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



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

# North Carolina Industrial Commission

May 22, 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:

JULY 10, 11, AND 19, 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 <a href="mailto:dockets@ic.nc.gov">dockets@ic.nc.gov</a> or via EDFP. For help with EDFP registration, please visit <a href="http://www.ic.nc.gov/EDFPregistrationInstructions.pdf">http://www.ic.nc.gov/EDFPregistrationInstructions.pdf</a>. 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

### NORTH CAROLINA INDUSTRIAL COMMISSION FULL COMMISSION REVIEW DOCKET

CHARLTON L. ALLEN, CHAIRMAN YOLANDA K. STITH, VICE-CHAIRMAN PHILIP A. BADDOUR, III, COMMISSIONER MYRA L. GRIFFIN, COMMISSIONER CHRISTOPHER C. LOUTIT, CHAIR OF PANEL TAMMY R. NANCE, COMMISSIONER

TUESDAY, JULY 10, 2018		9:00 A.M.		RALEIGH, NORTH CAROLINA
MS	MICHAEL JUSTIN NIEMCZURA v.	PLF:	PATTERSON HARKAVY CHAPEL HILL, N.C.	
9:00	MILLERCOORS, LLC			
RESET	INDEMNITY INSURANCE COMPANY	DFT:	SMITH M	OORE LEATHERWOOD

OF NORTH AMERICA GREENSBORO, N.C.

(CHAIRMAN ALLEN\*, VICE-CHAIRMAN STITH AND COMMISSIONER BADDOUR)

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PLEASE NOTE THAT SOME CASES SET FOR HEARING ON THIS DATE BY ORDER OF THE FULL COMMISSION MAY NOT APPEAR IN THIS LIST. IF YOU HAVE ANY QUESTIONS ABOUT WHETHER A CASE IS SET FOR HEARING ON THIS DATE, PLEASE CONTACT THE LAW CLERK LISTED ON THE FIRST PAGE OF THIS CALENDAR.

### NORTH CAROLINA INDUSTRIAL COMMISSION FULL COMMISSION REVIEW DOCKET

CHRISTOPHER C. LOUTIT, CHAIR OF PANEL PHILIP A. BADDOUR, III, COMMISSIONER MYRA L. GRIFFIN, COMMISSIONER

WEDNESDAY, JULY 11, 2018		9:00 A.M.		RALEIGH, NORTH CAROLINA	
16-038373 MWG 9:00	DWAYNE EMBERY, SR. v. GOODYEAR TIRE AND RUBBER COMPANY LIBERTY MUTUAL	PLF:	LENNON CAMAK & BERTICS RALEIGH, N.C.		
		DFT:	YOUNG MOORE AND HENDERSON RALEIGH, N.C.		
14-038782 LG 9:00	TIMOTHY SHIPMAN v. MURPHY BROWN, LLC	PLF:	THE MCGO WHITEVIL	DUGAN LAW FIRM LE, N.C.	
	ACE/ESIS	DFT:	MIDKIFF N RALEIGH,	MUNCIE & ROSS N.C. 	
16-032473 JT 9:00	WILLIAM R. STIVER v. SOUTH CREEK CONSTRUCTION, INC. CINCINNATI INSURANCE COMPANY	PLF:	PRO SE.		
			CRANFILL CHARLOT		

### NORTH CAROLINA INDUSTRIAL COMMISSION FULL COMMISSION REVIEW DOCKET

CHRISTOPHER C. LOUTIT, CHAIR OF PANEL PHILIP A. BADDOUR, III, COMMISSIONER MYRA L. GRIFFIN, COMMISSIONER

THURSDAY, JULY 19, 2018		9:00 A.M.		RALEIGH, NORTH CAROLINA
16-028690 SG 9:00	OLIVIA PETERMAN v. REX HEALTHCARE (ALLIED CLAIMS ADMINISTRATION)	PLF:	MARTIN & JONES RALEIGH, N.C.	
		DFT:	YOUNG M RALEIGH	
16-757258 JT 9:00	VANDROSS CATHEY  v.  CORT BUSINESS SERVICES	PLF:	WALLAC CHARLO	E CHILDERS ΓΤΕ, N.C.
	CORPORATION HARTFORD ACCIDENT AND INDEMNITY COMPANY	DFT:	WILLSON CHARLO	I JONES CARTER & BAXLEY ΓΤΕ, N.C.
16-747778 & PH-5162	ROBERT HALL, JR. v. RANDY HENDERSON AND CECIL HENDERSON D/B/A HENDERSON CONSTRUCTION. NON-INSURED, AND/OR		LOCKLEA LUMBER	AR JACOBS HUNT & BROOKS FON, N.C.
			N.C. DEPARALEIGH	ARTMENT OF JUSTICE , N.C.
	THE ASCOT CORPORATION, LLC, NON-INSURED  N.C. INDUSTRIAL COMMISSION		CECIL HE	IENDERSON AND ENDERSON D/B/A SON CONSTRUCTION,
AP	V.		1 KO SE.	
9:00	RANDY HENDERSON AND CECIL HENDERSON D/B/A HENDERSON CONSTRUCTION, NON-INSURED RANDY HENDERSON, INDIVIDUALLY CECIL HENDERSON, INDIVIDUALLY THE ASCOT CORPORATION, LLC, NON-INSURED		VAN CAM PINEHUR	MP MEACHAM & NEWMAN ST, N.C.