

Beverly Eaves Perdue, Governor
Pamela T. Young, Chair



Bernadine S. Ballance, Commissioner
Laura K. Mavretic, Commissioner
Danny L. McDonald, Commissioner
Staci Meyer, 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 13, 18, and 20, 2009, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Janet Miller, Legal Assistant to Commissioner Bernadine S. Ballance, 4336 Mail Service Center, Raleigh, North Carolina 27611. The telephone number for Ms. Miller is (919) 807-2515. 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:

**AUGUST 13, 18 & 20, 2009
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

Linda Langdon
Docket Director

Docket Section • 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

BERNADINE S. BALLANCE, PANEL CHAIR
LAURA K. MAVRETIC, COMMISSIONER
CHRISTOPHER SCOTT, COMMISSIONER

THURSDAY, AUGUST 13, 2009

9:30 A.M.

RALEIGH, NORTH CAROLINA

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| 696217 CS 9:30 | BRIAN OVERMAN v SURFACE CONCEPTS, INC. STONEWOOD INSURANCE COMPANY | PLF: THE DEUTERMAN LAW GROUP GREENSBORO, N.C. DFT: BROOKS STEVENS & POPE RALEIGH, N.C. |
| 884577 BD 9:30 | EMMA L. SIMMONS v GUILFORD CHILD DEVELOPMENT FIRST COMP INSURANCE CO. | PLF: SCHLOSSER & PRITCHETT GREENSBORO, N.C. DFT: MCANGUS GOUDELOCK & COURIE RALEIGH, N.C. |
| 878323 PH 9:30 | JOSHUA STAMEY v ADAM SHELTON ELECTRIC, INC. ERIE INSURANCE GROUP | PLF: DRAPER & WAGNER WINSTON-SALEM, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C. |
| 785586 RH 9:30 | WILLIE T. BILLUPS, JR. v PHILIP MORRIS USA, INC. INA | PLF: CHARLES G. MONNETT, III & ASSOCIATES, CHARLOTTE, N.C. DFT: HUNTON & WILLIAMS CHARLOTTE, N.C. |
| 526520 & | GWEN MURRAY, WIDOW OF DAVID FRANKLIN MURRAY, v G & J TRANSPORT COMPANY, INC., NON-INSURED, AND GREGORY NIXON AND JOYCE NIXON INDIVIDUALLY | PLF: BUNN & ARNOLD CARY, N.C. ----- N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C. DFT: G & J TRANSPORT COMPANY, INC., PRO SE |
| PH-2139 AP 9:30 | N.C. INDUSTRIAL COMMISSION v G & J TRANSPORT COMPANY, INC., NON-INSURED, AND GREGORY NIXON AND JOYCE NIXON, INDIVIDUALLY | ----- GREGORY NIXON, PRO SE ----- JOYCE NIXON, PRO SE |

COURT RECESS
ORAL ARGUMENT TO RESUME AT 1:30 P.M.

NORTH CAROLINA INDUSTRIAL COMMISSION
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BERNADINE S. BALLANCE, PANEL CHAIR
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THURSDAY, AUGUST 13, 2009

1:30 P.M.

RALEIGH, NORTH CAROLINA

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| 635887 JG 1:30 | GEORGE HARVELL v LOVE PLUMBING & AIR CONDITIONING COMPANY STONEWOOD INSURANCE COMPANY | PLF: CRUMLEY & ASSOCIATES CONCORD, N.C. DFT: BROOKS STEVENS & POPE RALEIGH, N.C. |
| 658586 BH 1:30 | LORRIE MCFADDEN-GORDON v SARA LEE CORPORATION/ HANESBRANDS, INC. ACE USA/ESIS | PLF: LAW OFFICES OF JEFFREY G. SCOTT CHARLOTTE, N.C. DFT: MULLEN HOLLAND & COOPER GASTONIA, N.C. |
| 971975 PH 1:30 | JOSHUA GALLOWAY v BUCKEYE FIRE EQUIPMENT LIBERTY MUTUAL INSURANCE CO. | PLF: PRO SE DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C. |
| 610602 TS 1:30 | STEVEN BARRETT v MATREX/LEGGETT & PLATT, INC. SELF-INSURED (GALLAGHER BASSETT SERVICES, INC.) | PLF: PRO SE DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C. |

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BERNADINE S. BALLANCE, PANEL CHAIR
LAURA K. MAVRETIC, COMMISSIONER
CHRISTOPHER SCOTT, COMMISSIONER

TUESDAY, AUGUST 18, 2009

9:30 A.M.

RALEIGH, NORTH CAROLINA

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| 980057 & 980058 BH 9:30 | THOMAS W. MINNIS v TRADESMEN INTERNATIONAL SELF-INSURED (SPECIALTY RISK SERVICES, INC.) | PLF: THE DEUTERMAN LAW GROUP GREENSBORO, N.C. DFT: BROOKS STEVEN & POPE RALEIGH, N.C. |
| 673201 TS 9:30 | RAFAEL ROMAN v JOHN ECKERT, INC. KANSAS FEED MILL FIRSTCOMP INSURANCE CO. | PLF: TIMOTHY D. WELBORN WINSTON-SALEM, N.C. DFT: CRANFILL SUMNER & HARTZOG WILMINGTON, N.C. |
| 786901 TS 9:30 | BOBBY STEELE v SURRY COUNTY SELF-INSURED (COMPENSATION CLAIMS SOLUTIONS) | PLF: THE LAW OFFICES OF TIMOTHY D. WELBORN, WINSTON-SALEM, N.C. DFT: SMITH LAW FIRM CHARLOTTE, N.C. |
| 301613 & 339594 RH 9:30 | KENNETH RAY TAYLOR v UNIQUE STONE, INC. COMP CAROLINA/FIRST BENEFITS INSURANCE CO., AND ST. PAUL TRAVELERS/ THE PHOENIX INSURANCE CO. | PLF: POISSON POISSON & BOWER WADESBORO, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C. HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C. |
| 524417 JD 9:30 | ESED DEDIC v APPLEGATE HEATING & AIR CONDITIONING AIG CLAIMS SERVICES | PLF: PRO SE DFT: JONES HEWSON & WOOLARD CHARLOTTE, N.C. |

COURT RECESS
ORAL ARGUMENT TO RESUME AT 1:30 P.M.

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CHRISTOPHER SCOTT, COMMISSIONER

TUESDAY, AUGUST 18, 2009

1:30 P.M.

RALEIGH, NORTH CAROLINA

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| 080469 BD 1:30 RESET | LELA ROBERTS v WAL-MART STORES, INC. CLAIMS MANAGEMENT, INC. | PLF: THE VINCENT LAW FIRM SOUTHERN SHORES, N.C. DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C. |
| (MAVRETIC*, SELLERS & SCOTT) | | |
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| 581815 & 804911 KL 1:30 | SHANE L. WEST v MIKE COOK D/B/A MIKE COOK TRAVELERS INDEMNITY CO. AND LOWE'S HOME IMPROVEMENT CENTER SPECIALTY RISK SERVICES, | PLF: GRIMES & TEICH ASHEVILLE, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C. NORTHUP MCCONNELL & SIZEMORE ASHEVILLE, N.C. |
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| 573789 TS 1:30 | MICHAEL ROY GOUGE v HENDRICKS FURNITURE GROUP A.K.A CLASSIC MOVING AND STORAGE, INC. ST. PAUL TRAVELERS/PHOENIX INS. | PLF: RANDY D. DUNCAN HICKORY, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C. |
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| 794816 KL 1:30 | MELISSA SPENCER TUCKER v SKILL CREATIONS, INC. TRAVELERS INDEMNITY COMPANY | PLF: RANDY D. DUNCAN HICKORY, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C. |

NORTH CAROLINA INDUSTRIAL COMMISSION
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BERNADINE S. BALLANCE, PANEL CHAIR
LAURA K. MAVRETIC, COMMISSIONER
CHRISTOPHER SCOTT, COMMISSIONER

THURSDAY, AUGUST 20, 2009

9:30 A.M.

RALEIGH, NORTH CAROLINA

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| 785634 | TAUHEEDAH HASAN | PLF: | LAW OFFICES OF JAMES SCOTT |
| BD | v | | FARRIN, DURHAM, N.C. |
| 9:30 | WILLOW FOODS, INC. | DFT: | HEDRICK GARDNER KINCHELOE & |
| | THE HARTFORD | | GAROFALO, RALEIGH, N.C. |
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| 791183 | BARBARA LOCKEY | PLF: | GREG JONES & ASSOCIATES |
| VH | v | | WILMINGTON, N.C. |
| 9:30 | MOHAWK INDUSTRIES, INC. | DFT: | TEAGUE CAMPBELL DENNIS & |
| | LIBERTY MUTUAL GROUP | | GORHAM, RALEIGH, N.C. |
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| 913926 | CAROLINE HUNDLEY | PLF: | LOCKLEAR JACOBS HUNT & |
| VH | v | | BROOKS, LUMBERTON, N.C. |
| 9:30 | SOUTHEASTERN REGIONAL | DFT: | HEDRICK GARDNER KINCHELOE & |
| | MEDICAL CENTER | | GAROFALO, WILMINGTON, N.C. |
| | PMA INSURANCE GROUP | | |
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| 795365 | SABRINA RODGERS | PLF: | BRUMBAUGH MU & KING |
| GH | v | | JACKSONVILLE, N.C. |
| 9:30 | MOUNT INNS, LLC D/B/A | DFT: | CRANFILL SUMNER & HARTZOG |
| | ECONO LODGE | | RALEIGH, N.C. |
| | NORGUARD INSURANCE CO. | | |
