE, N.C.
341773 NG 9:30	MEHO IBRAHIMOVIC v SALISBURY LUMBER SUPPLY AIG CLAIM SERVICES	PLF: THE SUMWALT LAW FIRM CHARLOTTE, N.C. DFT: CRANFILL SUMNER & HARTZOG CHARLOTTE, N.C.
180116 BD 9:30	MARTA CARLYLE v EASTERN CAROLINA PAIN MANAGEMENT CENTER NC FARM BUREAU MUTUAL INSURANCE COMPANY	PLF: NEXSEN PRUET JACOBS POLLARD & ROBINSON, MYRTLE BEACH, S.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION
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DIANNE C. SELLERS, CHAIR
THOMAS BOLCH, COMMISSIONER
BERNADINE S. BALLANCE, COMMISSIONER

TUESDAY, FEBRUARY 15, 2005

1:30 P.M. RALEIGH, NORTH CAROLINA

280359 MC 1:30	WILLIAM M. BOLLING v B & K WELL DRILLING, INC. VALLEY FORGE INSURANCE CO.	PLF: M. GREGORY WHITFIELD MOORESVILLE, N.C. DFT: JONES HEWSON & WOOLARD CHARLOTTE, N.C.
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383925 GH 1:30 PH-1044 GH	PATRICIA T. HARRIS v WILLIAM S. HENRY, SR. NON-INSURED NORTH CAROLINA INDUSTRIAL COMMISSION v WILLIAM S. HENRY, SR. NON-INSURED	PLF: PRO SE. ----- NC DEPT OF JUSTICE MYRA L. GRIFFIN, RALEIGH, N.C. ----- DFT: STOTT HOLLOWELL PALMER & WINDHAM, GASTONIA, N.C.
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THURSDAY, FEBRUARY 17, 2005

1:30 P.M. RALEIGH, NORTH CAROLINA

859350	JERRY LOWERY	PLF:	GANLY & RAMER
GG	v		ASHEVILLE, N.C.
1:30	C & J TRANSPORTATION COMPANY	DFT:	J. D. PRATHER LAW FIRM
	NORTH CAROLINA FARM BUREAU		RALEIGH, N.C.
	MUTUAL INSURANCE COMPANY		

(SELLERS, BALLANCE, & BOLCH)

357223	ELLA JANE G. BURTON	PLF:	PRO SE.
LD	v		
1:30	MILLS FLORIST, INC.	DFT:	LEWIS & ROBERTS
	INSURANCE CORP OF		RALEIGH, N.C.
	NEW YORK		

370845	VALENTIN FERRERA ESTRADA	PLF:	ALEXY FLETCHER WILLIS & WILLIS
SG	v		POINT HARBOR, N.C.
1:30	CHARLES GREGORY REPAIRS	DFT:	LEWIS & ROBERTS
	BUILDERS MUTUAL INSURANCE CO.		RALEIGH, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
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DIANNE C. SELLERS, CHAIR
THOMAS BOLCH, COMMISSIONER
BERNADINE S. BALLANCE, COMMISSIONER

TUESDAY, FEBRUARY 22, 2005

9:30 A.M. RALEIGH, NORTH CAROLINA

320056 PB 9:30	LARRY BELL v EMERSON ELECTRIC TRANSPORTATION DIVISION SELF-INSURED	PLF: THE JERNIGAN LAW FIRM RALEIGH, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
293344 TS 9:30	JOHN F. HOLLIDAY v MEBANE PACKAGING SEDGWICK CMS, INC	PLF: BRENT ADAMS & ASSOCIATES SANFORD, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
244894 LD 9:30	MELVYN PITTMAN v WAL-MART STORES, INC. AMERICAN HOME ASSURANCE	PLF: RALPH WILLEY ROCKY MOUNT, N.C. DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.
876030 187800 PB 9:30	ERIC L. WILLIAMS v WAL-MART STORES, INC. INSURANCE COMPANY OF THE OF PENNSYLVANIA	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.
297122 JDE 9:30	LORI KARST v COOK-OUT INC. ALPH STAR INSURANCE	PLF: BRANTLEY JENKINS RIDDLE HARDEE & HARDEE, GOLDSBORO, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
940684 MC/NT 9:30	MIKE L. CANNON v TURBO STREAM BERKLEY INSURANCE COMPANY OF THE CAROLINAS AND/OR A.E. WILLIAMS D/B/A PHOENIX RESTORATION SERVICES SELF-INSURED	PLF: BOB DAVIDSON, JR. HIGH POINT, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C. ----- ORBOCK BOWDEN RUARK & DILLARD WINSTON-SALEM, N.C.

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TUESDAY, FEBRUARY 22, 2005

1:30 P.M. RALEIGH, NORTH CAROLINA

188578 GG 1:30	DAVID DANIELS v GARRETT INSULATION SELECTIVE INSURANCE CO.	PLF: TIPPENS & ZUROSKY CHARLOTTE, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
334967 334968 PH 1:30	KERICE EVANS v WILORA LAKE HEALTHCARE/ HILLTOPPER HOLDING CORP ACE/USA	PLF: LAW OFFICES OF TANIA L. LEON CHARLOTTE, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
222569 JDE 1:30	DOROTHY FANT v WHITE OAK MANOR, INC. THE PMA GROUP	PLF: LEE & SMITH SPARTANBURG, S.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
