

Michael F. Easley, Governor  
Pamela T. Young, Chair



Bernadine S. Ballance, Commissioner  
Buck Lattimore, Commissioner  
Danny L. McDonald, Commissioner  
Laura K. Mavretic, 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 19, 21, and 26, 2008, all motions, requests for continuances, and telephone inquiries should be directed to the attention of, James Vaughan, Agency Legal Specialist to Commissioner Bernadine S. Ballance, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Mr. Vaughan is (919) 807-2522.**

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 19, 21 & 26, 2008  
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

Handwritten signature of Linda D. Langdon in cursive.

Linda D. Langdon  
Docket Director



NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW DOCKET

BERNADINE S. BALLANCE, PANEL CHAIR  
LAURA K. MAVRETIC, COMMISSIONER  
CHRISTOPHER SCOTT, COMMISSIONER

TUESDAY, FEBRUARY 19, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

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450339 DAVID POLLOCK

PLF: PRO SE

PH v

1:30 WASPCO CORP  
KEY RISK INSURANCE CO

DFT: PRATHER LAW FIRM  
RALEIGH, N.C.

**(MAVRETIC\*, MCDONALD & SELLERS)**

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TA-16690 CHARLES PIGG

PLF: N.C. PRISONER LEGAL SERVICES, INC.  
RALEIGH, N.C.

RH v

**RESET** NC DEPARTMENT OF CORRECTION

1:30

DFT: NC DEPARTMENT OF JUSTICE  
RALEIGH, N.C.

**(BALLANCE\*, MCDONALD & MAVRETIC)**

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NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW            DOCKET

BERNADINE S. BALLANCE, PANEL CHAIR  
LAURA K. MAVRETIC, COMMISSIONER  
CHRISTOPHER SCOTT, COMMISSIONER

THURSDAY, FEBRUARY 21, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

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642412 BH 9:30	TERESA WELCH v FORSYTH COUNTY BOARD OF EDUCATION GALLAGHER BASSETT SERVICES	PLF: EDELSTEIN & PAYNE RALEIGH, N.C.  DFT: WOMBLE CARLYLE SANDRIDGE & RICE, WINSTON-SALEM, N.C.
230359 KL 9:30	TONY BYRD v PENN VENTILATION GALLAGHER BASSETT SERVICES	PLF: HUGGINS POUNDS & DAVIS LUMBERTON, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C.
614751 & 664282 JG 9:30	MELANIE S. SMITH v ARROW INTERNATIONAL, INC. HARTFORD CASUALTY CO	PLF: SMITH JAMES ROWLETT & COHEN GREENSBORO, N.C.  DFT: BROOKS STEVENS & POPE CARY, N.C.
522397 & 522398 CS 9:30	JAMES W. TUTTLE, JR. v ABF FREIGHT SYSTEM, INC. SELF-INSURED	PLF: PATTERSON HARKAVY CHAPEL HILL, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
205589 CS 9:30	HERMAN B. RAY v MOUNTAIRE FARMS CRAWFORD AND COMPANY	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C.  DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.

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



NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW            DOCKET

BERNADINE S. BALLANCE, PANEL CHAIR  
LAURA K. MAVRETIC, COMMISSIONER  
CHRISTOPHER SCOTT, COMMISSIONER

TUESDAY, FEBRUARY 26, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

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TA-17703 BD 9:30	GREGORY BAGLEY v N.C. DEPARTMENT OF CORRECTION	PLF: NORTH CAROLINA PRISONER LEGAL SERVICES, RALEIGH, N.C.  DFT: NC DEPARTMENT OF JUSTICE RALEIGH, N.C.
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672386 PH 9:30	NICOLE OSBORNE v N.C. CRIME CONTROL & PUBLIC SAFETY SELF-INSURED (KEY RISK MANAGEMENT SERVICES)	PLF: LAURA JENKINS RALEIGH, N.C.  DFT: NC DEPARTMENT OF JUSTICE RALEIGH, N.C.
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536315 MG 9:30	TRACI G. CRAWFORD v HOME BUYERS CONSULTING NETWORK, INC. HARTFORD UNDERWRITERS INS CO.	PLF: HUNT LAW FIRM DURHAM, N.C.  DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
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834998 RH ADM APP 9:30	JAMES C. MCMILLAN v DUNN NURSERY AND GARDENING NATIONWIDE MUTUAL INS CO.	PLF: LAW OFFICES OF KATHLEEN G. SUMNER, GREENSBORO, N.C.  DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
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538997 & 606213 BD 9:30	PRISCILLA BUTTS v LOWE'S COMPANIES, INC. SPECIALTY RISK SERVICES	PLF: PRO SE  DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
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371997 RH 9:30	JOSEPH N. HOLMES v CAROLINA SERVICES OF FAYETTEVILLE, INC. CLARENDON NATIONAL SERVICES	PLF: PRO SE  DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.
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