

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



Bernadine S. Ballance, Commissioner
Buck Lattimore, Commissioner
Danny L. McDonald, Commissioner
Laura K. Mavretic, 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 September 15, 17, and 19, 2008, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Victoria Homick, Agency Legal Specialist to Chair Pamela T. Young, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Homick is (919) 807-2518.

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:

**SEPTEMBER 15, 17 & 19, 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

PAMELA T. YOUNG, CHAIR PANEL
BUCK LATTIMORE, COMMISSIONER
CHRISTOPHER SCOTT, COMMISSIONER

MONDAY, SEPTEMBER 15, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

TA-15779 DARRELL PEARSON PLF: NORTH CAROLINA PRISONER LEGAL
MG v SERVICES, INC. RALEIGH, N.C.
9:30 N.C. DEPARTMENT OF CORRECTION

DFT: N.C. DEPARTMENT OF JUSTICE
RALEIGH, N.C.

609275 BARBARA OWENS PLF: THE DEUTERMAN LAW GROUP
JD v GREENSBORO, N.C.
9:30 EMERSON NETWORK POWER
ENERGY SYSTEMS
SEDGWICK CMS

DFT: LAW OFFICES OF CHRISTOPHER D. LANE
WINSTON-SALEM, N.C.

707278 WILBUR D. WILSON PLF: THE DEUTERMAN LAW GROUP
BD v GREENSBORO, N.C.
9:30 BLACK FURNITURE COMPANY
STONEWOOD INSURANCE CO.

DFT: YOUNG MOORE & HENDERSON
RALEIGH, N.C.

454421 MICHAEL BRODIE PLF: DORAN SHELBY PETHEL AND HUDSON
GG v SALISBURY, N.C.
9:30 EXCEL STAFFING SERVICES
AMERICAN ZURICH INSURANCE CO.

DFT: WICKHAM & CHAMBLISS
DURHAM, N.C.

WOMBLE CARLYLE SANDRIDGE & RICE
WINSTON-SALEM, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

PAMELA T. YOUNG, CHAIR PANEL
BUCK LATTIMORE, COMMISSIONER
CHRISTOPHER SCOTT, COMMISSIONER

MONDAY, SEPTEMBER 15, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

618761 PB 1:30	JOHNNY NORMAN v FREIGHTLINER, LLC SELF-INSURED (SEDGWICK CLAIMS MANAGEMENT SERVICES)	PLF: FREDERICK R. STANN GASTONIA, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
636021 CS 1:30	BYRON L. BAILEY v DANA CORPORATION SELF-INSURED (SPECIALTY RISK SERVICES)	PLF: BOLLINGER & PIEMONTE CHARLOTTE, N.C. DFT” HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
532319 GG 1:30	HORACE K. POPE, JR. v JOHNS MANVILLE ST. PAUL TRAVELERS	PLF: WALLACE & GRAHAM SALISBURY, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
636597 KL 1:30	DANA BENFIELD v N.C. DEPARTMENT OF CORRECTION SELF-INSURED (KEY MANAGEMENT SERVICES)	PLF: BYRD BYRD ERVIN WHISNANT MCMAHON & ERVIN, MORGANTON, N.C. DFT: NC DEPARTMENT OF JUSTICE ASHEVILLE, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

PAMELA T. YOUNG, CHAIR PANEL
BUCK LATTIMORE, COMMISSIONER
CHRISTOPHER SCOTT, COMMISSIONER

WEDNESDAY, SEPTEMBER 17, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

R00958 TAMMY JUMP MURPHY PLF: SCUDDER & HEDRICK
CS v RALEIGH, N.C.
9:30 OUTER BANKS MALL ASSOCIATES
ST. PAUL TRAVELERS, NOW DFT: CRANFILL SUMNER & HARTZOG
THE TRAVELERS INDEMNITY COMPANY RALEIGH, N.C.
F/K/A MET LIFE INURANCE COMPANY OF
CONNECTICUT

225293 DEBORAH GOKE PLF: MARK H. WOLTZ
PB v DURHAM, N.C.
9:30 DUKE UNIVERSITY
SELF-INSURED DFT: CRANFILL SUMNER & HARTZOG
RALEIGH, N.C.

770722 LEWIS HENRY HIGHSMITH PLF: KELLY & WEST
RH v LILLINGTON, N.C.
9:30 PRESTAGE FARMS
HEWITT-COLEMAN ASSOCIATES DFT: WILSON & RATLEDGE
RALEIGH, N.C.

212967 W. ROBERT JOHNSON, JR. PLF: PRO SE
GG v
9:30 INDICOR, INC.
KEY RISK INSURANCE COMPANY DFT: YOUNG MOORE & HENDERSON
RALEIGH, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

PAMELA T. YOUNG, CHAIR PANEL
BUCK LATTIMORE, COMMISSIONER
CHRISTOPHER SCOTT, COMMISSIONER

WEDNESDAY, SEPTEMBER 17, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

398934 RH 1:30	JOE LAIL v CARPENTER COMPANY LUMBERMAN'S MUTUAL CASUALTY COMPANY/ BROADSPIRE SERVICES	PLF: CAMPBELL & ASSOCIATES CHARLOTTE, N.C. DFT: ORBOCK RUARK & DILLARD WINSTON-SALEM, N.C.
371596 TS 1:30	OCTAVIO L. ALVARADO v TYSON FOODS, INC. SELF-INSURED	PLF: WALDEN & WALDEN WINSTON- SALEM, N.C. DFT: ORBOCK RUARK & DILLARD WINSTON-SALEM, N.C.
680714 RWR 1:30	PHIL AINSLEY v GLEN O. BYRUM KEY RISK INSURANCE COMPANY	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C.
631658 JD 1:30	TERRY D. PETERS v ONslow COUNTY SCHOOL DISTRICT & N.C. DEPARTMENT OF PUBLIC INSTRUCTION SELF-INSURED (KEY RISK MANAGEMENT SERVICES, INC.)	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

PAMELA T. YOUNG, CHAIR PANEL
BUCK LATTIMORE, COMMISSIONER
CHRISTOPHER SCOTT, COMMISSIONER

FRIDAY, SEPTEMBER 19, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

498814	JONATHAN E. WATERS	PLF:	BRANTLEY JENKINS RIDDLE HARDEE & HARDEE, GOLDSBORO, N.C.
CS	v		
RE-SET	MECHWORKS MECHANICAL	DFT:	PRATHER LAW FIRM
9:30	CONTRACTORS		RALEIGH, N.C.
	KEY RISK INSURANCE CO.		

(YOUNG*, MCDONALD, SCOTT)

442551	PAMELA BENNETT	PLF:	RAYMOND M. MARSHALL
PH	v		WINSTON-SALEM, N.C.
RE-SET	JOHNSON CONTROLS	DFT:	TEAGUE CAMPBELL DENNIS &
9:30	UNDERWRITERS SAFETY AND		GORHAM, RALEIGH, N.C.
	CLAIMS		

(YOUNG*, MCDONALD, SCOTT)

825473	TEACHEUS TATE	PLF:	PRO SE
PH	v		
9:30	EAST COAST SOLUTIONS	DFT:	BROTHERTON FORD YEOMAN &
	HARTFORD UNDERWRITERS INS CO.		BERRY, GREENSBORO, N.C.
