

Michael F. Easley, Governor
Buck Lattimore, Chairman



North Carolina Industrial Commission

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 August 16 & 18, 2005, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Laura Carter, Agency Legal Specialist to Commissioner Dianne C. Sellers, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Carter is (919) 807-2524. 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 16 & 18, 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

DIANNE C. SELLERS-CHAIR
BERNADINE S. BALLANCE, COMMISSIONER
LAURA K. MAVRETIC, COMMISSIONER

TUESDAY, AUGUST 16, 2005

9:30 A.M. RALEIGH, NORTH CAROLINA

TA-16096 SG 9:30	WILL MULLINS v N.C. DEPARTMENT OF CORRECTION	PLF: NORTH CAROLINA PRISONER LEGAL SERVICES, RALEIGH, N.C. DFT: NORTH CAROLINA DEPARTMENT OF JUSTICE, RALEIGH, N.C.
TA-17712 WT 9:30	ELMER SHERMAN WEBB v N.C. DEPT OF TRANSPORTATION AND/OR D.C. SMITH	PLF: LUCAS BRYANT DENNING & ELLERBE SELMA, N.C. DFT: NORTH CAROLINA DEPARTMENT OF JUSTICE, RALEIGH, N.C.
534300 CS 9:30	DAVID TURLINGTON v US AIRWAYS, INC. COMMERCIAL RISK	PLF: LUCAS BRYANT DENNING & ELLERBE SELMA, N.C. DFT: BELL DAVIS & PITT WINSTON-SALEM, N.C.
047538 LD 9:30	CHARLES GARNER v AMERICAN AIRLINES CORPORATION ITT SPECIALTY RISK SERVICES, INC.	PLF: PATTERSON HARKAVY CHAPEL HILL, N.C. DFT: BROOKS STEVENS & POPE CARY, N.C.
149985 WT 9:30	KIRK K. HOWARD v UNIVERSITY OF NORTH CAROLINA SELF-INSURED	PLF: JAY A. GERVASI, JR. GREENSBORO, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.

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

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TUESDAY, AUGUST 16, 2005

1:30 P.M. RALEIGH, NORTH CAROLINA

181508 BH 1:30	WANDIRA MARTIN v ADECCO FRANCHISEE CONSTITUTION STATE SERVICE CO.	PLF: DOUGLAS S. HARRIS GREENSBORO, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
157264 GG ADMAPP 1:30	FELIPE R. DIAZ v THOMSON CROWN WOOD PRODUCTS CRAWFORD & COMPANY	PLF: HODGMAN & OXNER GREENSBORO, N.C. DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
929453 WT ADMAPP 1:30	ELISE KENNEDY v SAGEBRUSH, INC. TRAVELERS INS CO.	PLF: PRO SE. (with regard to this appeal on attorney fees) ----- RODERICK T. MCIVER WINSTON-SALEM, N.C. ----- DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C. ----- MCGUIRE WOODS, CHARLOTTE, N.C.
916212 SG 1:30	JAMES MCCARTER v JOHNSON HOSIERY MILLS INC. LIBERTY MUTUAL INS. (MAVRETIC *, SCOTT & YOUNG)	PLF: VANNOY COLVARD TRIPLETT & VANNOY, WILKESBORO, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
432693 567020 LD 1:30	MELINDA PURDY-BILCHECK v IBM CORPORATION LIBERTY MUTUAL INS. CO. (BALLANCE *, YOUNG & SCOTT)	PLF: LAW OFFICES OF GEORGE W. LENNON RALEIGH, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.

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THURSDAY, AUGUST 18, 2005

9:30 A.M. RALEIGH, NORTH CAROLINA

305420 TS 9:30	BRUFORD BRYANT v GOODYEAR TIRE & RUBBER CO. LIBERTY MUTUAL GROUP	PLF: HARDISON & LEONE RALEIGH, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
324717 BD 9:30	JOHNNY GRAY JOHNSON v SUPERIOR TELECOM, INC. ZURICH U.S.	PLF: YOUNCE VTIPIL & BRADFORD RALEIGH, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
324660 MC 9:30	STEPHEN B. SMITH v DAVID JAMES & COMPANY BUILDERS MUTUAL INS. CO.	PLF: MELINDA H. CROUCH WILMINGTON, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
001842 156385 TS 9:30	SHERRY BALDWIN v MCI INC. GALLAGHER BASSETT SERVICES	PLF: GEORGE W. LENNON RALEIGH, N.C. DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
973476 MC 9:30	BOBBY WAYNE SESSOMS v HICKORY SPRINGS MFG, CO. SELF-INSURED	PLF: EARLY & CHANDLER ROCKY MOUNT, N.C. DFT: MULLEN HOLLAND & COOPER GASTONIA, N.C.

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

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LAURA K. MAVRETIC, COMMISSIONER

THURSDAY, AUGUST 18, 2005

1:30 P.M. RALEIGH, NORTH CAROLINA

184855 JOHNNY DOCKERY
BD v
1:30 RECORE ELECTRICAL
 CONTRACTORS, INC.
 NC INSURANCE GUARANTEE ASSOC
(SELLERS*, MAVRETIC & BOLCH)

PLF: BRENT A. PATTERSON
 CHARLOTTE, N.C.

DFT: HEDRICK EATMAN GARDNER &
 KINCHELOE, CHARLOTTE, N.C.

280359 WILLIAM M. BOLLING
MC v
1:30 B & K WELL DRILLING, INC.
 VALLEY FORGE INSURANCE CO.
(SELLERS*, BOLCH & BALLANCE)

PLF: M. GREGORY WHITFIELD
 MOORESVILLE, N.C.

DFT: JONES HEWSON & WOOLARD
 CHARLOTTE, N.C.

396953 BILLY CARLTON SMITH, SR.
GG v
ADMAPP POTASH CORPORATION
1:30 ACE USA

PLF: WALLACE & GRAHAM
 SALISBURY, N.C.

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

LEWIS & ROBERTS, RALEIGH, N.C.

(ORAL ARGUMENT WAIVED)

HEDRICK EATMAN GARDNER &
KINCHELOE, CHARLOTTE, N.C.

MORRIS YORK SURLES & BARRINGER
CHARLOTTE, N.C.

WARD & SMITH, NEW BERN, N.C.

CRANFILL SUMNER & HARTZOG
RALEIGH, N.C.
