



REVISED

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 11, 17, and 19, 2010, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Michelle Denning, Law Clerk for Commissioner Staci Meyer, 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 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 11, 17 & 19, 2010
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, PANEL CHAIR
DANNY L. MCDONALD, COMMISSIONER
PAMELA T. YOUNG, CHAIR

MONDAY, TUESDAY, MAY 11, 2010 9:30 A.M. RALEIGH, NORTH CAROLINA

062355 RR 9:30	ROWLAND BAKER v CHIZEK TRANSPORT, INC ACCIDENT FUND INSURANCE COMPANY OF AMERICA	PLF: OXNER THOMAS + PERMAR RALEIGH, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
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819714 MG 9:30	JEANETTE WILLIAMS v LARRY BLUMBERG & ASSOCIATES EVEREST NATIONAL INSURANCE	PLF: WARD BLACK LAW GREENSBORO, N.C. DFT: BROTHERTON FORD YEOMAN & BERRY, GREENSBORO, N.C.
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779757 RR 9:30	PAMELA WILLIAMS v N.C. DEPARTMENT OF CORRECTION CORVEL	PLF: LINDLER LAW OFFICES ROCKINGHAM, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
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992243 VH 9:30	JAMES ALLEN FRANKLIN v BROYHILL FURNITURE INDUSTRIES, INC., A SUBSIDIARY OF FURNITURE BRANDS INTERNATIONAL, INC. (SELF-INSURED)	PLF: RANDY D. DUNCAN HICKORY, N.C. DFT: LAW OFFICE OF GARY A. SCARZAFAVA RALEIGH, N.C.
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TA-18112 SG 9:30	JERRY GRIFFIN v N.C. DEPARTMENT OF CORRECTION	PLF: PRO SE DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.

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

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TUESDAY, MAY 11, 2010

1:30 P.M.

RALEIGH, NORTH CAROLINA

095315 BD 1:30	THOMAS WHITMORE v JENNIE CAMPBELL & JOHN BIANUCCI, D/B/A CYB STAFFING SERVICES LIBERTY MUTUAL INSURANCE CO AND/OR BOBBY CRISP D/B/A MAPLE HILL HOME	PLF: JUDITH FRASER ASHEVILLE, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C. ----- PRINCE YOUNGBLOOD & MASSAGEE HENDERSONVILLE, N.C.
990831 PB 1:30	MARY ROLAND v INTERNATIONAL AUTOMOTIVE COMPONENT GROUP ZURICH NORTH AMERICA (SPECIALTY RISK SERVICES)	PLF: COBOURN & SALEEBY SPARTANBURG, S.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
900472 PH 1:30	DARRYL WARREN v GASTON COUNTY SCHOOLS SELF-INSURED (CORVEL CORPORATION)	PLF: FREDERICK R. STANN GASTONIA, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.

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MONDAY, MAY 17, 2010

9:30 A.M.

RALEIGH, NORTH CAROLINA

991296 RH 9:30	CAROLYN GIDDEONS v SUBWAY BURGAW, INC. TRAVELERS INSURANCE CO.	PLF: GREG JONES & ASSOCIATES WILMINGTON, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C.
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784900 & 907581 RR 9:30	DAVID E. SMITH v GUY C. LEE BUILDING MATERIALS WAUSAU UNDERWRITERS INS CO.	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C.
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995252 RR 9:30	FRANCISCO A. VELAZQUEZ v COLLINS LANDSCAPING AND TREE SERVICE COMPANION PROPERTY & CASUALTY	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: MCANGUS GOUDELOCK & COURIE RALEIGH, N.C.
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077979 & W13298 PH 9:30	EILEEN SEARY v COASTAL ENTERPRISES, INC. SYNERGY COVERAGE SOLUTIONS	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
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402714 RR 9:30	CHRISTOPHER MCDEVITT v WASTE MANAGEMENT D/B/A WASTE MANAGEMENT OF WHITEVILLE GALLAGHER BASSETT SERVICES, INC.	PLF: THE BOLLINGER LAW FIRM CHARLOTTE, N.C. DFT: MCANGUS GOUDELOCK & COURIE RALEIGH, N.C.
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PAMELA T. YOUNG, CHAIR

MONDAY, MAY 17, 2010

1:30 P.M.

RALEIGH, NORTH CAROLINA

242886 WILLIAM K. BELL
AP v
1:30 MID-EAST REGIONAL HOUSING
RESET AUTHORITY
LIBERTY MUTUAL GROUP

PLF: LENNON & CAMAK
RALEIGH, N.C.

HUGH D. COX
GREENVILLE, N.C.

(SCOTT*, MCDONALD & MEYER)

DFT: MULLEN HOLLAND & COOPER
GASTONIA, N.C.

994952 HARVEY F. RAINEY, IV
BD v
1:30 BUCKEYE FIRE EQUIPMENT
LIBERTY MUTUAL GROUP

PLF: KEN WAYNE & ASSOCIATES
CHARLOTTE, N.C.

DFT: MULLEN HOLLAND & COOPER
GASTONIA, N.C.

W09024 BEVERLY YOURKIEWICZ
BD v
1:30 LIBERTY CORNER ENTERPRISES,
INC.
SYNERGY COVERAGE SOLUTIONS

PLF: PRO SE

DFT: MULLEN HOLLAND & COOPER
GASTONIA, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION
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STACI MEYER, PANEL CHAIR
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PAMELA T. YOUNG, CHAIR

WEDNESDAY, MAY 19, 2010

9:30 A.M.

RALEIGH, NORTH CAROLINA

893434 RR 9:30	JODY BAREFOOT v WINCOR MANAGEMENT GROUP, INC. EVEREST NATIONAL INS CO.	PLF: BRENT ADAMS & ASSOCIATES RALEIGH, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
195637 RH 9:30	DAVID S. BAGLEY v DOMTAR PAPER CO., LLC LIBERTY MUTUAL INSURANCE CO.	PLF: RICCI LAW FIRM GREENVILLE, N.C. DFT: MCANGUS GOUDELOCK & COURIE RALEIGH, N.C.
098718 RR 9:30	JAMES EDWARD RATLIFF v FOOD LION SELF-INSURED (RISK MANAGEMENT SERVICES, INC.)	PLF: POISSON POISSON & BOWER WADESBORO, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
935659 MG 9:30	CLAYTON MATHIS v RICE CONSTRUCTION AND DENNIS INSURANCE GROUP NORTH CAROLINA INSURANCE GUARANTY ASSOCIATION	PLF: LAW OFFICES OF C. MURPHY ARCHIBALD, CHARLOTTE, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
934846 RR 9:30	CLEVELAND HAL JOYNER v WISECARVER TRUCKING CO., INC. AMERISAFE RISK SERVICES	PLF: TIMOTHY D. WELBORN WINSTON-SALEM, N.C. DFT: CRANFILL SUMNER & HARTZOG CHARLOTTE, N.C.

COURT RECESS
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WEDNESDAY, MAY 19, 2010

1:30 P.M.

RALEIGH, NORTH CAROLINA

877002 ROBBIE SCARBORO PLF: SELLERS HINSHAW AYERS DORTCH &
JG v LYONS, CHARLOTTE, N.C.
1:30 EMERY WORLDWIDE FREIGHT
GALLAGHER BASSETT SERVICES, DFT: HEDRICK GARDNER KINCHELOE &
INC. GAROFALO, CHARLOTTE, N.C.

(MCDONALD*, BALLANCE & MAVRETIC)

783497 MARY ELLEN LAFFERTY PLF: RAMSAY LAW FIRM
JG v CHARLOTTE, N.C.
1:30 BED, BATH & BEYOND, INC.
RESET SEDGWICK CMS DFT: CRANFILL SUMNER & HARTZOG
CHARLOTTE, N.C.

(SCOTT*, BALLANCE & MEYER)

TA-16672 THOMAS M. URQUHART, JR., PLF: PRO SE
SM ADMINISTRATOR OF THE ESTATE
ADM OF BETSEY ALLEN DERR URQUHART,
APP v DFT: N.C. DEPARTMENT OF JUSTICE
1:30 EAST CAROLINA SCHOOL OF MEDICINE RALEIGH, N.C.

(MCDONALD (FOR BALLANCE)*, MEYER & SCOTT)
