

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 April 13, 15, and 20, 2010, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Thomas H. Perlungher, Law Clerk for Commissioner Danny L. McDonald, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Mr. Perlungher is (919) 807-2510. 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:

**APRIL 13, 15 & 20, 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/>

FULL COMMISSION
REVIEW DOCKET

DANNY L. MCDONALD, PANEL CHAIR
DIANNE C. SELLERS, COMMISSIONER
PAMELA T. YOUNG, CHAIR

TUESDAY, APRIL 13, 2010

9:30 A.M.

RALEIGH, NORTH CAROLINA

789690 HARRY C. WIGMORE, III
TS v
9:30 G&D TRANSPORTATION
ACE
(COTTINGHAM & BUTLER)

PLF: PHILLIP A. FUSCO
DUNN, N.C.

JERRY D. PARKER, JR.
DUNN, N.C.

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

105742 KELVIN D. THOMPSON
JG v
9:30 CAROLINA CABINET COMPANY
ISURITY, INC.

PLF: KEEL O' MALLEY & TUNSTALL
TARBORO, N.C.

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

936107 BILLY LAWRENCE
TS v
9:30 JOHN WEST AUTO SERVICES, INC
UTICA NATIONAL INSURANCE
AND/OR STAR INSURANCE CO.

PLF: MARTIN & JONES
RALEIGH, N.C.

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

RUDISILL WHITE & KAPLAN
CHARLOTTE, N.C.

792279 ANN L. MOORE
& v
865240 HOECHST CELANESE CORP.
RH ACE USA/ESIS AND
9:30 INVISTA
OLD REPUBLIC INSURANCE CO.
(BROADSPIRE, A CRAWFORD CO.)

PLF: RAYMOND M. MARSHALL
WINSTON-SALEM, N.C.

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

HEDRICK GARDNER KINCHELOE &
GAROFALO, CHARLOTTE, N.C.

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

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TUESDAY, APRIL 13, 2010

1:30 P.M.

RALEIGH, NORTH CAROLINA

022973 TS 1:30	NICANDRO SOSA PARADA v CUSTOM MAINTENANCE, INC. HARBOR SPECIALTY INSURANCE CO. (SCOTT*, MEYER & YOUNG)	PLF: DOUGLAS S. HARRIS GREENSBORO, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, ASHEVILLE, N.C.
800605 GH 1:30	TONI THORNBURG v GUILFORD COUNTY SCHOOLS KEY RISK MANAGEMENT SERVICES (SELLERS*, YOUNG & SCOTT)	PLF: OXNER THOMAS + PERMAR GREENSBORO, N.C. DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
125834 BH 1:30	ANITA THOMPSON v FEDEX GROUND/RPS, INC. CRAWFORD & COMPANY (SELLERS*, YOUNG & SCOTT)	PLF: HARDISON & COCHRAN RALEIGH, N.C. DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.

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THURSDAY, APRIL 15, 2010

9:30 A.M.

RALEIGH, NORTH CAROLINA

432291 PB 9:30	HAROLD E. HESTER v MUNDY SERVICE CORPORATION AIG CLAIMS SERVICE, INC.	PLF: THE LAW OFFICES OF KATHLEEN SHANNON GLANCY, WILMINGTON, N.C. DFT: CRANFILL SUMNER & HARTZOG WILMINGTON, N.C.
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848237 RR 9:30	ERICA N. BIRTCIEL PUCKETT v ELIZABETH CITY NC DI REST. #1 LL/SONIC DRIVE IN HARTFORD (GALLAGHER BASSETT SERVICES, INC.)	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: MCANGUS GOUDELOCK & COURIE RALEIGH, N.C.
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626364 WT 9:30	RUSSELL L. JOHNSON v COVIL CORPORATION ST. PAUL TRAVELERS/USF&G AND/OR S.C. PROPERTY & CASUALTY INSURANCE GUARANTY ASSOCIATION AND/OR NORTHERN INSURANCE CO. OF NEW YORK AND/OR PENN NATIONAL INSURANCE CO. AND/OR TRAVELERS CASUALTY & SURETY/AETNA	PLF: WALLACE & GRAHAM SALISBURY, N.C. DFT: MULLEN HOLLAND & COOPER GASTONIA, N.C. ----- JONES HEWSON & WOOLARD CHARLOTTE, N.C. ----- STILES BYRUM & HORNE CHARLOTTE, N.C. ----- MCANGUS GOUDELOCK & COURIE RALEIGH, N.C. ----- HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
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W17365 BH 9:30	JULIE SILVERTHORNE v ALLSTATE INSURANCE COMPANY SELF-INSURED (HELMSMAN MANAGEMENT SERVICES)	PLF: PRO SE DFT: CRANFILL SUMNER & HARTZOG CHARLOTTE, N.C.
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(COURT RECESS)
(ORAL ARGUMENTS TO RESUME AT 1:30 P.M.)

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THURSDAY, APRIL 15, 2010

1:30 P.M.

RALEIGH, NORTH CAROLINA

899801, DAVID TORRES
998512 v
& W.E. BOLTON CONSTRUCTION
998785 STONEWOOD INSURANCE CO.
BD
1:30

PLF: DAVID GANTT LAW OFFICE
 ASHEVILLE, N.C.

DFT: BROOKS STEVENS AND POPE
 RALEIGH, N.C.

207933 ESTATE OF WANDA MCFALLS
GG v
1:30 WESTERN CAROLINA CENTER
 KEY RISK MANAGEMENT SERVICES

PLF: DANIEL LAW FIRM
 MORGANTON, N.C.

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

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PAMELA T. YOUNG, CHAIR

TUESDAY, APRIL 20, 2010

9:30 A.M.

RALEIGH, NORTH CAROLINA

621178 LINDA BALDWIN
BH v
9:30 A SOUTHERN SEASON, INC.
 KEY RISK INSURANCE CO.

PLF: HARRIET S. HOPKINS
 DURHAM, N.C.

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

897458 VICTORIA SANDOVAL
& v
PH-2322 JIM KITTRELL D/B/A
AP SUPERIOR CLEANING SERVICES
9:30 NON-INSURED

PLF: PEEBLES LAW FIRM
 WINSTON-SALEM, N.C.

N.C. DEPARTMENT OF JUSTICE
RALEIGH, N.C.

N.C. INDUSTRIAL COMMISSION
 v
JIM KITTRELL D/B/A
SUPERIOR CLEANING SERVICES
AND JIM KITTRELL, INDIVIDUALLY

DFT: PRO SE

972645 MELISSA BLEDSOE
MG v
9:30 TOWNSEND RESTAURANT GROUP
 D/B/A EAST COAST WINGS
 ACCIDENT FUND INSURANCE
 COMPANY OF AMERICA

PLF: CRUMLEY & ROBERTS
 WINSTON-SALEM, N.C.

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

991834 TRACY P. INGRAM
JD v
9:30 ARAMARK
 SPECIALTY RISK SERVICES AND
 ADECCO
 BROADSPIRE

PLF: TRAVIS H. SIMPSON
 WINSTON-SALEM, N.C.

DFT: LEWIS & ROBERTS
 RALEIGH, N.C.

WILSON & RATLEDGE
RALEIGH, N.C.

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TUESDAY, APRIL 20, 2010

1:30 P.M.

RALEIGH, NORTH CAROLINA

765620	STONEY SHELLEY	PLF:	GARDNER GARDNER & CAMPBELL
TS	v		MOUNT AIRY, N.C.
1:30	SALEM CARRIERS	DFT:	HEDRICK GARDNER KINCHELOE &
	THE PHOENIX INSURANCE CO.		GAROFALO, CHARLOTTE, N.C.

367378	DOROTHY L. QUICK	PLF:	POISSON POISSON & BOWER
BH	v		WADESBORO, N.C.
1:30	BURLINGTON INDUSTRIES	DFT:	HEDRICK GARDNER KINCHELOE &
	SELF-INSURED		GAROFALO, CHARLOTTE, N.C.
	(BROADSPIRE)		
