

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



Bernadine S. Ballance, Commissioner  
Buck Lattimore, Commissioner  
Laura K. Mavretic, Commissioner  
Danny L. McDonald, 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 August 5, 7, and 12, 2008, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Monica Jackson, Agency Legal Specialist to Commissioner Bernadine S. Ballance, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Jackson is (919) 807-2647.**

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 5, 7 & 12, 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

BERNADINE S. BALLANCE, PANEL CHAIR  
DANNY L. MCDONALD, COMMISSIONER  
CHRISTOPHER SCOTT, COMMISSIONER

TUESDAY, AUGUST 5, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

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577888 RR 9:30	BRENDA HINSON v GOODYEAR TIRE & RUBBER D/B/A KELLY SPRINGFIELD LIBERTY MUTUAL INS COMPANY	PLF: THE JERNIGAN LAW FIRM RALEIGH, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
493232 WT 9:30	STEVE R. JONES v STEVE JONES AUTO GROUP UNIVERSAL UNDERWRITERS GROUP	PLF: VAN CAMP MEACHAM & NEWMAN PINEHURST, N.C.  DFT: BROOKS STEVENS & POPE CARY, N.C.
791834 RH 9:30	ALAN D. DOUGLAS v STREULI SALES, INC. STONEWOOD INSURANCE COMPANY	PLF: CRUMLEY & ASSOCIATES GREENSBORO, N.C.  DFT: BROOKS STEVENS & POPE CARY, N.C.
652635 BD 9:30	JOHN A. NETHERCUTT v CAROLINA TECHNICAL PLASTICS, INC. STONEWOOD INSURANCE COMPANY	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C.  DFT: BROOKS STEVENS & POPE CARY, N.C.
586065 JDE 9:30	WILLIE FREEMAN v ABLEST SERVICE CORPORATION ZURICH AMERICAN INSURANCE GROUP	PLF: PRO SE   DFT: LEWIS & ROBERTS RALEIGH, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW                      DOCKET

BERNADINE S. BALLANCE, PANEL CHAIR  
DANNY L. MCDONALD, COMMISSIONER  
CHRISTOPHER SCOTT, COMMISSIONER

TUESDAY, AUGUST 5, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

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546531 PH 1:30	BETTY CHAPMAN v FOUR SEASONS HEALTHCARE, INC. AIG CLAIM SERVICES, INC.	PLF: THE ROBERTS LAW FIRM GASTONIA, N.C.  DFT: CRANFILL SUMNER & HARTZOG CHARLOTTE, N.C.
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524454 BD 1:30	DONNA BENNETT v THE PANTRY INC. GALLAGHER BASSETT SERVICES	PLF: KELLUM LAW FIRM NEW BERN, N.C.  DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
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677402 KL 1:30	ANTHONY BEAVER v ROADWAY EXPRESS, INC. SELF-INSURED (GALLAGHER BASSETT SERVICES, INC)	PLF: ROBERT A. LAUVER KERNERSVILLE, N.C.  DFT: STILES BYRUM & HORNE CHARLOTTE, N.C.
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350253 BH 1:30	PHILLIP C. TRAVER v WILSON SECURITY SERVICES ZENITH INSURANCE COMPANY	PLF: CHARLES G. MONNETT & ASSOCIATES CHARLOTTE, N.C.  DFT: YORK WILLIAMS BARRINGER LEWIS & KUSHNER CHARLOTTE, N.C.
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608238 JDE 1:30	KELVIN COVINGTON v N.C. DEPARTMENT OF CORRECTION SELF-INSURED (KEY RISK MANAGEMENT SERVICE) AND HELPING HAND MISSION	PLF: ANDERSON & ANDERSON RALEIGH, N.C.  DFT: NC DEPARTMENT OF JUSTICE RALEIGH, N.C.  ----- CHARLES D. MOONEY RALEIGH, N.C.

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NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW                      DOCKET

BERNADINE S. BALLANCE, PANEL CHAIR  
DANNY L. MCDONALD, COMMISSIONER  
CHRISTOPHER SCOTT, COMMISSIONER

THURSDAY, AUGUST 7, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

162550 PB 9:30	GENE DENNING v INTERSTATE BRANDS CORPORATION SELF-INSURED (BROADSPIRE SERVICING AGENT)	PLF: HARDISON & COCHRAN RALEIGH, N.C.  DFT: WILSON & RATLEDGE RALEIGH, N.C.
663105 BD 9:30	MAHMOOD S. KHAN v TYCO ELECTRONICS AMERICAN HOME ASSURANCE	PLF: KENNETH M. JOHNSON GREENSBORO, N.C.  DFT: WILSON & RATLEDGE RALEIGH, N.C.
654867 AP 9:30	TAMMY BOSTICK v MASTERWRAP, INC. KEY RISK INSURANCE CO	PLF: RAYMOND M. MARSHALL WINSTON-SALEM, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
394796 WT 9:30	LINDA HAMRICK, INDIVIDUALLY AS DEPENDENT AND EXECUTRIX OF THE ESTATE OF JOSEPH HAMRICK, DECEASED, v FMC CORP. F/K/A LITHIUM CORP. OF AMERICA AETNA/TRAVELERS AND/OR CNA (FIDELITY & CASUALTY PACIFIC INSURANCE CO. AND CONTINENTAL INSURANCE CO.) AND/OR NORTHWESTERN NATIONAL AND/OR CRAWFORD & CO. (NATIONAL UNION FIRE INSURANCE/AIG)	PLF: WALLACE & GRAHAM SALISBURY, N.C.  DFT: MULLEN HOLLAND & COOPER GASTONIA, N.C.  JONES HEWSON & WOOLARD CHARLOTTE, N.C.  MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.  HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
393088 BD 9:30	SHERRI S. FILE v FOOD LION SELF-INSURED RISK MANAGEMENT SERVICES	PLF: DORAN SHELBY PETHEL & HUDSON SALISBURY, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
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BERNADINE S. BALLANCE, PANEL CHAIR  
DANNY L. MCDONALD, COMMISSIONER  
CHRISTOPHER SCOTT, COMMISSIONER

THURSDAY, AUGUST 7, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

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320510      REBECCA HUMMEL  
RH                      v  
1:30      BOYLES FURNITURE  
            PMA INSURANCE GROUP

PLF:    DEATON BIGGERS & GULDEN  
          SHELBY, N.C.  
  
DFT:    HEDRICK GARDNER KINCHELOE &  
          GAROFALO, CHARLOTTE, N.C.

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630075      LORI HAAS LAIL  
RH                      v  
1:30      ACCUFORCE STAFFING SERVICES  
            GALLAGHER BASSETT SERVICES,  
            INC.

PLF:    RANDY D. DUNCAN  
          HICKORY, N.C.  
  
DFT:    NORTHUP MCCONNELL & SIZEMORE  
          ASHEVILLE, N.C.

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TA-19480    ROBERT M. TALFORD  
GG                      v  
1:30      NORTH CAROLINA STATE BAR

PLF:    PRO SE  
  
DFT:    NC DEPARTMENT OF JUSTICE  
          RALEIGH, N.C.

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648133      JAMES MITCHELL  
JG                      v  
1:30      FERGUSON SUPPLY & BOX COMPANY  
            ISURITY

PLF:    PRO SE  
  
DFT:    ORBOCK RUARK & DILLARD  
          WINSTON-SALEM, N.C.

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



Bernadine S. Ballance, Commissioner  
Buck Lattimore, Commissioner  
Laura K. Mavretic, Commissioner  
Danny L. McDonald, Commissioner  
Christopher Scott, Commissioner  
Dianne C. Sellers, Commissioner

## North Carolina Industrial Commission

### IMPORTANT NOTICE TO ALL PARTIES

For cases set on the attached calendar before the Full Commission on August 12, 2008, please note the time changes and the changes to the hearing location information below. Telephone inquiries should be directed to the attention of Janet Miller, Legal Assistant to Commissioner Bernadine S. Ballance, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Miller is (919) 807-2515.

**AUGUST 12, 2008  
DOBBS BUILDING  
SIXTH FLOOR, ROOM 6155 (changed from Second Floor)  
430 NORTH SALISBURY STREET  
RALEIGH, NC 27611**

Hearings will be held in the Industrial Commission Conference Room, Room No. 6155, (Sixth Floor) Dobbs Building, Raleigh, North Carolina. Please enter the building through the receptionist's area located on the third floor (on the mall area). **If you arrive early, there is a waiting room for the parties located in Room No. 6122-2 (Sixth Floor).**

Please review the enclosed calendar to determine the exact time that your case will be heard. The case prior to your case may be dismissed or continued. If you are not present in court when your case is reached, the Commission may 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

## REVISED CALENDAR

**\*\*Please note that the hearings will be located in Room 6155, 6<sup>th</sup> Floor**

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW DOCKET

BERNADINE S. BALLANCE, PANEL CHAIR  
DANNY L. MCDONALD, COMMISSIONER  
CHRISTOPHER SCOTT, COMMISSIONER

TUESDAY, AUGUST 12, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

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235400 PB 9:30	CLARICE N. PRESTON v DUKE UNIVERSITY SELF-INSURED	PLF: WICKHAM & CHAMBLISS DURHAM, N.C.  DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
302913 CS 10:00	PHILOMENA M. WHITE v CENTURY CARE OF FAYETTEVILLE KEY RISK INSURANCE CO.	PLF: KEITH A. BISHOP DURHAM, N.C.  DFT: PRATHER LAW FIRM RALEIGH, N.C.
487081 CS 10:30	PAMELA S. DAVIS v HOSPICE & PALLIATIVE CARE OF WINSTON-SALEM KEY RISK INSURANCE COMPANY	PLF: CHARLES PEED AND ASSOCIATES WINSTON-SALEM, N.C.  DFT: PRATHER LAW FIRM RALEIGH, N.C.
985041 AP 11:00	CHERYL JARMON v GRADY'S WHOLESALE FLOWERS N.C. INSURANCE GUARANTY ASSOC	PLF: HARRINGTON SAUNDERS & JONES GREENVILLE, N.C.  DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.
537280 CS 11:00	ADALY FLORES v AAA DECORATORS, LLC NORTH CAROLINA FARM BUREAU	PLF: MARIO E. PEREZ GREENVILLE, N.C.  DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.

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**(COURT RECESS)**

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

## REVISED CALENDAR

**\*\*Please note that the hearings will be located in Room 6155, 6<sup>th</sup> Floor**

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW DOCKET

BERNADINE S. BALLANCE, PANEL CHAIR  
DANNY L. MCDONALD, COMMISSIONER  
CHRISTOPHER SCOTT, COMMISSIONER

TUESDAY, AUGUST 12, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

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TA-18042	DUDLEY A. DAWSON AND	PLF:	GEORGE DANIEL
&	JOAN R. DAWSON		YANCEYVILLE, N.C.
TA-18043	v		
GG	N.C. DEPARTMENT OF ENVIRONMENT		
1:30	AND NATURAL RESOURCES	DFT:	NC DEPARTMENT OF JUSTICE
			RALEIGH, N.C.

**(SCOTT\*, LATTIMORE & SELLERS)**

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670100	PIA N. JOHNSON	PLF:	POISSON POISSON & BOWER
AP	v		WADESBORO, N.C.
1:30	MICHELIN NORTH AMERICA		
	GALLAGHER BASSETT SERVICES	DFT:	RUDISILL WHITE & KAPLAN
			CHARLOTTE, N.C.

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