

Michael F. Easley, Governor
Pamela T. Young, Chair



Bernadine S. Ballance, Commissioner
Buck Lattimore, Commissioner
Danny L. McDonald, Commissioner
Laura K. Mavretic, 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 July 9, 11, and 15, 2008, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Layla Santa Rosa, Agency Legal Specialist to Commissioner Dianne C. Sellers, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Santa Rosa is (919) 807-2524.

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:

**JULY 9, 11 & 15, 2008
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

DIANNE C. SELLERS, PANEL CHAIR
LAURA K. MAVRETIC, COMMISSIONER
BERNADINE S. BALLANCE, COMMISSIONER

WEDNESDAY, JULY 9, 2008

9:30 A. M. RALEIGH, NORTH CAROLINA

R44320 JDE 9:30	VINCENT DANIEL DIXON v ROCKY MOUNT UNDERGARMENT CO. KEY RISK MANAGEMENT SERVICES	PLF: THE BRICIO LAW FIRM CARY, N.C. ----- CHARLES R. HASSELL, JR. RALEIGH, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
642432 TS 9:30	RICKY D. OLIVER v UNITED PARCEL SERVICE LIBERTY MUTUAL INSURANCE CO.	PLF: HUGGARD OBIOL & BLAKE RALEIGH, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
128640 & 766504 BD 9:30	DAVID IVEY v DISTRIBUTION CONSTRUCTION VALLEY FORGE INSURANCE AND/OR ZURICH AMERICAN	PLF: LAW OFFICES OF JAMES SCOTT FARRIN, DURHAM, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C. ----- LEWIS & ROBERTS, RALEIGH, N.C.
597469 & 690246 JDE 9:30	VIOLET HANEY v SUNBRIDGE NURSING CENTER AIG	PLF: PAM FOSTER HIGH POINT, N.C. DFT: SHARPLESS & STAVOLA GREENSBORO, N.C. ----- MCANGUS GOUDELOCK & COURIE RALEIGH, N.C.
696021 PH 9:30	CAROL B. DEARMON v NURSING CENTER AT OAK SUMMIT WAKE FOREST UNIVERSITY BAPTIST MEDICAL CENTER	PLF: EGERTON & ASSOCIATES GREENSBORO, N.C. DFT: WOMBLE CARLYLE SANDRIDGE & RICE, WINSTON-SALEM, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

DIANNE C. SELLERS, PANEL CHAIR
LAURA K. MAVRETIC, COMMISSIONER
BERNADINE S. BALLANCE, COMMISSIONER

WEDNESDAY, JULY 9, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

972413 RH 1:30	NORA L. LAIL v WESTERN CAROLINA CENTER SELF-INSURED (KEY RISK MANAGEMENT SERVICES)	PLF: COX & GAGE MORGANTON, N.C. DFT: N.C. DEPARTMENT OF JUSTICE ASHEVILLE, N.C.
573497 RH 1:30	JON BROOKS v AMERICAN EMERGENCY VEHICLES U.S. FIRE INSURANCE COMPANY	PLF: THE LAW OFFICES OF CAMERON M. FERGUSON, BOONE, N.C. DFT: JONES HEWSON & WOOLARD CHARLOTTE, N.C.
628294 JG 1:30	JOE C. MCCLENDON v F. NEAL HUBBARD CONSTRUCTION ISURITY INSURANCE SERVICES/ NCME FUND	PLF: JAMES S. WEIDNER, JR. CHARLOTTE, N.C. DFT: ORBOCK RUARK & DILLARD WINSTON-SALEM, N.C.
552851 RR 1:30	NOEMI ROMERO v CVS PHARMACY GAB ROBINS NORTH AMERICA, INC.	PLF: PRO SE DFT: YORK WILLIAMS BARRINGER LEWIS & BRIGGS, CHARLOTTE, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

DIANNE C. SELLERS, PANEL CHAIR
LAURA K. MAVRETIC, COMMISSIONER
BERNADINE S. BALLANCE, COMMISSIONER

FRIDAY, JULY 11, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

733926 PH 9:30	CYNTHIA OAKLEY v GENTIVA HEALTH SERVICES THE HARTFORD (GALLAGHER BASSETT SERVICES, INC)	PLF: THE JERNIGAN LAW FIRM RALEIGH, N.C. DFT: MCANGUS GOUDELOCK & COURIE RALEIGH, N.C.
642656 AP 9:30	BARBARA MANZOLA v N.C. DEPARTMENT OF CORRECTION SELF-INSURSED (KEY RISK MANAGEMENT SERVICES)	PLF: LAW OFFICES OF JAMES SCOTT FARRIN, DURHAM, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
TA-17426 RH 9:30	ERNEST TOWNSEND v N.C. DEPARTMENT OF CORRECTION	PLF: STEVE ALLEN GREENSBORO, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
734242 RR 9:30	RHONDA H. WEATHERS v SOUTHEASTERN REGIONAL MEDICAL N.C. INSURANCE GUARANTY ASSOCIATION	PLF: THE MCGOUGAN LAW FIRM TABOR CITY, N.C. DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.
672453 BD 9:30	DELORES L. EVANS v LUTHERAN SERVICES FOR THE AGING EMPLOYERS INSURANCE CO OF WAUSAU	PLF: DORAN SHELBY PETHEL & HUDSON SALISBURY, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

DIANNE C. SELLERS, PANEL CHAIR
LAURA K. MAVRETIC, COMMISSIONER
BERNADINE S. BALLANCE, COMMISSIONER

FRIDAY, JULY 11, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

584654 JDE 1:30	BENITA ANN CLAYTON v CAROLINA TRUCK & BODY BRENTWOOD SERVICES ADMINISTRATORS, INC.	PLF: BALL BARDEN & BELL ASHEVILLE, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
606785 RH 1:30	KYLE VALLE v ALPHA CONSTRUCTION COMPANY LIBERTY MUTUAL INSURANCE CO. AND DAMERON DRYWALL, INC. TRAVELERS INDEMNITY CO.	PLF: MICHAEL P. KEPLEY BOONE, N.C. DFT: MULLEN HOLLAND & COOPER GASTONIA, N.C. HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
666347 & PH-1884 GH 1:30	ANTHONY LYNCH v R & R BUILDERS, NON- INSURED AND/OR ROBIN PIGG, INDIVIDUALLY, AND/OR ROBIN PIGG, D/B/A R & R BUILDERS, AND/OR PAUL CRUSE N.C. INDUSTRIAL COMMISSION v R & R BUILDERS, NON- INSURED AND /OR ROBIN PIGG, INDIVIDUALLY, AND/OR ROBIN PIGG, D/B/A R & R BUILDERS, AND/OR PAUL CRUSE	PLF: KELLUM LAW FIRM NEW BERN, N.C. NC DEPARTMENT OF JUSTICE RALEIGH, N.C. DFT: ROUNTREE & BOYETTE TARBORO, N.C. PAUL CRUSE, PRO SE
TA-17960 WT 1:30	WILLIAM KERR v N.C. DEPARTMENT OF CORRECTION	PLF: WALLACE & GRAHAM SALISBURY, N.C. DFT: NC DEPARTMENT OF JUSTICE RALEIGH, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

DIANNE C. SELLERS, PANEL CHAIR
LAURA K. MAVRETIC, COMMISSIONER
BERNADINE S. BALLANCE, COMMISSIONER

TUESDAY, JULY 15, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

332330 PATRICIA WOOD

PH v

9:30 HOLIDAY INN AIRPORT

RE-SET THE PMA INSURANCE GROUP

PLF: DAVID GANTT LAW OFFICE
ASHEVILLE, N.C.

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

(MAVRETIC *, BALLANCE & SELLERS)
