

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 29, May 4, and May 6, 2010, all motions, requests for continuances, and telephone inquiries should be directed to the attention of David Stahl, Law Clerk for Commissioner Christopher Scott, 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:

**APRIL 29, MAY 4 & MAY 6, 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

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

THURSDAY, APRIL 29, 2010

9:30 A.M.

RALEIGH, NORTH CAROLINA

TA-20087 JOHN J. MANNING
SG v
9:30 N.C. DEPARTMENT OF CORRECTION

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

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

886077 WILLIAM M. PARKER
JD v
9:30 ECOLAB, INC.
 CRAWFORD AND COMPANY

PLF; GARRY WHITAKER
 WINSTON-SALEM, N.C.

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

605913 VICTOR ROBBINS
PH v
9:30 OAK-BARK CORPORATION
ADM ZENITH INSURANCE COMPANY
APP (MAVRETIC*, SCOTT & SELLERS)

PLF: LEE D. ANDREWS
 GREENSBORO, N.C.

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

796386 TAMISHA LAVETTE HARRIS
MG v
9:30 THE CEDARS OF CHAPEL HILL CLUB,
 INC.
 CINCINNATI CASUALTY COMPANY

PLF: PRO SE

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

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

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THURSDAY, APRIL 29, 2010

1:30 P.M.

RALEIGH, NORTH CAROLINA

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| 002327 VH 1:30 | ROCKY S. HOLBERT v N.C. DEPARTMENT OF CORRECTION CORVEL CORPORATION | PLF: LAW OFFICES OF GANLY & RAMER ASHEVILLE, N.C. DFT: N.C. DEPARTMENT OF JUSTICE ASHEVILLE, N.C. |
| 694826 KL 1:30 | JAMES SHEPHERD v BLUE RIDGE PAPER PRODUCTS ZURICH NORTH AMERICA | PLF: DAVID GANTT ASHEVILLE, N.C. DFT: ROBINSON & LAWING WINSTON-SALEM, N.C. |
| 892421 PH 1:30 | TONY TRUETT v NCR CORPORATION BROADSPIRE | PLF: TED A. GREVE & ASSOCIATES CHARLOTTE, N.C. DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C. |
| 093043 & 778026 PB 1:30 | PEGGY L. FLOW v HOBBY LOBBY STORES, INC. SELF-INSURED (SEDGWICK CMS) | PLF: RICHARD L. ROBERTSON & ASSOCIATES CHARLOTTE, N.C. DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C. |

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DIANNE C. SELLERS, COMMISSIONER

TUESDAY, MAY 4, 2010

9:30 A.M.

RALEIGH, NORTH CAROLINA

197532 DAVID FAGGART
JG v
9:30 SKILL CREATIONS, INC.
 TRAVELERS INSURANCE CO.

PLF: MORRISON LAW FIRM
WILSON, N.C.

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

980923 ROBIN WILSON
RH v
9:30 LENOIR COUNTY SCHOOLS
SELF-INSURED
(KEY RISK MANAGEMENT SERVICES)

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

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

872311 ALONZO BLAKENEY
JG v
9:30 BLYTHE CONSTRUCTION, INC.
LIBERTY MUTUAL INSURANCE CO.

PLF: POISSON POISSON & BOWER
WADESBORO, N.C.

DFT: STILES BYRUM & HORNE
CHARLOTTE, N.C.

790981 JACQUELINE PEARSON
RWR v
9:30 RESOURCE HEALTHCARE
OF AMERICA
PHOENIX INSURANCE CO.

PLF: CROSSWHITE CROSSWHITE ASHLEY
& JOHNSON, STATESVILLE, N.C.

DFT: NORTHUP MCCONNELL & SIZEMORE
ASHEVILLE, N.C.

494726 KEITH DENNIS
TS v
9:30 APPLIANCE WAREHOUSE
COINMACH HOLDINGS, L.L.C.
AMERICAN INTERSTATE INS. CO.

PLF: PRO SE

DFT: LEWIS & ROBERTS
RALEIGH, N.C.

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

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TUESDAY, MAY 4, 2010

1:30 P.M.

RALEIGH, NORTH CAROLINA

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| 197023 PB 1:30 | SCOTT SHEEHAN v ULTIMATE POWERSPORTS ERIE INSURANCE GROUP | PLF: WILLIAMS & MILLS ASHEVILLE, N.C. PLF: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C. |
| 475988 PH 1:30 | JIMMY HARDIN v TOWN OF FOREST CITY AIMCO (KEY RISK MANAGEMENTS SERVICES) | PLF: LAW OFFICES OF BRIAN PETERSON ASHEVILLE, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C. |
| 891866 & 918069 RWR 1:30 | JOELLEN STEPHENSON v ETHAN ALLEN-PINE VALLEY DIVISION THE PHOENIX INSURANCE CO. | PLF: STONE & CHRISTY BLACK MOUNTAIN, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C. |
| 775290 BH 1:30 | DICKIE LEE PULLIAM v ELIXIR INDUSTRIES ZURICH AMERICAN CASUALTY CO. | PLF: JAY GERVASI GREENSBORO, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C. |

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DIANNE C. SELLERS, COMMISSIONER

THURSDAY, MAY 6, 2010

9:30 A.M.

RALEIGH, NORTH CAROLINA

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| 089542 RH 9:30 | SHERRI COOGAN v AUTUMN CORP KEY RISK INSURANCE COMPANY | PLF: OXNER THOMAS + PERMAR RALEIGH, N.C. DFT: PRATHER LAW FIRM RALEIGH, N.C. |
| 753022 BH 9:30 | CHRISTIAN RIVAROLA v CUMBERLAND COUNTY ANIMAL CONTROL KEY RISK, INC. | PLF: LAW OFFICES OF JAMES SCOTT FARRIN DURHAM, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM RALEIGH, N.C. |
| 624467 JG 9:30 | JASON LINDER v TOWN OF CLAYTON N.C. LEAGUE OF MUNICIPALITIES | PLF: ROSE RAND WALLACE WILSON, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM RALEIGH, N.C. |
| 590964 TS 9:30 | WILLIAM P. STOWERS v COLFAX WELDING, INC. FIREMEN'S INSURANCE OF WASHINGTON, D.C. | PLF: MAYNARD & HARRIS WINSTON-SALEM, N.C. DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C. |
| 097083 & PH-2268 AP 9:30 | JAMES M. HAWKINS v A & M AUTO BODY, INC. NON-INSURED N.C. INDUSTRIAL COMMISSION v A & M AUTO BODY, INC. NON-INSURED, AND ANTHONY HERNANDEZ, INDIVIDUALLY | PLF: NEWTON LAW FIRM BEAUFORT, N.C. N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C. DFT: THE STRICKLIN LAW FIRM HAVELOCK, N.C. |

COURT RECESS
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DIANNE C. SELLERS, COMMISSIONER

THURSDAY, MAY 6, 2010

1:30 P.M.

RALEIGH, NORTH CAROLINA

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| 581752 KL 1:30 | BRADLEY KEVIN PRESTWOOD v CALDWELL COUNTY SHERIFF'S DEPARTMENT SEDGWICK CMS | PLF: LAW OFFICES OF RANDY DUNCAN HICKORY, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM RALEIGH, N.C. |
| 176797 & 176776 VH 1:30 | CARLOS MANUEL MERCADO ARCE v BASSETT FURNITURE INDUSTRIES, INC. LIBERTY MUTUAL INSURANCE CO. | PLF: LAW OFFICES OF RANDY D. DUNCAN HICKORY, N.C. DFT: SMITH MOORE LEATHERWOOD GREENSBORO, N.C. |
| TA-20205 SG 1:30 | DAVID CRUMP AND WIFE, SHARON L. CRUMP, v N.C. DEPARTMENT OF HEALTH AND HUMAN SERVICES AND CALDWELL COUNTY HEALTH DEPARTMENT | PLF: TODD VANDERBLOEMEN & BRADY LENOIR, N.C. DFT: N.C. DEPARTMENT OF JUSTICE ASHEVILLE, N.C. |
