

Mike Causey, Commissioner of Insurance
Charlton L. Allen, Chairman
Yolanda K. Stith, Vice-Chairman



Philip A. Baddour, III, Commissioner
Christopher C. Loutit, Commissioner
Tammy R. Nance, Commissioner

North Carolina Industrial Commission

March 23, 2018

IMPORTANT NOTICE TO ALL PARTIES

The cases listed on the attached calendar are scheduled for disposition by the Full Commission. Some cases may be determined without oral argument pursuant to Rule 04 NCAC 10A .0701(h) or Rule 04 NCAC 10B .0301. The parties will be notified by the Commission prior to the hearing dates below if oral argument is waived. If no such notification is provided, oral argument will be held as scheduled below:

MAY 16, 23, AND 30, 2018
DOBBS BUILDING, SECOND FLOOR, ROOM 2173
430 NORTH SALISBURY STREET
RALEIGH, NORTH CAROLINA 27603

Please enter the building through the security desk area located on the third floor (on the mall area). You will be required to present a photo ID in order to enter the building.

Please review the enclosed calendar to determine the exact date on which your case will be heard. Please note that the cases docketed prior to your case may be dismissed or continued. **If you are not present in court when your case is reached, the Full Commission will consider the record and will render its decision without hearing oral argument.**

For cases appearing on the enclosed calendar, all motions, including requests for continuances, should be addressed to the chair of the panel and must be filed in accordance with Rule 04 NCAC 10A .0108 for workers' compensation cases, or Rule 04 NCAC 10B .0307 for tort cases. Requests for continuances should be submitted at least two weeks prior to the date of hearing. An exception may be made for unexpected emergencies, in which case the continuance request should be filed as described above and followed up with a telephone call or electronic mail to the law clerk identified below. **In the event a case is continued, the case will be heard before the same panel at a later date.** In lieu of a continuance, oral argument may be waived for the party requesting the continuance.

Other inquiries regarding the cases appearing on the enclosed calendar should be directed to Christian McCullen, Law Clerk to Commissioner Christopher C. Loutit, Dobbs Building, 1236 Mail Service Center, Raleigh, North Carolina 27699-1236. The telephone number for Mr. McCullen is (919) 807-2678, and the electronic mail address is christian.mccullen@ic.nc.gov.

ALL BRIEFS AND FORMS 44 must be filed in accordance with Rule 04 NCAC 10A .0108 for workers' compensation cases. Briefs and Forms T-44 filed in tort cases may be filed by electronic mail to dockets@ic.nc.gov or via EDFP. For help with EDFP registration, please visit <http://www.ic.nc.gov/EDFPRegistrationInstructions.pdf>. A party who fails to timely file a brief may be denied oral argument.

For additional information, please consult the Rules of the Industrial Commission as they apply to hearings before the Full Commission.

NORTH CAROLINA INDUSTRIAL COMMISSION
Linda Langdon
Docket Director

Office of The Clerk • 1236 Mail Service Center • Raleigh, North Carolina 27699-1236
Telephone: (919) 807-2504 • Fax: (919) 715-0282
Internet Address: <http://www.ic.nc.gov/>

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

CHRISTOPHER C. LOUITT, CHAIR OF PANEL
PHILIP A. BADDOUR, III, COMMISSIONER
(THIRD PANEL MEMBER TO BE DETERMINED)

WEDNESDAY, MAY 16, 2018

9:00 A.M.

RALEIGH, NORTH CAROLINA

898284	MICHAEL AUGUSTINE	PLF:	REEVES DIVENERE & WRIGHT
&	v.		BOONE, N.C.

S & S BUILDERS AND/OR
SCOTT HICKS BUILDERS

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

PH-3112	N.C. INDUSTRIAL COMMISSION
MWG	v.

9:00 S & S BUILDERS AND/OR
RESET SCOTT HICKS BUILDERS, AND
SCOTT HICKS AND TAMMY HICKS,
INDIVIDUALLY

DFT: SPRAGUE LAW
RALEIGH, N.C.

TAMMY HICKS, PRO SE.

PH-5077	N.C. INDUSTRIAL COMMISSION
MWG	v.

9:00 PROGRESSIVE GARDENS, LLC
NON-INSURED

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

DFT: SPRAGUE LAW
RALEIGH, N.C.

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NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

CHRISTOPHER C. LOUTIT, CHAIR OF PANEL
PHILIP A. BADDOUR, III, COMMISSIONER
(THIRD PANEL MEMBER TO BE DETERMINED)

WEDNESDAY, MAY 16, 2018

9:00 A.M.

RALEIGH, NORTH CAROLINA

PH-5266, N.C. INDUSTRIAL COMMISSION PLF: N.C. DEPARTMENT OF JUSTICE
MWG v. RALEIGH, N.C.
& THREE-FIFTY, INCORPORATED
D/B/A MUSTANG, II DFT: PRO SE.
NON-INSURED

PH-5276, N.C. INDUSTRIAL COMMISSION
MWG v.
& TAHIRKHELI, INC. D/B/A RUN-IN STORE
NON-INSURED

PH-5277 N.C. INDUSTRIAL COMMISSION
MWG v.
& DIGITAL LINKS, INC.
NON-INSURED

PH-5278 N.C. INDUSTRIAL COMMISSION
MWG v.
9:00 SERAAPH, INC.
NON-INSURED

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

CHRISTOPHER C. LOUITT, CHAIR OF PANEL
PHILIP A. BADDOUR, III, COMMISSIONER
(THIRD PANEL MEMBER TO BE DETERMINED)

WEDNESDAY, MAY 23, 2018

9:00 A.M.

RALEIGH, NORTH CAROLINA

16-035282 LS 9:00	ERIC HUFSTETLER, JR. v. NC OWNER OPERATORS OF JHOC GREAT AMERICAN INSURANCE COMPANY (YORK RISK SERVICES GROUP, INC.)	PLF: LAW OFFICES OF JAMES SCOTT FARRIN, DURHAM, N.C. DFT: ELLER TONNSEN BACH GREENVILLE, S.C.
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16-036137 DMH 9:00	DAVID JOHNSON v. MILLER PIPELINE, LLC AMERICAN ZURICH INSURANCE COMPANY	PLF: ROBERTS LAW FIRM GASTONIA, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
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16-026966 JT 9:00	JANET LOCKETT v. CHARLOTTE-MECKLENBURG SCHOOLS AND N.C. DEPARTMENT OF PUBLIC INSTRUCTION (SEDGWICK CMS)	PLF: OXNER + PERMAR CHARLOTTE, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
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TA-26369 JG 9:00	SHAUNTIYA SMITH v. FORSYTH TECHNICAL COMMUNITY COLLEGE	PLF: PRO SE. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
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NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

CHRISTOPHER C. LOUITT, CHAIR OF PANEL
PHILIP A. BADDOUR, III, COMMISSIONER
(THIRD PANEL MEMBER TO BE DETERMINED)

WEDNESDAY, MAY 30, 2018

9:00 A.M.

RALEIGH, NORTH CAROLINA

16-765682 TIMOTHY D. PERDUE
 & v.
 MICHAEL PERDUE D/B/A
 THRIFTY APPLIANCE,
 NON-INSURED

PLF: JAY GERVASI
 GREENSBORO, N.C.

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

PH-5253 N.C. INDUSTRIAL COMMISSION
AP v.
9:00 MICHAEL PERDUE D/B/A
 THRIFTY APPLIANCE,
 NON-INSURED, AND
 MICHAEL PERDUE, INDIVIDUALLY

DFT: BURTON SUE & ANDERSON
 GREENSBORO, N.C.

16-756938 CHRISTOPHER ANTHONY BEAM
 & v.
 JODY GOUGE D/B/A GOUGE MASONRY
 & CERAMIC TILE,
 NON-INSURED

PLF: GARY A. DODD
 ASHEVILLE, N.C.

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

PH-5211 N.C. INDUSTRIAL COMMISSION
AP v.
9:00 JODY GOUGE D/B/A GOUGE MASONRY
 & CERAMIC TILE,
 NON-INSURED, AND
 JODY GOUGE, INDIVIDUALLY

DFT: MCGUIRE WOOD & BISSETTE
 ASHEVILLE, N.C.

16-744994 EARL M. LEQUIRE
WS v.
9:00 SOUTHEASTERN CONSTRUCTION
 & EQUIPMENT COMPANY, INC.
 CINCINNATI CASUALTY COMPANY

PLF: GARY A. DODD
 ASHEVILLE, N.C.
DFT: ANDERS NEWTON
 RALEIGH, N.C.
