

Beverly Eaves Perdue, Governor
Pamela T. Young, Chair



Bernadine S. Ballance, Commissioner
Laura K. Mavretic, Commissioner
Danny L. McDonald, Commissioner
Staci Meyer, 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 16, 18, and 23, 2010, all motions, requests for continuances, and telephone inquiries should be directed to the attention of David Stahl, Law Clerk for Commissioner Laura Mavretic, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Mr. Stahl is (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 16, 18 & 23, 2010
DOBBS BUILDING
SECOND FLOOR, ROOM 2173
430 NORTH SALISBURY STREET
RALEIGH, NC 27603**

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

Linda Langdon
Docket Director

Docket Section • 4336 Mail Service Center • Raleigh, North Carolina 27699-4336
Telephone: (919) 807-2504 • Fax: (919) 715-0282 • Internet Address: <http://www.ic.nc.gov/>

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

LAURA MAVRETIC, PANEL CHAIR
CHRISTOPHER SCOTT, COMMISSIONER
DIANNE C. SELLERS, COMMISSIONER

TUESDAY, FEBRUARY 16, 2010

9:30 A.M.

RALEIGH, NORTH CAROLINA

696584 TS 9:30	HERMAN L. COLVIN v WAKE COUNTY KEY RISK MANAGEMENT SERVICES	PLF: YOUNCE & VTIPIL RALEIGH, N.C. DFT: WILSON & RATLEDGE RALEIGH, N.C.
581758 JG 9:30	RUPERT INSCOE v NELMS ELECTRIC SERVICES, INC STONEWOOD INSURANCE CO.	PLF: WATSON DUNLOW & WILKINSON OXFORD, N.C. DFT: BROOKS STEVENS & POPE RALEIGH, N.C.
893694 BH 9:30	TAMMY C. LATTA v WAL-MART STORES, INC. CLAIMS MANAGEMENT, INC.	PLF: WATSON DUNLOW & WILKINSON OXFORD, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
569582 BH 9:30	DARRELL SIMPSON v JOSEPH SUTTON MASONRY BUILDERS MUTUAL INSURANCE CO.	PLF: LAW OFFICE OF LEE ANDREWS GREENSBORO, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
605913 JD 9:30	VICTOR ROBBINS v OAK-BARK CORPORATION ZENITH INSURANCE CO.	PLF: LAW OFFICE OF LEE D. ANDREWS GREENSBORO, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C.

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

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TUESDAY, FEBRUARY 16, 2010

1:30 P.M.

RALEIGH, NORTH CAROLINA

794893 VH 1:30	DANIEL EARLY v WILLIAM FRADY AIG CLAIM SERVICES, INC	PLF: JUDITH C. FRASER ASHEVILLE, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
101675 GG 1:30	TERRY CAWTHORNE v MISSION HOSPITAL, INC.	PLF: GANLY & RAMER ASHEVILLE, N.C. DFT: BROOKS STEVENS & POPE RALEIGH, N.C.
394950 VH 1:30	PERRY JOSEPH SHUFORD v BURKE GRADING & PAVING, INC. ZURICH INSURANCE CO.	PLF: RANDY D. DUNCAN HICKORY, N.C. DFT: RUSSELL & KING ASHEVILLE, N.C.
895345 PH 1:30	JAMES W. QUICK v NC DEPARTMENT OF TRANSPORTATION (SELF-INSURED)	PLF: THE BUMGARDNER LAW FIRM GASTONIA, N.C. DFT: NC DEPARTMENT OF JUSTICE RALEIGH, N.C.

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DIANNE C. SELLERS, COMMISSIONER

THURSDAY, FEBRUARY 18, 2010

9:30 A.M.

RALEIGH, NORTH CAROLINA

057851 TAMIDA WYNN
RH v
9:30 UNITED HEALTH SERVICES/
TWO RIVERS HEALTH-TRENT CAMPUS
THE PHOENIX INSURANCE CO.

PLF: SCUDDER & HEDRICK
RALEIGH, N.C.

DFT: HEDRICK GARDNER KINCHELOE &
GAROFALO, WILMINGTON, N.C.

625151 JOHN ANSELMO
TS v
9:30 PRECISION CONCEPTS GROUP
THE HARTFORD

PLF: THE DEUTERMAN LAW GROUP
GREENSBORO, N.C.

DFT: CRANFILL SUMNER & HARTZOG
RALEIGH, N.C.

890347 BONNIE S. MURRAY
GG v
9:30 MOREHEAD MEMORIAL HOSPITAL
ALLIED CLAIMS ADMIN INC.

PLF: THE DEUTERMAN LAW GROUP
GREENSBORO, N.C.

DFT: ROBINSON & LAWING
WINSTON-SALEM, N.C.

991507 MARY F. BURNETTE
RH v
9:30 STANADYNE CORPORATION
 LIBERTY MUTUAL INSURANCE CO.

PLF: BRUMBAUGH MU & KING
JACKSONVILLE, N.C.

DFT: HEDRICK GARDNER KINCHELOE &
GAROFALO, RALEIGH, N.C.

734692 RICHARD ANDREW MAYNARD
& (DECEASED), C/O LINDA MAYNARD,
v
G & J TRANSPORT COMPANY,
NON-INSURED

PLF: J. CHRISTOPHER BRANTLEY
GOLDSBORO, N.C.

NC DEPARTMENT OF JUSTICE
RALEIGH, N.C.

PH-1793 NC INDUSTRIAL COMMISSION
PY v
ADM G & J TRANSPORT COMPANY,
APP NON-INSURED,
9:30 AND JOYCE R. NIXON AND
GREGORY E. NIXON, INDIVIDUALLY

DFT: BATTLE WINSLOW SCOTT & WILEY
ROCKY MOUNT, N.C.

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

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THURSDAY, FEBRUARY 18, 2010

1:30 P.M.

RALEIGH, NORTH CAROLINA

899010 DENNY LAWING
RR v
1:30 P.C. GODFREY, INC.
UNION INSURANCE CO.

PLF: KENNETH L. ARMSTRONG
CHARLOTTE, N.C.

DFT: MCANGUS GOUDELOCK & COURIE
CHARLOTTE, N.C.

774273 JENNIFER H. SMITH
PB v
1:30 PROVIDENCE SERVICE CORP
ACE-INA
(ACE USA/ESIS)

PLF: ROBERT A. LAUVER
KERNERSVILLE, N.C.

DFT: MCANGUS GOUDELOCK & COURIE
CHARLOTTE, N.C.

798433 CULYON GARRISON
TS v
1:30 FAIRWAY TRIAD
ST. PAUL TRAVELERS INSURANCE

PLF: ROBERT A. LAUVER
KERNERSVILLE, N.C.

DFT: ORBOCK RUARK & DILLARD
WINSTON-SALEM, N.C.

516472 MARCIA NEAL
TS v
1:30 THE MARKET BASKET
 FIRST COMP INSURANCE CO.

PLF: CAMPBELL & ASSOCIATES
CHARLOTTE, N.C.

DFT: MCANGUS GOUDELOCK & COURIE
RALEIGH, N.C.

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TUESDAY, FEBRUARY 23, 2010

9:30 A.M.

RALEIGH, NORTH CAROLINA

786921 JD 9:30	MICHAEL R. LEE, HUSBAND, MATTHEW R. LEE, ADULT CHILD, AND MELINDA R. LEE, ADULT CHILD, OF MARY ANN LEE, DECEASED, v CITY CAB OF TARBORO TRAVELERS INSURANCE CO.	PLF: PRATHER LAW FIRM RALEIGH, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
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081216 BD 9:30	THOMAS M. FORNEY v EVERGREEN PACKAGING ACE AMERICAN INSURANCE (GALLAGHER BASSETT)	PLF: BUNN & ARNOLD CARY, N.C. DFT: ROBINSON & LAWING WINSTON-SALEM, N.C.
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567520 JG 9:30	LUCINDA MILLER v WAL-MART STORES, INC. AMERICAN HOME ASSURANCE	PLF: RILEY LAW FIRM GOLDSBORO, N.C. DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.
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860607 TS 9:30	CYNTHIA HENDERSON v BROOKDALE SENIOR LIVING AMERICAN CASUALTY CO (GALLAGHER BASSETT SERVICES INC.)	PLF: HARDISON & ASSOCIATES RALEIGH, N.C. DFT: BROOKS STEVENS & POPE RALEIGH, N.C.
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883920 & 891580 &	MARY DIXON v COMMUNITY RESIDENTIAL SUPPORTIVE SERVICES, INC., D/B/A CRSS HOME HEALTH, INC., UNINSURED, AND TRAVELERS	PLF: HARDISON & ASSOCIATES RALEIGH, N.C. ----- NC DEPARTMENT OF JUSTICE RALEIGH, N.C. DFT: PRO SE
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PH-2282 & PH-2096 AP 9:30	NC INDUSTRIAL COMMISSION v COMMUNITY RESIDENTIAL SUPPORTIVE SERVICES, INC., D/B/A CRSS HOME HEALTH, INC., UNINSURED, AND DEBORAH P. THOMAS, INDIVIDUALLY	----- WOMBLE CARLYLE SANDRIDGE & RICE, RALEIGH, N.C.
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COURT RECESS
(ORAL ARGUMENT TO RESUME AT 1:30 P.M.)

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TUESDAY, FEBRUARY 23, 2010

1:30 P.M.

RALEIGH, NORTH CAROLINA

894698 GH 1:30	SARUN YOUS v GREIF, INC. THE PHOENIX INSURANCE CO.	PLF: THE SUMWALT LAW FIRM CHARLOTTE, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
848060 BD 1:30	CARLA MARIA MATTHEWS v MARRIOT INTERNATIONAL, INC. SELF-INSURED (MARRIOTT CLAIM SERVICES)	PLF: JOHN F. AYERS, III CHARLOTTE, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
111022 PH 1:30	MANAL SHENOUDA v RITE AID CORPORATION TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA	PLF: KEN HARRIS & ASSOCIATES CHARLOTTE, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
762098 RR 1:30	JOHN CRAIG CARRICK v BRITT MOTORSPORTS, INC. WESTPORT INSURANCE CO. AND GALLAGHER BASSETT SERVICES, INC.	PLF: DAVID & ASSOCIATES WILMINGTON, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
