

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

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 April 12, 17, and 19, 2007, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Michelle Drake, Agency Legal Specialist to Chairman Buck Lattimore. Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Drake is (919) 807-2668.

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:

APRIL 12, 17 & 19, 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

BUCK LATTIMORE, CHAIRMAN
LAURA K. MAVRETIC, COMMISSIONER
CHRISTOPHER SCOTT, COMMISSIONER

THURSDAY, APRIL 12, 2007

9:30 A.M. RALEIGH, NORTH CAROLINA

757834 GG 9:30	LOUIS GARCIA v GOODYEAR TIRE AND RUBBER CO. LIBERTY MUTUAL	PLF: HEIDI G. CHAPMAN CHAPEL HILL, N.C. DFT: BROOKS STEVENS & POPE CARY, N.C.
402042 & 554900 BH 9:30	RALPH J. SMITH v GENERAL ELECTRIC CO. ELECTRIC INSURANCE CO.	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.
340037 PB 9:30	BEVERLY F. SAPP v MAIDENFORM, INC. ST. PAUL TRAVELERS INS, CO.	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
484525 BH 9:30	FRANK R. DULZER, JR. v GOODYEAR TIRE & RUBBER CO. (AKA KELLY SPRINGFIELD)	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
497827 & 9:30	MILTON BRYANT v MARTY SPRUILL, (SUBCONTRACTOR) NON-INSURED	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. ----- NC DEPARTMENT OF JUSTICE RALEIGH, N.C.
PH-1299 GH	NORTH CAROLINA INDUSTRIAL COMMISSION v MARTY SPRUILL NON-INSURED	DFT: VOERMAN & GURGANUS LAW FIRM NEW BERN, NC. ----- LEWIS & ROBERTS RALEIGH, N.C.

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

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THURSDAY, APRIL 12, 2007

1:30 P.M. RALEIGH, NORTH CAROLINA

188517 SHIRLEY D. MITCHELL
BD v
1:30 BLACK & DECKER
SPECIALTY RISK SERVICES

PLF: BRUMBAUGH MU & KING
JACKSONVILLE, N.C.
DFT: RUDISILL WHITE & KAPLAN
CHARLOTTE, N.C.

575557 DAVID SIGMON
AP v
1:30 CALDWELL FREIGHT LINES, INC
NATIONAL BENEFITS AMERICA

PLF: COBURN & SALEEBY
SPARTANBURG, S.C.
DFT: MORRIS YORK WILLIAMS SURLES &
BARRINGER, CHARLOTTE, N.C.

452798 ANTONIO ROGEL ROMERO
AP v
1:30 BROYHILL FURNITURE INDUSTRIES, INC.
SELF-INSURED

PLF: PRO SE
DFT: MORRIS YORK WILLIAMS SURLES &
BARRINGER, CHARLOTTE, N.C.

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BUCK LATTIMORE, CHAIRMAN
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CHRISTOPHER SCOTT, COMMISSIONER

TUESDAY, APRIL 17, 2007

9:30 A.M. RALEIGH, NORTH CAROLINA

419693 KL 9:30	MICHAEL G. DIXON v C.D. WILLIAMS CO. INC. BERKLEY INSURANCE COMPANY OF THE CAROLINAS	PLF: THE KILBRIDE LAW FIRM RALEIGH, N.C. DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.
380097 BD 9:30	WILLIAM H. MOONEY v RFS ECUSTA/P.H. GLATFELTER CO. SELF-INSURED (PMS INSURANCE)	PLF: DONALDSON & BLACK GREENSBORO, N.C. DFT: PRATHER LAW FIRM RALEIGH, N.C.
565447 PB 9:30	STANLEY PADGETT v BOB GLOVER GRADING, INC. FIREMAN'S INSURANCE COMPANY OF WASHINGTON, D.C.	PLF: SCHLOSSER & PRITCHETT GREENSBORO, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
398854 & 517609 PB 9:30	MARK HALL v THE OSBORNE COMPANY OF NORTH CAROLINA, INC. TRAVELERS CASUALTY AND SURETY COMPANY	PLF: THE DEUTERMAN LAW GROUP GREENSBORO, N.C. DFT: ORBOCK RUARK & DILLARD WINSTON-SALEM, N.C.
358207 KL 9:30	WILLETTE W. BARNES v MOSES CONE HEALTH SYSTEM KEY RISK MANAGEMENT SERVICES	PLF: LEWIS & DAGGETT WINSTON-SALEM, N.C. DFT: SMITH MOORE GREENSBORO, N.C.

(COURT RECESS)
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TUESDAY, APRIL 17, 2007

1:30 P.M. RALEIGH, NORTH CAROLINA

TA-18182 SG ADM APP 1:30	ESTATE OF MICHELE CURRAN. DECEASED, KELLY CURRAN v NORTH CAROLINA CRIME CONTROL & PUBLIC SAFETY	PLF: MELROSE SEAGO & LAY SYLVA, N.C. DFT: NC DEPARTMENT OF JUSTICE ASHEVILLE, N.C.
463458 AP 1:30	BESSIE RICHARDSON v MOHAWK INDUSTRIES, INC. SELF-INSURED (SEDGWICK CMS)	PLF: LOCKLEAR JACOBS HUNT & BROOKS LUMBERTON, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
179227 AP 1:30	KEVIN B. BROWN v N.C. DEPARTMENT OF CORRECTION SELF-INSURED (KEY RISK MANAGEMENT SERVICES, INC.)	PLF: MOSER GARNER BRUNER & WANSKER LAURINBURG, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.

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THURSDAY, APRIL 19, 2007

9:30 A.M. RALEIGH, NORTH CAROLINA

209433 MG 9:30	JERRY WAYNE GREGORY v IVEY MECHANICAL CORPORATION ENCOMPASS SERVICES CORP CNA CLAIM PLUS	PLF: STANLEY LAW FIRM GREENVILLE, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
486255 PH 9:30	KEISHA L. HOOKS v PENDER COUNTY DSS SEDGWICK CMS	PLF: THE RODGERS LAW FIRM BURGAW, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
508191 MC 9:30	LUCIAN A. MATTES v INTERNATIONAL PAPER COMPANY SELF-INSURED (SEDGWICK CMS)	PLF: CROSSLEY MCINTOSH PRIOR & COLLIER, WILMINGTON, N.C. DFT: BROOKS STEVENS & POPE CARY, N.C.
412685 JDE 9:30	RONALD REAVES, (DECEASED) v INDUSTRIAL PUMP SERVICE AMERICAN INTERSTATE INS	PLF: SHIPMAN & WRIGHT WILMINGTON, N.C. DFT: CRANFILL SUMNER & HARTZOG WILMINGTON, N.C.
069799 MC 9:30	THOMAS E. WRIGHT v SIMPSON'S EGGS, INC. NC FARM BUREAU MUTUAL INS	PLF: POISSON POISSON BOWER & CLODFELTER WADESBORO, N.C. DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.

(CHRISTOPHER SCOTT*, LATTIMORE & MAVRETIC)

(COURT RECESS)
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CHRISTOPHER SCOTT, COMMISSIONER

THURSDAY, APRIL 19, 2007

1:30 P.M. RALEIGH, NORTH CAROLINA

517743 JG 1:30	ROGER L. ROBINSON v HENDRICK AUTOMOTIVE GROUP CHUBB SERVICES CORPORATION	PLF: LYNN BISHOP CHARLOTTE, N.C. DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
433585 MC 1:30	JAMES HOGAN, JR. v TERMINAL TRUCKING COMPANY AMCORP ASSURANCE CORP	PLF: ROBERT M. TALFORD CHARLOTTE, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
480360 MC 1:30	WENDY V. CHRISTY v WAL-MART ASSOCIATES, INC. AMERICAN HOME ASSURANCE CO.	PLF: DOWNER WALTERS & MITCHENER CHARLOTTE, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
