

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 September 15, 19 & 21, 2005, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Victoria Homick, Agency Legal Specialist to Commissioner Pamela T. Young, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Homick is (919) 807-2518. 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:

SEPTEMBER 15, 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

PAMELA T. YOUNG-CHAIR
LAURA K. MAVRETIC, COMMISSIONER
DIANNE C. SELLERS, COMMISSIONER

THURSDAY, SEPTEMBER 15, 2005

9:30 A.M. RALEIGH, NORTH CAROLINA

273351 TS 9:30	WILLIE HERRING v FURNITURE FAIR OF GOLDSBORO SOUTHEASTERN CLAIMS SERVICE	PLF: HARDISON & LEONE RALEIGH, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
186648 SG 9:30	RONALD WRIGHT v DUKE UNIVERSITY SELF-INSURED	PLF: PERRY PERRY & PERRY DURHAM, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
186270 GH 9:30 PH-1011 GH	ALISA MARIE THIELE NICHOLSON v LINDA'S CHILD DAYCARE CENTER NON-INSURED NORTH CAROLINA INDUSTRIAL COMMISSION v LINDA'S CHILD DAYCARE CENTER NON-INSURED	PLF: THE HOWARD LAW FIRM HIGH POINT, N.C. ----- OFFICE OF THE ATTORNEY GENERAL SCARLETTE GARDNER, RALEIGH, N.C. DFT: ORBOCK BOWDEN RUARK & DILLARD WINSTON-SALEM, N.C. ----- PRO SE.
308529 WT 9:30	KATHLEEN R. WALTON v US AIRWAYS, INC. SEDGWICK CLAIMS MANAGEMENT SERVICE	PLF: PRO SE. DFT: BROOKS STEVENS & POPE CARY, N.C.
163077 RR 9:30	DOUGLAS RAY JACOBS v UNITED RENTAL, INC. SELF-INSURED	PLF: HUGGINS POUNDS & DAVIS LUMBERTON, N.C. DFT: NELSON MULLINS RILEY & SCARBOROUGH, CHARLOTTE, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

PAMELA T. YOUNG-CHAIR
LAURA K. MAVRETIC, COMMISSIONER
DIANNE C. SELLERS, COMMISSIONER

THURSDAY, SEPTEMBER 15, 2005

1:30 P.M. RALEIGH, NORTH CAROLINA

067227 PH 1:30	CHARLES EDWARDS v BMWNC, INC. LIBERTY MUTUAL INSURANCE	PLF: THE SASSER LAW FIRM CHARLOTTE, N.C. DFT: MULLEN HOLLAND & COOPER CHARLOTTE, N.C.
290238 KL 1:30	ANTHONY DAIL v EMPLOYER-OPTIONS NATIONAL BENEFITS AMERICAN, INC.	PLF: THE VINCENT LAW FIRM SOUTHERN SHORES, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, RALEIGH, N.C.
204678 SG 1:30	JOEL ESCUDERO v BLUEWATER HOMES, INC . AND/OR MOISES ESCUDERO BUILDER MUTUAL INS CO. KEY RISK INSURANCE	PLF: THE VINCENT LAW FIRM SOUTHERN SHORES, N.C. DFT: LEWIS & ROBERTS RALEIGH, NC. ----- HEDRICK EATMAN GARDNER & KINCHELOE, RALEIGH, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

PAMELA T. YOUNG-CHAIR
LAURA K. MAVRETIC, COMMISSIONER
DIANNE C. SELLERS, COMMISSIONER

MONDAY, SEPTEMBER 19, 2005

9:30 A.M. RALEIGH, NORTH CAROLINA

984684 DAVID LAWSON, JR.
GG/NT v
9:30 MILLER BREWING COMPANY
 LUMBERMENS MUTUAL
 CASUALTY COMPANY

PLF: PATTERSON HARKAVY
 CHAPEL HILL, N.C.

DFT: SMITH MOORE
 GREENSBORO, N.C.

003386 JERRY HUMMER
WT v
9:30 SAINT GOBAIN CORPORATION
 ACE USA

PLF: PATTERSON HARVAKY
 CHAPEL HILL, N.C.

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

216867 TERESA H. SATORRE
KL v
9:30 ADMINISTRATIVE OFFICE OF THE
 COURTS
 SELF-INSURED

PLF: KATHLEEN SHANNON GLANCY
 WILMINGTON, N.C.

DFT: OFFICE OF THE ATTORNEY GENERAL
 RALEIGH, N.C.

397107 RICKY S. VAN HOY
CS v
9:30 THE AUSTIN COMPANY
 PMA INSURANCE GROUP

PLF: WALDEN & WALDEN
 WINSTON-SALEM, N.C.

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

240335 ROBERT MCCARTY
289148 v
RR USF HOLLAND, INC.
9:30 SELF-INSURED

PLF: BRITT & BRITT
 LUMBERTON, N.C.

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

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

PAMELA T. YOUNG-CHAIR
LAURA K. MAVRETIC, COMMISSIONER
DIANNE C. SELLERS, COMMISSIONER

MONDAY, SEPTEMBER 19, 2005

1:30 P.M. RALEIGH, NORTH CAROLINA

358807	LARRY J. HERRING	PLF:	HARRY B. CROW, JR.
387932	v		MONROE, N.C.
AP	TEXTROL INC.		
1:30	TRAVELERS INDEMNITY CO.	DFT:	MORRIS YORK WILLIAMS SURLES & BARRINGER, CHARLOTTE, N.C.

406013	STEVIE RONALD LOWE	PLF:	RANDY D. DUNCAN
AP	v		HICKORY, N.C.
1:30	LEE INDUSTRIES, INC		
	TRAVELERS INSURANCE	DFT:	MULLEN HOLLAND & COOPER GASTONIA, N.C.

685743	RAY SANFORD PUNCH	PLF:	RANDY D. DUNCAN
WT	v		HICKORY, N.C.
1:30	CALDWELL FREIGHT LINES, INC.		
	SELF/KEY RISK MANAGEMENT	DFT:	BELL DAVIS PITT WINSTON-SALEM, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

PAMELA T. YOUNG-CHAIR
LAURA K. MAVRETIC, COMMISSIONER
DIANNE C. SELLERS, COMMISSIONER

WEDNESDAY, SEPTEMBER 21, 2005

9:30 A. M. RALEIGH, NORTH CAROLINA

229073	GERALDINE TAYLOR	PLF:	ROBERT J. WILLIS
308225	v		RALEIGH, N.C.
CS	PERDUE FARMS, INC.		
9:30	CRAWFORD & COMPANY	DFT:	OGLETREE DEAKINS
			GREENSBORO, N.C.

265772	MAJOR M. CHARITY	PLF:	CANNON & TAYLOR
KL	v		GREENVILLE, N.C.
9:30	DAVIS RESOURCE MANAGEMENT INC		
	ACE USA	DFT:	BROTHERTON FORD YEOMAN &
			WORLEY, GREENSBORO, N.C.

175643	MARIA MORRIS	PLF:	MILLS & WILLEY
BD	v		NEW BERN, N.C.
9:30	EAST CAROLINA UNIVERSITY		
	SELF-INSURED	DFT:	OFFICE OF THE ATTORNEY GENERAL
			RALEIGH, N.C.

325857	CHARLES INSKEEP	PLF:	POISSON POISSON & BOWER
PH	v		WADESBORO, N.C.
9:30	THYSSEN DOVER ELEVATOR CORPS.		
	GALLAGHER BASSETT SERVICES	DFT:	MCANGUS GOUDELOCK & COURIE
			CHARLOTTE, N.C.

316790	BRENDA K. MERCER	PLF:	POISSON POISSON BOWER &
MC	v		CLODFELTER, WADESBORO, N.C.
9:30	HARWOOD'S FLORIST & GIFTS, INC.		
	TRAVELERS INSURANCE CO.	DFT:	HEDRICK EATMAN GARDNER &
			KINCHELOE, CHARLOTTE, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

PAMELA T. YOUNG-CHAIR
LAURA K. MAVRETIC, COMMISSIONER
DIANNE C. SELLERS, COMMISSIONER

WEDNESDAY, SEPTEMBER 21, 2005

1:30 P.M. RALEIGH, NORTH CAROLINA

916849	WAYNE AUSTIN	PLF:	WALLACE & GRAHAM
BH	v		SALISBURY, N.C.
1:30	CONTINENTAL GENERAL TIRE	DFT:	HEDRICK EATMAN GARDNER &
	SELF-INSURED		KINCHELOE, CHARLOTTE, N.C.
	(MAVRETIC,* BALLANCE & SELLERS)		

530281	MELODY BOYD	PLF:	BYRD BYRD ERVIN WHISNANT
AP	v		MCMAHON & ERVIN, MORGANTON, N.C
1:30	WAL-MART STORES, INC.	DFT:	YOUNG MOORE & HENDERSON
	CLAIMS MANAGEMENT, INC.		RALEIGH, N.C.
	(SELLERS,* BALLANCE & MAVRETIC)		

736574	LISA BERRY POST	PLF:	THE LAW OFFICE OF GEORGE LENNON
KL	v		RALEIGH, N.C.
1:30	KVAERNER CONSTRUCTIONS	DFT:	MCANGUS GOUDELOCK & COURIE
	SELF-INSURED		CHARLOTTE, N.C.
