

Pat McCrory, Governor
Andrew T. Heath, Chairman



Bernadine S. Ballance, Commissioner
Linda Cheatham, Commissioner
Danny L. McDonald, Commissioner
Tammy R. Nance, Commissioner
Pamela T. Young, 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 August 1, 2, 6, and 12, 2013, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Daniel Golonka, Law Clerk, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Mr. Golonka is 919-807-2644. 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:

**AUGUST 1, 2, 6 & 12, 2013
DOBBS BUILDING
SECOND FLOOR, ROOM 2173
430 NORTH SALISBURY STREET
RALEIGH, NORTH CAROLINA 27603**

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

Linda Langdon
Docket Director

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

LINDA CHEATHAM, CHAIR OF PANEL
ANDREW T. HEATH, CHAIRMAN
TAMMY R. NANCE, COMMISSIONER
BERNADINE S. BALLANCE, COMMISSIONER
DANNY L. MCDONALD, COMMISSIONER
PAMELA T. YOUNG, COMMISSIONER

THURSDAY, AUGUST 1, 2013

9:00 A.M.

RALEIGH, NORTH CAROLINA

891285	JOHN MCARTHUR	PLF:	THE LAW OFFICES OF NICOLE D. HART
JG	v		JACKSONVILLE, N.C.
RESET	HOME DEPOT		
9:00	(HELMSMAN MANAGEMENT SERVICES)	DFT:	HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C.

(CHEATHAM*, BALLANCE & NANCE)

W06438	MOHAMMAD R. SALAMI	PLF:	PRO SE.
&	v		
W78872	NORTH CAROLINA	DFT:	NC DEPARTMENT OF JUSTICE
PH	A&T STATE UNIVERSITY		RALEIGH, N.C.
9:00	CORVEL		

(CHEATHAM*, BALLANCE & NANCE)

726814	BLAKE KRAUSE	PLF:	BAKER & SLAUGHTER
PH	v		WILMINGTON, N.C.
9:00	BAK TRANSPORT, INC.		
	STATE NATIONAL INSURANCE CO. (GAB ROBINS NORTH AMERICA, INC., FORMER THIRD-PARTY ADMINISTRATOR, AND GALLAGHER BASSETT SERVICES, INC., CURRENT THIRD-PARTY ADMINISTRATOR)	DFT:	HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C.

(BALLANCE*, NANCE & YOUNG)

150598	MARY FRANCES POWE	PLF:	LAW OFFICE OF KATHLEEN G. SUMNER
JD	v		GREENSBORO, N.C.
RESET	CENTERPOINT HUMAN SERVICES		
9:00	BRENTWOOD SERVICES	DFT:	RUDISILL WHITE & KAPLAN
			CHARLOTTE, N.C.

(HEATH*, BALLANCE & CHEATHAM)

-- CONTINUED --

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

LINDA CHEATHAM, CHAIR OF PANEL
ANDREW T. HEATH, CHAIRMAN
TAMMY R. NANCE, COMMISSIONER
BERNADINE S. BALLANCE, COMMISSIONER
DANNY L. MCDONALD, COMMISSIONER
PAMELA T. YOUNG, COMMISSIONER

THURSDAY, AUGUST 1, 2013

1:30 P.M.

RALEIGH, NORTH CAROLINA

545105 CS 1:30	SHEILA DALTON v WATERS OF HICKORY, INC. HARTFORD INSURANCE COMPANY	PLF: WALDEN & WALDEN WINSTON-SALEM, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
----------------------	---	--

(BALLANCE*, NANCE & YOUNG)

429068 BD 1:30	SHIRLEY LIPE, WIDOW AND EXECUTRIX OF THE ESTATE OF ROSS IDDINGS LIPE, DECEASED, v STARR DAVIS COMPANY, INC. TRAVELERS CASUALTY & SURETY AS SUCCESSOR TO AETNA CASUALTY AND SURETY COMPANY	PLF: WALLACE AND GRAHAM SALISBURY, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
----------------------	--	---

(BALLANCE*, YOUNG & MCDONALD)

X67842 PB RESET 1:30	DAVONYA CAMPBELL PAYTON, MINOR CHILD OF DAVID TERRY PAYTON, DECEASED, v BARNES TRANSPORTATION NATIONAL INTERSTATE INSURANCE CO.	PLF: LAW OFFICE OF PAMELA A. HUNTER CHARLOTTE, N.C. ----- DAVYONA CAMPBELL PAYTON, MINOR CHILD OF DECEASED- EMPLOYEE, BY AND THROUGH HER GUARDIAN <i>AD LITEM</i> , ANNETTE CAMPBELL DFT: WILLSON JONES CARTER & BAXLEY CHARLOTTE, N.C.
-------------------------------	--	--

-- CONTINUED --

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

LINDA CHEATHAM, CHAIR OF PANEL
ANDREW T. HEATH, CHAIRMAN
TAMMY R. NANCE, COMMISSIONER
BERNADINE S. BALLANCE, COMMISSIONER
DANNY L. MCDONALD, COMMISSIONER
PAMELA T. YOUNG, COMMISSIONER

THURSDAY, AUGUST 1, 2013

1:30 P.M.

RALEIGH, NORTH CAROLINA

X70585 ELLA GRAY
PH v
RESET WAL-MART STORES, INC. #1392
1:30 NATIONAL UNION FIRE OF
PITTSBURGH, PA
(CLAIMS MANAGEMENT, INC.)

PLF: PRO SE.

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

(NANCE*, YOUNG & MCDONALD)

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

LINDA CHEATHAM, CHAIR OF PANEL
ANDREW T. HEATH, CHAIRMAN
TAMMY R. NANCE, COMMISSIONER

FRIDAY, AUGUST 2, 2013

9:00 A.M.

RALEIGH, NORTH CAROLINA

X89718 VH 9:00	SOPHIA A. LAWRENCE v DISH NETWORK CORPORATION SELF-INSURED (GALLAGHER BASSETT SERVICES, INC.)	PLF: THE BECTON LAW GROUP RALEIGH, N.C. DFT: YOUNG MOORE AND HENDERSON RALEIGH, N.C.
<hr/>		
X90656 BD 9:00	JOSE ROBLERO-VAZQUEZ A/K/A JOSE GOMEZ, DECEASED, v WILLIAMS FARMS NORTH CAROLINA FARM BUREAU MUTUAL	PLF: HAITHCOCK BARFIELD HULSE & KINSEY, GOLDSBORO, N.C. DFT: YOUNG MOORE AND HENDERSON RALEIGH, N.C.
<hr/>		
W38188 BH 9:00	SHARON THOMPSON v GILBARCO, INC. INDEMNITY INSURANCE COMPANY OF NORTH AMERICA (SEDGWICK CMS)	PLF: THE HODGMAN LAW FIRM GREENSBORO, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
<hr/>		
X22254 & X21936 SG 9:00	JOHN E. GRAVEN, JR. v NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY – DIVISION OF LAW ENFORCEMENT (FORMERLY NORTH CAROLINA DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY) (CORVEL CORPORATION) KATHRYN L. WALL v NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY – DIVISION OF LAW ENFORCEMENT (FORMERLY NORTH CAROLINA DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY) (CORVEL CORPORATION)	PLF: BADDOUR PARKER & HINE GOLDSBORO, N.C. ----- NARRON O’HALE & WHITTINGTON BENSON, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

LINDA CHEATHAM, CHAIR OF PANEL
ANDREW T. HEATH, CHAIRMAN
TAMMY R. NANCE, COMMISSIONER

TUESDAY, AUGUST 6, 2013

9:00 A.M.

RALEIGH, NORTH CAROLINA

X87987 RH ADM APP 9:00	LARRY PATTERSON v HOOD PACKAGING CORP. LUMBERMEN'S UNDERWRITING ALLIANCE	PLF: LAW OFFICE OF JAMES SCOTT FARRIN DURHAM, N.C. DFT: MCANGUS GOUDELOCK & COURIE RALEIGH, N.C.
------------------------------------	--	---

X29582 KL 9:00	ASHLEY BENNETT v FOR KIDS ONLY CHILD DEVELOPMENT, INC. BRENTWOOD SERVICES	PLF: GIRDWOOD & WILLIAMS WILMINGTON, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
----------------------	---	---

W72726 MV 9:00	DEBORAH B. COOK v NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, DIVISION OF ADULT CORRECTIONS (CORVEL)	PLF: ROTHROCK LAW FIRM HILLSBOROUGH, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
----------------------	---	--

X35201 KL 9:00	DAVID T. MAURER v INLAND SEAFOOD CORPORATION LIBERTY MUTUAL INSURANCE COMPANY	PLF: BAKER & SLAUGHTER WILMINGTON, N.C. DFT: CRANFILL SUMNER & HARTZOG WILMINGTON, N.C.
----------------------	---	--

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

LINDA CHEATHAM, CHAIR OF PANEL
ANDREW T. HEATH, CHAIRMAN
TAMMY R. NANCE, COMMISSIONER

MONDAY, AUGUST 12, 2013

1:30 P.M.

RALEIGH, NORTH CAROLINA

X52994 &	VIVIAN PHILLIPS, ADMINISTRATIX OF THE ESTATE OF GREGORY WALLACE, DECEASED, v BEST BUY TIRE D/B/A BEST BUY TIRE COMPANY & BRAKE SERVICE NON-INSURED	PLF: LAW OFFICES OF MICHAEL A. DEMAYO CHARLOTTE, N.C. ----- N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C. DFT: CLOUD & WILLIAMS CHARLOTTE, N.C.
PH-2842 AP 1:30	N.C. INDUSTRIAL COMMISSION v BEST BUY TIRE D/B/A BEST BUY TIRE COMPANY & BRAKE SERVICE, NON-INSURED, AND JOHNNIE AVERY, INDIVIDUALLY	
W24763 MG 1:30	ANNETTE SCHUETT v HHF, INC., D/B/A MCDONALD'S KEY RISK MANAGEMENT SERVICES	PLF: H. BRIGHT LINDLER ROCKINGHAM, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
