

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 May 7, 11, 13, and 15, 2009, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Sarah Blair, Legal Specialist to Commissioner Danny L. McDonald, Dobbs Building, 430 N. Salisbury Street, Raleigh, North Carolina 27611. The telephone number for Ms. Blair 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:

**MAY 7, 11, 13 & 15, 2009
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. 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

DANNY L. MCDONALD, PANEL CHAIR
LAURA K. MAVRETIC, COMMISSIONER
CHRISTOPHER SCOTT, COMMISSIONER

THURSDAY, MAY 7, 2009

9:30 A.M.

RALEIGH, NORTH CAROLINA

552983 PB 9:30	JOSE MARTINEZ v PERFORMANCE STAFFING PLUS, INC. TRAVELERS INDEMNITY COMPANY OF AMERICA	PLF: MAST SCHULZ MAST JOHNSON & WELLS, SMITHFIELD, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
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738056 RH 9:30	ANTHONY BEASLEY v ALBEMARLE OIL CO. EMC INSURANCE CO.	PLF: VAN CAMP MEACHAM & NEWMAN PINEHURST, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
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415108 BD 9:30	MYRON JACOBS v COOPER KENWORTH AND/OR MARK BLUE'S TRUCKING BRENTWOOD SERVICES AND/OR ISURETY	PLF: HARDISON & COCHRAN RALEIGH, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C. ORBOCK RUARK & DILLARD WINSTON-SALEM, N.C.
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780724 & PH-2021 RWR 9:30	TODD DOWD v DUBOSE INTERNATIONAL, NON-INSURED, AND CHARLES H. DUBOSE, INDIVIDUALLY NORTH CAROLINA INDUSTRIAL COMMISSION v DUBOSE INTERNATIONAL, NON-INSURED, AND CHARLES H. DUBOSE, INDIVIDUALLY	PLF: HARDISON & COCHRAN RALEIGH, N.C. N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C. DFT: PRO SE
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NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

DANNY L. MCDONALD, PANEL CHAIR
LAURA K. MAVRETIC, COMMISSIONER
CHRISTOPHER SCOTT, COMMISSIONER

MONDAY, MAY 11, 2009

9:30 A.M.

RALEIGH, NORTH CAROLINA

476178 KL 9:30	ELIZABETH LANDIN v N.C. DEPARTMENT OF CORRECTION SELF-INSURED (KEY RISK MANAGEMENT)	PLF: MICHAEL J. ANDERSON WILSON, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
TA-20193 JD 9:30	REBECCA BARNES TIGHE v N.C. DEPARTMENT OF TRANSPORTATION	PLF: NARRON & HOLDFORD WILSON, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
755904 BH 9:30	LINDA CANTRELL v DIEBOLD, INC. BROADSPIRE	PLF: OXNER THOMAS & PERMAR GREENSBORO, N.C. DFT: MCANGUS GOUDELOCK & COURIE RALEIGH, N.C.
780088 PH 9:30	JAMES GROSE v ORACLE FLEXIBLE PACKAGING, INC. LIBERTY MUTUAL INSURANCE CO.	PLF: OXNER THOMAS & PERMAR GREENSBORO, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
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DANNY L. MCDONALD, PANEL CHAIR
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CHRISTOPHER SCOTT, COMMISSIONER

MONDAY, MAY 11, 2009

1:30 P.M.

RALEIGH, NORTH CAROLINA

635528 & PH-1689 RWR 1:30	JAMES K. STEELE v J. F. LOMMA TRAVELERS ERIC SNYDER, INDIVIDUALLY	PLF: CRUMLEY & ASSOCIATES CONCORD, N.C.
	NORTH CAROLINA INDUSTRIAL COMMISSION v ERIC SNYDER, INDIVIDUALLY	DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
		ERIC SNYDER, PRO SE
592708 RH 1:30	JEANETTE BURNETT v INTERNATIONAL TEXTILE GROUP ACE USA/ESIS	PLF: LUCAS DENNING & ELLERBE SELMA, N.C.
		POISSON POISSON BOWER WADESBORO, N.C.
		DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
622040 MG 1:30	AVANCE BYRD v TRIANGLE BRICK COMPANY TRAVELERS	PLF: POISSON POISSON & BOWER WADESBORO, N.C.
		DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
432563 RR 1:30	NANCY DEBIASE v CVS PHARMACY SELF-INSURED (GAB ROBINS, NORTH AMERICA)	PLF: PRO SE
		DFT: DICKIE MCCAMEY & CHILCOTE, CHARLOTTE, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION
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LAURA K. MAVRETIC, COMMISSIONER
CHRISTOPHER SCOTT, COMMISSIONER

WEDNESDAY, MAY 13, 2009

9:30 A.M.

RALEIGH, NORTH CAROLINA

035008 PH 9:30	LIONEL LEWIS v CRAVEN REGIONAL MEDICAL CENTER VIRGINIA INSURANCE RECIPROCAL (SELLERS*, MCDONALD & SCOTT)	PLF: HUGH D. COX GREENVILLE, N.C. ----- LENNON & CAMAK RALEIGH, N.C. DFT: SUMRELL SUGG CARMICHAEL HICKS & HART, NEW BERN, N.C.
395888 BH 9:30	WILLARD PATTERSON v GREYHOUND LINES, INC. ACE USA/ESIS (MCDONALD*, MAVRETIC & SELLERS)	PLF: SELLERS HINSHAW AYERS DORTCH & LYONS, CHARLOTTE, N.C. DFT: TEAGUE ROTENSTEICH STANALAND FOX & HOLT, GREENSBORO, N.C.
TA-17645 RH 9:30	DONNELL PRIDE v N.C. DEPARTMENT OF CORRECTION	PLF: STRICKLAND LAW FIRM GOLDSBORO, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
781665 BH 9:30	TIMOTHY G. HARVEY v PEPSI BOTTLING VENTURES LIBERTY MUTUAL GROUP (ST. PAUL/ TRAVELERS)	PLF: THE HODGMAN LAW FIRM GREENSBORO, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
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DANNY L. MCDONALD, PANEL CHAIR
LAURA K. MAVRETIC, COMMISSIONER
CHRISTOPHER SCOTT, COMMISSIONER

WEDNESDAY, MAY 13, 2009

1:30 P.M.

RALEIGH, NORTH CAROLINA

787471 MICHAEL A. KISTLER
GH v
1:30 COMMERCIAL METALS CO.
 ESIS RISK MANAGEMENT

PLF: FREDERICK R. STANN
GASTONIA, N.C.

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

644353 PATRICIA G. NORVILLE
MG v
1:30 SOMERSET STUDIOS, INC.
 KEY RISK INSURANCE CO.

PLF: RANDY D. DUNCAN
HICKORY, N.C.

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

496587 MARTHA L. AGREDA
BH v
1:30 VITAMIN WORLD
 TRAVELERS INDEMNITY CO
 OF AMERICA

PLF: PRO SE

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

890382 CELIA A. BELL
KL v
ADM GOODYEAR TIRE & RUBBER CO.
APP LIBERTY MUTUAL INS CO.
1:30

PLF: LAW OFFICES OF KATHLEEN SUMNER
GREENSBORO, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION
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CHRISTOPHER SCOTT, COMMISSIONER

FRIDAY, MAY 15, 2009

9:30 A.M.

RALEIGH, NORTH CAROLINA

743063 KEMA MICHELLE BURKETT
CS v
9:30 COUNTY OF DURHAM
COMPENSATION CLAIMS
SOLUTIONS

PLF: PATRICE WALKER
CHAPEL HILL, N.C.
DFT: YOUNG MOORE & HENDERSON
RALEIGH, N.C.

351146 ROBERT WARD, JR.
RH v
9:30 SUMTER UTILITIES/QUANTA
SERVICES, INC.
OLD REPUBLIC INSURANCE CO.
(GALLAGHER BASSETT SERVICES, INC.)

PLF: MARSHALL WILLIAMS & GORHAM
WILMINGTON, N.C.
DFT: MCANGUS GOUDELOCK & COURIE
RALEIGH, N.C.

767882 GREGORY PELHAM
GH v
9:30 CAROLINA SERVICES OF
FAYETTEVILLE, INC. D/B/A
MURRAY TRANSFER AND STORAGE
TRANSGUARD INSURANCE COMPANY

PLF: GREG JONES & ASSOCIATES
WILMINGTON, N.C.
DFT: YOUNG MOORE & HENDERSON
RALEIGH, N.C.

778857 RONDA TAYLOR
AP v
9:30 ADECCO EMPLOYMENT SERVICES
BROADSPIRE SERVICES, INC.

PLF: BRUMBAUGH MU & KING
JACKSONVILLE, N.C.
DFT: WILSON & RATLEDGE
RALEIGH, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

DANNY L. MCDONALD, PANEL CHAIR
LAURA K. MAVRETIC, COMMISSIONER
CHRISTOPHER SCOTT, COMMISSIONER

FRIDAY, MAY 15, 2009

1:30 P.M.

RALEIGH, NORTH CAROLINA

899133 & PH-2058 RWR 1:30	DAMION HERNANDEZ v KELLY DURHAM, D/B/A DBL CONSTRUCTION, A/K/A. D&D BUILDERS (SUB), NON-INSURED, AND/OR MONTEITH CONSTRUCTION CORP (GEN) AND/OR BERKELEY MID-ATLANTIC, T.P.A. FOR UNION INS CO., AND/OR WILLIAM C. REAMES, D/B/A. BILL REAMES INSURANCE AGENCY, AND/OR NATIONWIDE INSURANCE. NORTH CAROLINA INDUSTRIAL COMMISSION v KELLY DURHAM D/B/A DBL CONSTRUCTION, A/K/A D&D BUILDERS (SUB), NON-INSURED, AND KELLY DURHAM, INDIVIDUALLY	PLF: THE OLIVE LAW FIRM CHARLOTTE, N.C. ----- N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C. ----- DFT: KELLY DURHAM, PRO SE KANNAPOLIS, N.C. ----- YOUNG MOORE & HENDERSON RALEIGH, N.C. ----- MCGUIRE WOODS, CHARLOTTE, N.C. ----- MCCORMICK & ASSOCIATES, CHAPEL HILL, N.C. ----- MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
681555 RWR 1:30	CHERI EVANS v HENDRICK AUTOMOTIVE GROUP CHUBB SERVICES CORPORATION	PLF: PATTERSON HARKAVY CHAPEL HILL, N.C. DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
766540 WT 1:30	WILLIE JORDAN, JR. v FRANKLIN LOGISTICS, INC./ SMITH TRANSPORT GALLAGHER BASSETT SERVICES, INC.	PLF: JESSE S. SHAPIRO APEX, N.C. DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
993646 KL 1:30	BRENDA MCBEE v SATURN OF CHARLOTTE SENTRY INSURANCE	PLF: PRO SE DFT: CRANFILL SUMNER & HARTZOG CHARLOTTE, N.C.
