

Mike Causey, Commissioner of Insurance  
Philip A. Baddour, III, Chair  
Myra L. Griffin, Vice-Chair



Charlton L. Allen, Commissioner  
James C. Gillen, Commissioner  
Kenneth L. Goodman, Commissioner  
Christopher C. Loutit, Commissioner

## North Carolina Industrial Commission

April 16, 2021

### IMPORTANT NOTICE TO ALL PARTIES

The cases listed on the attached calendar are scheduled for disposition by the Full Commission. Pursuant to the Commission's current hearing policy due to COVID-19, Full Commission hearings are being held via videoconference. Some cases may be determined without oral argument pursuant to Rule 11 NCAC 23A .0701(h) or Rule 11 NCAC 23B .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:

**JUNE 9, 2021**

#### **VIA VIDEOCONFERENCE (PER COMMISSION ORDER)**

(You will receive an email from the chairing panel member's law clerk with instructions for videoconference participation at a later date)

Please review the enclosed calendar to determine the exact date on which your case will be heard. The hearing time may change based on the number of cases scheduled on the hearing day and will be reflected in the email you receive at a later date. Please note that the cases docketed prior to your case may be dismissed or continued. **If you do not appear at the videoconference, 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 11 NCAC 23A .0108 for workers' compensation cases, or Rule 11 NCAC 23B .0104 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 Cara Byrne, Law Clerk to Commissioner James C. Gillen, Dobbs Building, 1236 Mail Service Center, Raleigh, North Carolina 27699-1236. The telephone number for Ms. Byrne is (919) 807-2521, and the electronic mail address is [cara.byrne@ic.nc.gov](mailto:cara.byrne@ic.nc.gov).

ALL BRIEFS AND FORMS 44 must be filed in accordance with Rule 11 NCAC 23A .0108 for workers' compensation cases or Rule 11 NCAC 23B .0104 for tort cases. 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

Emily M. Baucom  
Clerk of the Industrial Commission

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW DOCKET

JAMES C. GILLEN, COMMISSIONER AND CHAIR OF PANEL  
PHILIP A. BADDOUR, III, CHAIR  
ROBERT J. HARRIS, DEPUTY COMMISSIONER

WEDNESDAY, JUNE 9, 2021

9:30 A.M.

VIDEOCONFERENCE

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19-012286 LG 9:30	PENNY MILLER v. BURGER KING LIBERTY MUTUAL INSURANCE	PLF: J. CARTER WHITTINGTON HARDISON & COCHRAN RALEIGH, NC DFT: JASON TOUPS/KAITLYN HARAN MCANGUS GOUDELOCK & COURIE WILMINGTON, NC
18-725589 AP 9:30	NEPTALI RIVERA v. T&P CONSTRUCTION SERVICES, INC. BUILDERS MUTUAL INSURANCE COMPANY	PLF: MATTHEW HARBIN LAW OFFICES OF JAMES SCOTT FARRIN; DURHAM, NC DFT: J. WILLIAM CRONE ANDERS NEWTON RALEIGH, NC
19-034789 LTS 9:30	CLARENCE RICHARDS v. HARRIS TEETER, INC. SELF-INSURED (SEDWICK CLAIMS MANAGEMENT SERVICES)	PLF: S. CAMILLE PAYTON HUNTER EVERAGE CHARLOTTE, NC DFT: ALEXANDER ELMES POPE AYLWARD SWEENEY & STEPHENSON; CHARLOTTE, NC

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