

Michael F. Easley, Governor
Buck Lattimore, Chairman



North Carolina Industrial Commission

Commissioners:
Thomas J. Bolch, Commissioner
Laura K. Mavretic, Commissioner
Christopher Scott, Commissioner
Dianne C. Sellers, Commissioner
Pamela T. Young, Commissioner

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 14, 19 & 21, 2005, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Kristi Bellamy, Agency Legal Specialist to Commissioner Bernadine Ballance, Dobbs Building, 4336 Mail Service Center Raleigh, North Carolina 27699. The telephone number for Ms. Bellamy is (919) 807-2542. 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 Linda Langdon, 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 14, 19 & 21, 2005
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. The Dobbs Building has now been secured. 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

BERNADINE C. BALLANCE-CHAIR
BUCK LATTIMORE, CHAIRMAN
DIANNE S. SELLERS, COMMISSIONER

THURSDAY, JULY 14, 2005

9:30 A.M. RALEIGH, NORTH CAROLINA

386335 MC 9:30	SANDRA KAY ROSE v CITY OF ROCKY MOUNT SELF-INSURED	PLF: ROSE RAND ORCUTT CAULEY BLAKE & ELLIS, WILSON, N.C. DFT: BROOKS STEVENS & POPE CARY, N.C.
336305 PH 9:30	ALDON FORSYTHE v SUNLAND DEVELOPMENT AND CONSTRUCTION KEY RISK MANAGEMENT	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
348419 AP 9:30	JEANETTE M. WAINWRIGHT v COMMUNITY MANAGEMENT CORP WASAU INSURANCE COMPANIES	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: CRANFILL SUMNER & HARTZOG WILMINGTON, N.C.
160972 RR 9:30	ZORAIDA M. ROBSON v FAYETTEVILLE FAMILY MEDICAL CARE OHIO CASUALTY GROUP	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.

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

BERNADINE C. BALLANCE-CHAIR
BUCK LATTIMORE, CHAIRMAN
DIANNE S. SELLERS, COMMISSIONER

1:30 P.M. RALEIGH, NORTH CAROLINA

854016 JOHN C. WELBORN, ADMINISTRATOR PLF: MICHAEL SWANN
BD OF THE ESTATE, AND JOHN C. WELBORN LEXINGTON, N.C.
1:30 AND SHEILA W. KUPCHIK, INDIVIDUALLY
AS NEXT OF KIN, OF BONNIE DFT: YOUNG MOORE & HENDERSON
WELBORN, DECEASED RALEIGH, N.C.

v
WAL-MART, INC
INSURANCE COMPANY OF THE
STATE OF PENNSYLVANIA

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

BERNADINE C. BALLANCE-CHAIR
BUCK LATTIMORE, CHAIRMAN
DIANNE S. SELLERS, COMMISSIONER

TUESDAY, JULY 19, 2005

9:30 A.M. RALEIGH, NORTH CAROLINA

272373 RR 9:30	DANNY THOMAS v CUMBERLAND COUNTY SCHOOLS NATIONAL BENEFITS AMERICA	PLF: HARDISON & LEONE RALEIGH, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, RALEIGH, N.C.
365891 LD 9:30	BILLY MARSHALL v LARRY PLEASANTS NON-INSURED	PLF: HARDISON & LEONE RALEIGH, N.C. ATTORNEY GENERAL'S OFFICE RALEIGH, N.C.
PH-0983 LD 9:30	NC INDUSTRIAL COMMISSION v LARRY PLEASANTS NON-INSURED	DFT: PRO SE.
022299 PB N/T 9:30	ANTHONY CARLTON v N.C. DEPARTMENT OF CRIME CONTROL & PUBLIC SAFETY SELF-INSURED	PLF: LUCAS BRYANT DENNING & EDWARDS SELMA, N.C. DFT: ATTORNEY GENERAL'S OFFICE RALEIGH, N.C.
105604 TS 9:30	GLEN D. COX v WESTVACO CORP/MEBANE PACKAGING GROUP SELF-INSURED	PLF: ROBERT J. JACOBS GRAHAM, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
177265 RR 9:30	ROGER ELBERT TONEY v SOUTHERN FOODS GROUP, INC. KEY RISK INSURANCE COMPANY	PLF: BARRON & BERRY GREENSBORO, N.C. DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

BERNADINE C. BALLANCE-CHAIR
BUCK LATTIMORE, CHAIRMAN
DIANNE S. SELLERS, COMMISSIONER

TUESDAY, JULY 19, 2005

1:30 P.M. RALEIGH, NORTH CAROLINA

428197	RICHARD PERRINE	PLF:	PRESSLY THOMAS & CONLEY
430333	v		STATESVILLE, N.C.
LD	VALSPAR CORPORATION		
1:30	SELF-INSURED	DFT:	HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.

270727	ANTHONY JOHNSON	PLF:	PRO SE.
MC	v		
1:30	FOOD LION INC.		
	SELF-INSURED	DFT:	HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.

191060	AILEEN PAYNE	PLF:	GARY DODD
191115	v		ASHEVILLE, N.C.
JDE	BERTLESMANN INC./SONOPRESS		
1:30	ZURICH AMERICAN INSURANCE	DFT:	SANDRA KING ASHEVILLE, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

BERNADINE C. BALLANCE-CHAIR
BUCK LATTIMORE, CHAIRMAN
DIANNE S. SELLERS, COMMISSIONER

THURSDAY, JULY 21, 2005

9:30 A.M. RALEIGH, NORTH CAROLINA

258455 TS 9:30	CHRISTOPHER GREEN v CARWELL AUTOMOTIVE N.C. FARM BUREAU	PLF: THE LAW OFFICE OF JAMES SCOTT FARRIN, RALEIGH, N.C. DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.
981509 PH 9:30	JEFFREY A. BARNES v CHISHOLM SERVICES RISK ENTERPRISE MANAGEMENT	PLF: THE LAW OFFICES OF LESLIE O. WICKHAM, JR. DURHAM, N.C. DFT: PATTERSON DILTHEY CLAY & BRYSON, RALEIGH, N.C.
263378 AP 9:30	YVONNE RIGGINS v NASH HEALTHCARE SYSTEMS/ NASH GENERAL ALLIED CLAIMS ADMINISTRATION	PLF: FARRIS & FARRIS WILSON, N.C. DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.
368444 BD 9:30	ROBIN YOW v PALM HARBOR HOMES ST. PAUL FIRE & MARINE INS CO.	PLF: THE JERNIGAN LAW FIRM RALEIGH, N.C. DFT: STILES BYRUM & HORNE CHARLOTTE, N.C.
150598 CS 9:30	MARY FRANCES POWE v CENTERPOINT HUMAN SERVICES BRENTWOOD SERVICES	PLF: KATHLEEN G. SUMNER GREENSBORO, N.C. DFT: MORRIS YORK WILLIAMS SURLES & BARRINGER, CHARLOTTE, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

BERNADINE C. BALLANCE-CHAIR
BUCK LATTIMORE, CHAIRMAN
DIANNE S. SELLERS, COMMISSIONER

THURSDAY, JULY 21, 2005

1:30 P.M. RALEIGH, NORTH CAROLINA

370507	BARRY EDWIN BRANHAM	PLF:	RANDY DUNCAN
TS	v		HICKORY, N.C.
1:30	WHALEY FOOD SERVICE	DFT:	MORRIS YORK WILLIAMS SURLES &
	THE HARTFORD		BARRINGER, CHARLOTTE, N.C.

699871	LEROY KING	PLF:	KATHLEEN SHANNON GLANCY
937503	v		WILMINGTON, N.C.
CS	LUNDY PACKING CO .	DFT:	HEDRICK EATMAN GARDNER &
1:30	ROYAL SUN ALLIANCE		KINCHELOE, RALEIGH, N.C.
	AND/OR		
	KEMPER INSURANCE CO.		-----
			MCANGUS GOUDELOCK & COURIE
			CHARLOTTE, N.C.

490583	BOBBY SWEAT	PLF:	LAW OFFICES OF MARK T. SUMWALT
LD	v		CHARLOTTE, N.C.
ADMAPP	COASTAL VINYL & ALUMINUM		-----
1:30	ZENITH INSURANCE CO.		O'NEIL & CHANDLER
			MYRTLE BEACH, S.C.
		DFT:	MCANGUS GOUDELOCK & COURIE
			CHARLOTTE, N.C.
