



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 May 1, 3, and 8, 2012, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Michelle Denning, Law Clerk to Commissioner Staci Meyer, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Denning is (919) 807-2668. 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 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:

**MAY 1, 3 & 8, 2012
DOBBS BUILDING
SECOND FLOOR, ROOM 2173
430 NORTH SALISBURY STREET
RALEIGH, NORTH CAROLINA 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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

STACI MEYER, CHAIR OF PANEL
BERNADINE S. BALLANCE, COMMISSIONER
LINDA CHEATHAM, COMMISSIONER
DANNY L. MCDONALD, COMMISSIONER
TAMMY R. NANCE, COMMISSIONER
PAMELA T. YOUNG, CHAIR

TUESDAY, MAY 1, 2012

9:00 A.M.

RALEIGH, NORTH CAROLINA

584372	JOSEPH E. BURROUGHS	PLF:	LENNON CAMAK & BERTICS
CS	v		RALEIGH, N.C.
9:00	LASER RECHARGE OF CAROLINAS, INC.	DFT:	TEAGUE CAMPBELL DENNIS &
	NORGUARD INSURANCE COMPANY		GORHAM, RALEIGH, N.C.
	(MEYER*, CHEATHAM & YOUNG)		

R54377	JOHN BEARDSLEY	PLF:	DEVORE ACTON & STAFFORD
MV	v		CHARLOTTE, N.C.
9:00	PARKS CHEVROLET	DFT:	TEAGUE CAMPBELL DENNIS &
	SELF-INSURED		GORHAM, RALEIGH, N.C.
	(SEDGWICK OF THE CAROLINAS)		
	(MEYER*, BALLANCE & CHEATHAM)		

659447	JOSEPH LENTZ	PLF:	BUNN & ARNOLD
PY	v		CARY, N.C.
RESET	PHIL'S TOY STORE	DFT:	HEDRICK GARDNER KINCHELOE &
9:00	UTICA NATIONAL INSURANCE		GAROFALO, WILMINGTON, N.C.
	(BALLANCE*, CHEATHAM & MEYER)		

659447	JOSEPH LENTZ	PLF:	OXNER THOMAS + PERMAR
PY	v		GREENSBORO, N.C.
ADM	PHIL'S TOY STORE	DFT:	HEDRICK GARDNER KINCHELOE &
APP	UTICA NATIONAL INSURANCE		GAROFALO, WILMINGTON, N.C.
RESET			
9:00	(BALLANCE*, CHEATHAM & MEYER)		

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

STACI MEYER, CHAIR OF PANEL
BERNADINE S. BALLANCE, COMMISSIONER
LINDA CHEATHAM, COMMISSIONER

THURSDAY, MAY 3, 2012

9:00 A.M.

RALEIGH, NORTH CAROLINA

W27149 LARRY FAIRCLOTH
BD v
9:00 SOUTHERN ASPHALT
SUMMIT HOLDINGS

PLF: DAVID & ASSOCIATES
WILMINGTON, N.C.

DFT: TEAGUE CAMPBELL DENNIS &
GORHAM, RALEIGH, N.C.

033406 ERIC RUCKER
PH v
9:00 N.C. DEPARTMENT OF CORRECTION
SELF-INSURED
(CORVEL CORPORATION)

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

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

W83415 STEPHEN E. VESTER
PB v
9:00 N.C. DEPARTMENT OF CORRECTION
SELF-INSURED
CORVEL CORPORATION,
SERVICING AGENT

PLF: KELLUM LAW FIRM
JACKSONVILLE, N.C.

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

705640 STEVE SUMMERLIN
KL v
9:00 DUPLIN COUNTY PUBLIC SCHOOLS
KEY RISK MANAGEMENT INS. CO.

PLF: KELLUM LAW FIRM
JACKSONVILLE, N.C.

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

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BERNADINE S. BALLANCE, COMMISSIONER
LINDA CHEATHAM, COMMISSIONER

THURSDAY, MAY 3, 2012

1:30 P.M.

RALEIGH, NORTH CAROLINA

816333 KL 1:30	STEVE FORTNER v TIRE COUNTRY, INC. FEDERATED INSURANCE COMPANY	PLF: TED A. GREVE & ASSOCIATES GASTONIA, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
W62677 PB 1:30	ANGELA RAMSEY v N.C. DEPARTMENT OF CORRECTION SELF-INSURED (CORVEL CORPORATION)	PLF: LAW OFFICES OF MICHAEL A. DEMAYO CHARLOTTE, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
W75951 RH 1:30	BARRY EDWIN COATES v PPG INDUSTRIES, INC. SELF-INSURED (KEY RISK MANAGEMENT SERVICES)	PLF: WALLACE AND GRAHAM SALISBURY, N.C. DFT: STILES BYRUM & HORNE CHARLOTTE, N.C.
W61904 &	KENNETH R. MCNEIL v SHAWN MCNEIL AND/OR GARNIE MCNEIL D/B/A FERRELL'S CONSTRUCTION AND/OR FERRELL'S CONSTRUCTION, NON-INSURED, AND/OR TRAVELERS	PLF: GREG JONES & ASSOCIATES WILMINGTON, N.C. ----- N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C. DFT: FERRELL'S CONSTRUCTION, PRO SE -----
PH-2513 AP 1:30	N.C. INDUSTRIAL COMMISSION v SHAWN MCNEIL AND/OR GARNIE MCNEIL, D/B/A FERRELL'S CONSTRUCTION AND/OR FERRELL'S CONSTRUCTION, NON-INSURED, AND/OR SHAWN MCNEIL AND/OR GARNIE MCNEIL, INDIVIDUALLY	GARNIE MCNEIL, PRO SE ----- HEDRICK & MORTON WILMINGTON, N.C. ----- HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

STACI MEYER, CHAIR OF PANEL
BERNADINE S. BALLANCE, COMMISSIONER
LINDA CHEATHAM, COMMISSIONER

TUESDAY, MAY 8, 2012

9:00 A.M.

RALEIGH, NORTH CAROLINA

X05545 GG 9:00	MARGARET C. BIZZELL v GRACE HEALTHCARE, LLC. TECHNOLOGY INSURANCE CO. (OCCUSURE)	PLF: JANET J. LENNON DURHAM, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
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797343 JG 9:00	CHARLES D. BLACKWELL v ATLANTIC HOLDING CORPORATION AMERICAN HOME ASSURANCE CO. (CHARTIS)	PLF: DAGGETT SHULER WINSTON-SALEM, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
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W63371 JG 9:00	TONY G. PORTIS, DECEASED, BY AND THROUGH LISA TICKLE, ADMINISTRATRIX OF THE ESTATE OF TONY G. PORTIS, v STERLING TRANSPORT, INC. NATIONAL INTERSTATE INSURANCE	PLF: GEORGE E. FRANCISCO LAW WINSTON-SALEM, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
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X18336 BH 9:00	JILL PELKEY v THE HF GROUP LIBERTY MUTUAL INSURANCE CO.	PLF: OXNER THOMAS + PERMAR GREENSBORO, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
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TUESDAY, MAY 8, 2012

1:30 P.M.

RALEIGH, NORTH CAROLINA

859199	PATRICIA CHURCH	PLF:	COX AND GAGE
VH	v		MORGANTON, N.C.
1:30	BEMIS MANUFACTURING COMPANY	DFT:	MULLEN HOLLAND & COOPER
	PHOENIX INSURANCE COMPANY		GASTONIA, N.C.

W88279	NICK ORNELAS	PLF:	THE DEUTERMAN LAW GROUP
RH	v		GREENSBORO, N.C.
1:30	WALGREEN CO.	DFT:	CRANFILL SUMNER & HARTZOG
	SEDGWICK CMS		CHARLOTTE, N.C.

W76765	JOSEPH WELLS	PLF:	HEDRICK KEPLEY
MV	v		BOONE, N.C.
1:30	SQUEEGEE PROS, INC.	DFT:	BROOKS STEVENS AND POPE
	MIDWEST EMPLOYERS CASUALTY		RALEIGH, N.C.
	COMPANY		
	(KEY RISK MANAGEMENT SERVICES)		

W92494	WAVERLY MCFATTER	PLF:	PRO SE
BH	v		
1:30	EXPRESS EMPLOYMENT	DFT:	RUDISILL WHITE & KAPLAN
	PROFESSIONALS		CHARLOTTE, N.C.
	ILLINOIS NATIONAL INSURANCE CO.		
	(SEDGWICK CMS)		
