

Michael F. Easley, Governor
Buck Lattimore, Chairman



Bernadine S. Ballance, Commissioner
Laura K. Mavretic, Commissioner
Danny Lee McDonald, Commissioner
Christopher Scott, Commissioner
Dianne C. Sellers, Commissioner
Pamela T. Young, Commissioner

North Carolina Industrial Commission

(REVISED)

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 March 8, 13, and 15, 2007, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Janet Dawson, Legal Assistant to Commissioner Bernadine S. Ballance. Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Dawson is (919) 807- 2515.

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:

MARCH 8, 13 & 15, 2007
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

BERNADINE S. BALLANCE, CHAIR
BUCK LATTIMORE, CHAIRMAN
PAMELA T. YOUNG, COMMISSIONER

THURSDAY, MARCH 8, 2007

9:30 A.M. RALEIGH, NORTH CAROLINA

545136 CHARLES HOCUTT PLF: HARDISON & LEONE
RWR v RALEIGH, N.C.
9:30 STANDARD COMMERCIAL CORP.
THE HARTFORD DFT: CRANFILL SUMNER & HARTZOG
RALEIGH, N.C.

357787 BARBARA LASSISTER PLF: HARDISON & LEONE
MG v RALEIGH, N.C.
9:30 GLOVER PRINTING, INC.
STAR INSURANCE COMPANY DFT: YOUNG MOORE & HENDERSON
RALEIGH, N.C.

433834 JOSEPH FREDERICI PLF: YOUNCE & VTIPIL
RR v RALEIGH, N.C.
9:30 SKANSA USA BUILDING, INC.
ST. PAUL FIRE & MARINE DFT: LEWIS & ROBERTS
RALEIGH, N.C.

520288 RICHARD E. MEDRANO PLF: LEWIS & DAGGETT
JG v WINSTON-SALEM, N.C.
9:30 LAWN PERFECTIONS, INC.
N.C. FARM BUREAU MUTUAL INS. DFT: YOUNG MOORE & HENDERSON
RALEIGH, N.C.

442372 EDWARD WALTS PLF: PRO SE
RH v
9:30 LONG BEVERAGE, INC.
ATTENTA INC DFT: LEWIS & ROBERTS
RALEIGH, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

THURSDAY, MARCH 8, 2007

1:30 P.M. RALEIGH, NORTH CAROLINA

028015	DAVID W. BLEVINS	PLF:	THE LAW OFFICES OF GEORGE W. LENNON, RALEIGH, N.C.
RWR	v		
1:30	STEEL DYNAMICS, INC. CNA INSURANCE CO.	DFT:	TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
	(SELLERS*, YOUNG & SCOTT)		

406304	MARLENA PEACOCK	PLF:	RICHARD B. HARPER SYLVA, N.C.
KL	v		
1:30	HARRAH'S CHEROKEE CASINO & HOTEL SELF-INSURED (KEY RISK MANAGEMENT SERVICES)	DFT:	HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.

180340	DAVID JAMES ENGLISH, ADMIN OF THE ESTATE OF ANNIE ROBERTS ENGLISH	PLF:	WALLACE & GRAHAM SALISBURY, N.C.
GG	v		
1:30	RYDER PIE NATIONWIDE, INC. INSOLVENT, SELF-INSURED, OVERNITE TRANSPORTATION CO, FREDERICKSON MOTOR LINES, CONE MILLS CORP LIBERTY MUTUAL INS CO., TRANSPORT INSURANCE CO.	DFT:	TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C. ----- HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C. ----- STUART LAW FIRM, RALEIGH, N.C.

509607	SHIRLEY FIELDS FITZGERALD, EXECUTRIX FOR THE ESTATE OF ROBERT CLYDE FITZGERALD, DECEASED	PLF:	WALLACE & GRAHAM SALISBURY, N.C.
WT	v		
1:30	RESCO , F/K/A NORTH STATE PYROPHYLITE CO., INC. AND /OR STONE HEAVY EQUIPMENT, F/K/A RALEIGH SPRING BRAKE SERVICE, INC. N.C. INSURANCE GUARANTY ASSOC. AND WAUSAU, ET AL	DFT:	NELSON MULLINS RILEY & SCARBOROUGH, RALEIGH, N.C. ----- HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C. ----- HEDRICK EATMAN GARDNER & KINCHELOE, RALEIGH, N.C. ----- CRANFILL SUMNER & HARTZOG RALEIGH, N.C. ----- MULLEN HOLLAND & COOPER GASTONIA, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

BERNADINE S. BALLANCE, CHAIR
BUCK LATTIMORE, CHAIRMAN
PAMELA T. YOUNG, COMMISSIONER

TUESDAY, MARCH 13, 2007

9:30 A.M. RALEIGH, NORTH CAROLINA

386497 JG 9:30	GEORGE R. WILLIAMS v ROSES STORES HEWITT COLEMAN & ASSOCIATES (BOLCH*, SELLERS & MAVRETIC)	PLF: PRATHER LAW FIRM RALEIGH, N.C. DFT: MCANGUS GOUDELOCK & COURIE RALEIGH, N.C.
----------------------	---	--

TA-17886 RH 9:30	BARRY SMITH v N.C. DEPARTMENT OF CORRECTION	PLF: NC PRISONER LEGAL SERVICES RALEIGH, N.C. DFT: NC DEPARTMENT OF JUSTICE RALEIGH, N.C.
------------------------	---	--

497261 PH 9:30	MARIO MONTERO v BERNARD'S INC. CINCINNATI INDEMNITY CO.	PLF: HODGMAN & HODGMAN GREENSBORO, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
----------------------	--	---

418708 JG 9:30	PATRICIA ANN EVANS, WIDOW, AND ERIC MARK EVANS, ADULT SON OF WALLACE EVANS, JR. DECEASED, v SOUTH ATLANTIC SERVICES, INC. ZENITH INSURANCE COMPANY	PLF: BAKER & SLAUGHTER WILMINGTON, N.C. ----- CROSSLEY MCINTOSH PRIOR & COLLINS, WILMINGTON, N.C. DFT: PATTERSON DILTHEY CLAY BRYSON & ANDERSON, WILMINGTON, N.C.
----------------------	--	---

473416 PH 9:30	RODRIGO NIETO OLEA v MARTIN ERECTION, INC. AMERICAN HOME ASSURANCE	PLF: THE HODGMAN LAW FIRM GREENSBORO, N.C. DFT: CRANFILL SUMNER & HARTZOG WILMINGTON, N.C.
----------------------	---	---

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

BERNADINE S. BALLANCE, CHAIR
BUCK LATTIMORE, CHAIRMAN
PAMELA T. YOUNG, COMMISSIONER

TUESDAY, MARCH 13, 2007

1:30 P.M. RALEIGH, NORTH CAROLINA

121384 RWR 1:30	KATHLEEN MILLER v LINCOLN COUNTY SEDGWICK CMS	PLF: COX GAGE & SASSER CHARLOTTE, N.C. DFT: CRANFILL SUMNER & HARTZOG CHARLOTTE, N.C.
-----------------------	--	--

(LATTIMORE*, MAVRETIC, YOUNG)

239411 & 266663 PB 1:30	HEATH COLLINS v WAL-MART STORES, INC. AMERICAN HOME ASSURANCE	PLF: JUDITH C. FRASER ASHEVILLE, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
-------------------------------------	--	---

479813 RH 1:30	PHILLIP RUSS v CONTINENTAL TIRE, N.A. SELF-INSURED (GALLAGHER BASSETT SERVICES, INC.)	PLF: BOLLINGER & PIEMONTE CHARLOTTE, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
----------------------	---	---

545678 JG 1:30	JOHN A. JUDY v OSTLER INTERNATIONAL, INC. LIBERTY MUTUAL INSURANCE	PLF: WARREN & KALLIANOS CHARLOTTE, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, RALEIGH, N.C.
----------------------	---	---

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

BERNADINE S. BALLANCE, CHAIR
BUCK LATTIMORE, CHAIRMAN
PAMELA T. YOUNG, COMMISSIONER

THURSDAY, MARCH 15, 2007

9:30 A.M. RALEIGH, NORTH CAROLINA

458345	RUSSELL SOLOVAY	PLF:	THE KILBRIDE LAW FIRM
JDE	v		RALEIGH, N.C.
9:30	ROCKY TOP HOSPITALITY CRAWFORD & COMPANY	DFT:	HEDRICK EATMAN GARDNER & KINCHELOE, RALEIGH, N.C.

499636	MELCHOR DOMINGUEZ-ZAPATA	PLF:	THE BRICIO LAW FIRM
RH	v		CARY, N.C.
9:30	FRANCISCO DOMINGUEZ MASONRY BUILDERS MUTUAL INS. CO.	DFT:	LEWIS & ROBERTS RALEIGH, N.C.

254478	BOBBIE M. WEST	PLF:	BRUMBAUGH MU & KING
PH	v		JACKSONVILLE, N.C.
9:30	SHORELAND HEALTH CARE SELF-INSURED (WACHOVIA INSURANCE SERVICES, F/K/A CAMERON M. HARRIS & CO.)	DFT:	WILSON & RATLEDGE RALEIGH, N.C.

448948	JOHN C. YARBOROUGH	PLF:	BRUMBAUGH MU & KING
RWR	v		JACKSONVILLE, N.C.
9:30	PIERCE TRAILER SERVICE THE ZENITH INSURANCE CO.	DFT:	BROOKS STEVENS & POPE CARY, N.C.

227220	SARA SMITH	PLF:	HUGGINS POUNDS & DAVIS
&	v		LUMBERTON, N.C.
261581	HUDDLE HOUSE	DFT:	MARSHALL WILLIAMS & GORHAM
RWR	TRAVELERS INSURANCE CO.		WILMINGTON, N.C.
9:30			

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

BERNADINE S. BALLANCE, CHAIR
BUCK LATTIMORE, CHAIRMAN
PAMELA T. YOUNG, COMMISSIONER

THURSDAY, MARCH 15, 2007

1:30 P.M. RALEIGH, NORTH CAROLINA

PH-1318 NORTH CAROLINA INDUSTRIAL
GH COMMISSION

1:30

v

MONTE VISTA HOTEL, INC.,
NONINSURED, AND ROSALIE
PHILLIPS, INDIVIDUALLY

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

THOMAS J. DIMMOCK, RALEIGH, N.C.

DFT: THE VAN WINKLE LAW FIRM
ASHEVILLE, N.C.

PH-0927 NORTH CAROLINA INDUSTRIAL
GH COMMISSION

1:30

v

SANDERSON BOAT WORKS, INC.,
NONINSURED, AND JAMES R.
SANDERSON, JR., INDIVIDUALLY

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

DFT: VICTOR H.E. MORGAN, JR.
JACKSONVILLE, N.C.
