

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 June 9, 11, and 16, 2009, all motions, requests for continuances, and telephone inquiries should be directed to the attention of David Stahl, Legal Specialist to Commissioner Christopher Scott, Dobbs Building, 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:

**JUNE 9, 11 & 16, 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

CHRISTOPHER SCOTT, PANEL CHAIR
BERNADINE S. BALLANCE, COMMISSIONER
DANNY L. MCDONALD, COMMISSIONER

TUESDAY, JUNE 9, 2009

9:30 A.M.

RALEIGH, NORTH CAROLINA

559533 DANNY SPRUILL
PB v
9:30 NORTH CAROLINA DEPARTMENT
 OF AGRICULTURE
 SELF-INSURED
 (KEY RISK MANAGEMENT SERVICES)

PLF: LENNON & CAMAK
RALEIGH, N.C.

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

660537 DAVID STURGILL
RH v
9:30 BRADFORD PRODUCTS
 THE HARTFORD

PLF: MULLIGAN EPSTEIN
WILMINGTON, N.C.

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

741638 DAVID GROSS
RH v
9:30 GENE BENNETT CO.
 AMERICAN HOME ASSURANCE CO.

PLF: ANTHONY D. GRIFFIN
RED SPRINGS, N.C.

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

451973 MELISSA JOYNER-EL
BD v
9:30 PACTIV CORPORATION
 SPECIALTY RISK SERVICES

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

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

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

CHRISTOPHER SCOTT, PANEL CHAIR
BERNADINE S. BALLANCE, COMMISSIONER
DANNY L. MCDONALD, COMMISSIONER

TUESDAY, JUNE 9, 2009

1:30 P.M.

RALEIGH, NORTH CAROLINA

672659	RANDY HYATT	PLF:	ROOT & ROOT
GH	v		WEAVERVILLE, N.C.
1:30	N.C. DEPARTMENT OF CORRECTION	DFT:	N.C. DEPARTMENT OF JUSTICE
	SELF-INSURED		RALEIGH, N.C.
	(KEY RISK MANAGEMENT SERVICES)		

704899	JORGE L. NIEVES	PLF:	TED A. GREVE & ASSOCIATES
GH	v		CHARLOTTE, N.C.
1:30	ELITE FLOORING AND DESIGN, INC.	DFT:	MCANGUS GOUDELOCK & COURIE
	ASSOCIATION INSURANCE GROUP		CHARLOTTE, N.C.
	(BUILDERS INSURANCE GROUP)		

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DANNY L. MCDONALD, COMMISSIONER

THURSDAY, JUNE 11, 2009 9:30 A.M. RALEIGH, NORTH CAROLINA

669175 BD 9:30	ANGELA B. WATKINS v NACCO MATERIALS HANDLING GROUP SELF-INSURED	PLF: EDLESTEIN & PAYNE RALEIGH, N.C. DFT: LEWIS & ROBERT RALEIGH, N.C.
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810581 WT 9:30	JOHN ALLEN TAYLOR v TOWN OF GARNER AND/OR N.C. STATE UNIVERSITY N.C. LEAGUE OF MUNICIPALITIES AND/OR KEY RISK MANAGEMENT SERVICES	PLF: PATTERSON HARKAVY CHAPEL HILL, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C. ----- N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
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156300 PY ADMAPP 9:30	MONA J. RUMFELT v NORTH CAROLINA BAPTIST HOSPITAL SELF-INSURED	PLF: LAW OFFICES OF TIMOTHY D. WELBORN, WINSTON-SALEM, N.C. DFT: WOMBLE CARYLE SANDRIDGE & RICE, WINSTON-SALEM, N.C.
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764894 RH 9:30	JERRY RAY SKIPPER v DEAN SERVICES, INC. TRAVELERS	PLF: LENNON & CAMAK RALEIGH, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
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COURT RECESS
(ORAL ARGUMENT TO RESUME AT 1:30 P.M.)

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

CHRISTOPHER SCOTT, PANEL CHAIR
BERNADINE S. BALLANCE, COMMISSIONER
DANNY L. MCDONALD, COMMISSIONER

THURSDAY, JUNE 11, 2009 1:30 P.M. RALEIGH, NORTH CAROLINA

792276 JD 1:30	RICARDO DIAZ v JERRY MARK SMITH, D/B/A SMITH'S HOME REPAIR TRAVELERS	PLF: THE OLIVE LAW FIRM CHARLOTTE, N.C. DFT: JERRY MARK SMITH, PRO SE ----- HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
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272468 & 777848 JG 1:30	JOHN LEONARD PACE v COFFING HOIST A/K/A COLUMBUS MCKINNON CORPORATION LIBERTY MUTUAL INSURANCE CO.	PLF: POISSON POISSON & BOWER WADESBORO, N.C. DFT: MULLEN HOLLAND & COOPER GASTONIA, N.C.
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NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

CHRISTOPHER SCOTT, PANEL CHAIR
BERNADINE S. BALLANCE, COMMISSIONER
DANNY L. MCDONALD, COMMISSIONER

TUESDAY, JUNE 16, 2009

9:30 A M.

RALEIGH, NORTH CAROLINA

685043 MG 9:30	MAUREEN SHAY v ROWAN SALISBURY SCHOOLS KEY RISK MANAGEMENT SERVICES	PLF: DORAN SHELBY PETHEL & HUDSON SALISBURY, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
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891561 & PH-2090 RWR 9:30	WALTER RIOS v LANCE REID D/B/A FAME CLEANING SERVICES, NON-INSURED, AND/OR BJL CONSTRUCTION, INC. AND THE HARTFORD, AND LANCE REID, INDIVIDUALLY NORTH CAROLINA INDUSTRIAL COMMISSION v LANCE REID D/B/A FAME CLEANING SERVICES, NON-INSURED, AND/OR BJL CONSTRUCTION, INC. AND THE HARTFORD, AND LANCE REID, INDIVIDUALLY	PLF: SCUDDER & HEDRICK RALEIGH, N.C. ----- N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C. ----- LANCE REID, PRO SE
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635388 PH 9:30	ANA GARCIA v HUFFBO, LLC (BOJANGLES) THE HARTFORD	PLF: JOHN SMERZNAK WILKESBORO, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
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397170 RR 9:30	HENRY MORGAN v JOHN WIELAND HOMES, INC. SELF-INSURED (CLAIMS MANAGEMENT SERVICES, INC.)	PLF: DANIEL & ROEBUCK ROCKINGHAM, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
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