

Roy Cooper, Governor
Charlton L. Allen, Chairman
Yolanda K. Stith, Vice-Chairman



Bernadine S. Ballance, Commissioner
Linda Cheatham, Commissioner
Christopher C. Loutit, Commissioner
Tammy R. Nance, Commissioner

REVISED

North Carolina Industrial Commission

May 25, 2017

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 12, 20, 27, AND 31, 2017
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 Megan Jost, Agency Legal Specialist, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699-4336. The telephone number for Ms. Jost is (919) 807-2524, and the electronic mail address is megan.jost@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 dockets@ic.nc.gov or via EDFP. 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

Linda Langdon
Docket Director

Office of the Clerk • 4336 Mail Service Center • Raleigh, North Carolina 27699-4336
Telephone: (919) 807-2504 • Fax: (919) 715-0282 • Internet Address: <http://www.ic.nc.gov/>

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

REVISED

CHARLTON L. ALLEN, CHAIRMAN
YOLANDA K. STITH, CHAIR OF PANEL
LINDA CHEATHAM, COMMISSIONER
CHRISTOPHER C. LOUTIT, COMMISSIONER
TAMMY R. NANCE, COMMISSIONER

WEDNESDAY, JULY 12, 2017

9:00 A.M.

RALEIGH, NORTH CAROLINA

13-732133 KENNETH SIMMONS
LG v
9:00 BLADEN COUNTY SHERIFF'S
DEPARTMENT
(SEDGWICK/CMS)

(LOUTIT*, ALLEN & CHEATHAM)

PLF: MUSSELWHITE MUSSELWHITE
BRANCH & GRANTHAM,
LUMBERTON, N.C.

DFT: TEAGUE CAMPBELL DENNIS &
GORHAM, RALEIGH, N.C.

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

CHARLTON L. ALLEN, CHAIR OF PANEL
YOLANDA K. STITH, VICE-CHAIRMAN
CHRISTOPHER C. LOUITIT, COMMISSIONER

THURSDAY, JULY 20, 2017 9:00 A.M. RALEIGH, NORTH CAROLINA

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|-----------|-----------------------------------------------------------------------|------|----------------------------------|
| 13-713105 | RAYMOND DAVIS | PLF: | OXNER + PERMAR |
| SG | v | | RALEIGH, N.C. |
| 9:00 | SERVICE TEAM OF PROFESSIONALS BUILDERS MUTUAL INSURANCE COMPANY | DFT: | LEWIS & ROBERTS RALEIGH, N.C. |

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|-----------|---------------------------------------------------|------|-------------------------------------------|
| 13-703689 | MARY LYNCH | PLF: | ROBERTS LAW FIRM |
| DMH | v | | GASTONIA, N.C. |
| 9:00 | GASTON COUNTY COMPENSATION CLAIMS SOLUTIONS | DFT: | MULLEN HOLLAND & COOPER GASTONIA, N.C. |

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|-----------|---------------------------------------------|------|--------------------------------------------|
| 15-753057 | CHRISTOPHER MARRS | PLF: | KING LAW FIRM |
| TP | v | | JACKSONVILLE, N.C. |
| 9:00 | AECOM/URS SELF-INSURED (SEDGWICK CMS) | DFT: | CRANFILL SUMNER & HARTZOG RALEIGH, N.C. |

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

CHARLTON L. ALLEN, CHAIR OF PANEL
YOLANDA K. STITH, VICE-CHAIRMAN
CHRISTOPHER C. LOUITIT, COMMISSIONER

THURSDAY, JULY 27, 2017 9:00 A.M. RALEIGH, NORTH CAROLINA

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|-----------|-----------------------------|------|----------------------------------|
| 15-014741 | JANET C. THORNE | PLF: | LAW OFFICE OF JAMES SCOTT FARRIN |
| MG | v | | DURHAM, N.C. |
| 9:00 | CHAPEL HILL DAY CARE CENTER | DFT: | HEDRICK GARDNER KINCHELOE & |
| | HARTFORD UNDERWRITERS | | GAROFALO, RALEIGH, N.C. |
| | INSURANCE COMPANY | | |

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|--------|----------------------------|------|----------------------------|
| W26071 | OSEAS FORTUNATO | PLF: | KEN HARRIS & ASSOCIATES |
| DMH | v | | CHARLOTTE, N.C. |
| 9:00 | DAVIS STEEL & IRON COMPANY | DFT: | MCANGUS GOUDELOCK & COURIE |
| | LIBERTY MUTUAL INSURANCE | | CHARLOTTE, N.C. |

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|-----------|------------------------------------|------|----------------------------|
| 15-053907 | KENNETH UNDERWOOD | PLF: | BOWMAN LAW |
| JT | v | | WINSTON-SALEM, N.C. |
| 9:00 | SYSCO CHARLOTTE, LLC | DFT: | MCANGUS GOUDELOCK & COURIE |
| | AMERICAN ZURICH INSURANCE | | CHARLOTTE, N.C. |
| | COMPANY | | |
| | (GALLAGHER BASSETT SERVICES, INC.) | | |

NORTH CAROLINA INDUSTRIAL COMMISSION
 FULL COMMISSION
 REVIEW DOCKET

CHARLTON L. ALLEN, CHAIR OF PANEL
 YOLANDA K. STITH, VICE-CHAIRMAN
 CHRISTOPHER C. LOUTIT, COMMISSIONER

MONDAY, JULY 31, 2017

9:00 A.M.

RALEIGH, NORTH CAROLINA

14-056895 MICHAEL MCGIFFIN
 MG v
 9:00 DUKE UNIVERSITY
 SELF-INSURED

PLF: KENNETH J. DUKE
 DURHAM, N.C.

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

15-033485 CHERYLE COMBS
 DMH v
 9:00 PASS & SEYMOUR/LEGRAND
 NORTH AMERICA, INC.
 THE PHOENIX INSURANCE COMPANY
 (TRAVELERS)

PLF: COLLIER LAW
 CHARLOTTE, N.C.

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