



**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 June 11 and 13, 2007, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Carrie Geddie, Agency Legal Specialist to Commissioner Laura K. Mavretic Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Geddie is (919) 807-2512. 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 the 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 11 & 13, 2007  
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. 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

A handwritten signature in cursive script that reads "Linda D. Langdon".

Linda D. Langdon

Docket Director  
NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW            DOCKET

LAURA K. MAVRETIC, CHAIR  
BERNADINE S. BALLANCE, COMMISSIONER  
DANNY L. MCDONALD, COMMISSIONER

MONDAY, JUNE 11, 2007

9:30 A.M. RALEIGH, NORTH CAROLINA

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396137 CS 9:30	WILLIAM LYNCH v NEW ERA DESIGNS, INC. AMERICAN HOME ASSURANCE	PLF: ROTHROCK LAW FIRM HILLSBOROUGH, N.C.  DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
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532496 GG 9:30	CATHEY J. STOCKS v CITY OF WINSTON-SALEM SELF-INSURED	PLF: WALDEN & WALDEN WINSTON-SALEM, N.C.  DFT: WILSON & COFFEY WINSTON-SALEM, N.C.
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223606 MC 9:30	JIMMY R. LEMONS v FRANK L. BLUM COMPANY ST. PAUL/TRAVELERS INS. CO.	PLF: RODERICK T. MCIVER WINSTON-SALEM, N.C.  DFT: STILES BYRUM & HORNE CHARLOTTE, N.C.
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547707 MC 9:30	WANDA SMITH, WIDOW; STEPHANIE SMITH, ADULT DAUGHTER; DEBORAH NEWSOME; JEFORST MATTHEW NEWSOME, AND RAYLGIN CLEVEZ NEWSOME, BY THEIR GUARDIAN AD LITEM DOROTHY NEWSOME; PERRY SMITH, BROTHER; AND MATTIE SMITH, MOTHER, ALLEGED DEPENDENTS OF JESSIE RAY SMITH, DECEASED v FLAT FOOT CONCRETE CONSTRUCTION OHIO CASUALTY GROUP	PLF: JAMES & SUTTON GREENVILLE, N.C.  ----- DEBORAH NEWSOME, PRO SE  ----- JEFORST NEWSOME, MINOR CHILD, PRO SE (DOROTHY NEWSOME, GAL)  ----- RAYGLIN NEWSOME, MINOR CHILD, PRO SE (DOROTHY NEWSOME, GAL)  ----- PERRY SMITH, PRO SE  ----- MATTIE SMITH, PRO SE  DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.

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**CONTINUED**  
NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW            DOCKET

LAURA K. MAVRETIC, CHAIR  
BERNADINE S. BALLANCE, COMMISSIONER  
DANNY L. MCDONALD, COMMISSIONER

MONDAY, JUNE 11, 2007

9:30 A.M. RALEIGH, NORTH CAROLINA

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555285 AP 9:30	MICHAEL BUCHANAN v RADFORD QUARRIES OF BOONE LIBERTY MUTUAL GROUP	PLF: TIMOTHY D. WELBORN WINSTON-SALEM, N.C.  DFT: MULLEN HOLLAND & COOPER GASTONIA, N.C.
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964186 MC 9:30	CAROLYN T. SUMPTER v HARNETT COUNTY BOARD OF EDUCATION SELF-INSURED (KEY RISK MANAGEMENT)	PLF: PRO SE  DFT: NC DEPARTMENT OF JUSTICE RALEIGH, N.C.
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**(COURT RECESS)**  
**(ORAL ARGUMENTS TO RESUME AT 1:30 P.M.)**

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317543 & 427386 JG 1:30	DONNIE BOGER v ECMD, INC. ZENITH INSURANCE COMPANY	PLF: FRANKLIN SMITH ELKIN, N.C.  DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
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408786 AP 1:30	JOYCE LOWMAN v NACCO MATERIALS HANDLING GROUP, INC. SELF-INSURED	PLF: RANDY D. DUNCAN HICKORY, N.C.  DFT: LEWIS & ROBERTS RALEIGH, N.C.
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529960 AP 1:30	JERRI S. BUCHANAN v INTERSTATE BRANDS CORP./ MERITA BAKERY ACE ESIS	PLF: RANDY D. DUNCAN HICKORY, N.C.  DFT: WILSON & RATLEDGE RALEIGH, N.C.
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NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW DOCKET

LAURA K. MAVRETIC, CHAIR  
BERNADINE S. BALLANCE, COMMISSIONER  
DANNY L. MCDONALD, COMMISSIONER

WEDNESDAY, JUNE 13, 2007

9:30 A.M. RALEIGH, NORTH CAROLINA

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508361 MC 9:30	JANA M. BECERRA v CAMPBELL OIL COMPANY, INC. D/B/A MINUTEMAN FOOD MART FEDERATED MUTUAL INS CO.	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C.  DFT: HEDRICK EATMAN GARDNER & KINCHELOE, RALEIGH, N.C.
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**(MAVRETIC\*, MCDONALD, SCOTT)**

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348045 & 391151 JG 9:30	VIRGINIA WALLER v PITT COUNTY MEMORIAL HOSPITAL SELF-INSURED (AEGIS ADMIN SERVICES)	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C.  DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
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343468 MC 9:30	KURT R. BARNES v CITY OF ROCKY MOUNT SELF-INSURED (COMPENSATION CLAIMS SOLUTIONS)	PLF: EARLY & CHANDLER ROCKY MOUNT, N.C.  DFT: BROOKS STEVENS & POPE CARY, N.C.
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106105 PB 9:30	WILLIAM SYKES v MOSS TRUCKING COMPANY, INC. PROTECTIVE INSURANCE CO.	PLF: PRO SE  DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
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**(MCDONALD\*, SCOTT, SELLERS)**

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524741 RWR 9:30	KEITH MELENDEZ v NUCOR CORPORATION SPECIALTY RISK SERVICES	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C.  DFT: PATTERSON DILTHEY CLAY BRYSON & ANDERSON, RALEIGH, N.C.
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**(COURT RECESS)**  
**(ORAL ARGUMENTS TO RESUME AT 1:30 P.M.)**

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW            DOCKET

**REVISED**

LAURA K. MAVRETIC, CHAIR  
BERNADINE S. BALLANCE, COMMISSIONER  
DANNY L. MCDONALD, COMMISSIONER

WEDNESDAY, JUNE 13, 2007

1:30 P.M. RALEIGH, NORTH CAROLINA

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293492      SUSAN WOODRUFF  
RR                    v  
1:30        WAL-MART STORES, INC.  
              SELF-INSURED  
              (CLAIMS MANAGEMENT INC.)

PLF: THE SUMWALT LAW FIRM  
      CHARLOTTE, N.C.  
  
DFT: HEDRICK EATMAN GARDNER &  
      KINCHELOE, CHARLOTTE, N.C.

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582866      BRENDA D. BOISVERT  
&                    v  
              IFE, INC.  
              NON-INSURED,  
              AND DONALD A. MERRELL,  
              INDIVIDUALLY

PLF: JUDITH C. FRASER  
      ASHEVILLE, N.C.  
  
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      NC. DEPARTMENT OF JUSTICE  
      RALEIGH, N.C.  
  
DFT: PRO SE

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PH-1607     NORTH CAROLINA INDUSTRIAL  
GH                    COMMISSION  
1:30                    v  
                      IFE, INC,  
                      NON-INSURED  
                      AND DONALD A. MERRELL,  
                      INDIVIDUALLY

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397560      JEFFREY FORBRICK  
AP                    v  
1:30        LE BLEU CORP  
              THE HARTFORD

PLF: HALL & HALL  
      MORGANTON, N.C.  
  
DFT: CRANFILL SUMNER & HARTZOG  
      CHARLOTTE, N.C.

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550482      ROBERT CLARK  
MG                    v  
1:30        ESTES EXPRESS LINES  
              (CORPORATE SELF-INSURED)  
  
              (MCDONALD\*, SCOTT, BALLANCE)

PLF: THE LANIER LAW GROUP  
      RALEIGH, N.C.  
  
DFT: HEDRICK EATMAN GARDNER &  
      KINCHELOE, CHARLOTTE, N.C.

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