

# AMENDED CALENDAR

**THIS IS THE ONLY NOTICE YOU WILL RECEIVE**

## NORTH CAROLINA INDUSTRIAL COMMISSION HEARING DOCKET

DEPUTY COMMISSIONER: ADRIAN PHILLIPS  
COURT REPORTER:

THURSDAY, SEPTEMBER 25<sup>TH</sup>, 2008  
WAKE COUNTY  
COURTROOM 2173, 2<sup>ND</sup> FLOOR  
430 NORTH SALISBURY STREET  
RALEIGH, NORTH CAROLINA

**I.C. FILE NUMBER**

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|                            |   |                     |   |
|----------------------------|---|---------------------|---|
| 778404 &<br>778429<br>9:00 | BRIAN W. BURTON<br>V.<br>S.F.B. ENTERPRISES, INC. d/b/a PORTABLE OUTDOOR<br>EQUIPMENT<br>NON-INSURED<br>AND   | PLF:<br>DFT:        | DAVIS & McCABE<br>RALEIGH, NC   |
| PH-2080                    | NC INDUSTRIAL COMMISSION<br>V.<br>S.F.B. ENTERPRISES, INC. d/b/a PORTABLE OUTDOOR EQUIPMENT<br>And CHARLES WAYNE FORBES, Individually<br>And BENJAMIN P. BONEY, JR., Individually |                     | ATTORNEY GENERAL'S OFFICE<br>RALEIGH, NC  |
| 719128<br>9:00<br>**       | JOSEPH HOOKER<br>V.<br>TRIANGLE PLASTICS, INC.<br>NON-INSURED   | PLF:<br>DFT:<br>AND | LAW OFFICES OF JAMES S.<br>FARRIN<br>DURHAM, NC<br>HOWARD, STALLINGS, FROM &<br>HUTSON; RALEIGH, NC |
| PH-1918                    | NC INDUSTRIAL COMMISSION<br>V.<br>TRIANGLE PLASTICS, INC.<br>And ERIC D. MARTIN, Individually<br>And JEANEN R. MARTIN, Individually   |                     | ATTORNEY GENERAL'S OFFICE<br>RALEIGH, NC  |
| 793829<br>9:00<br>**       | SCOTT PARSONS<br>V.<br>CHRIS SNYDER d/b/a SNYDER DESIGN BUILD<br>NON-INSURED<br>AND   | PLF:<br>DFT:        | THE LAW OFFICES OF JESSE<br>SHAPIRO<br>APEX, NC<br>HERRING, MILLS & KRAFT<br>RALEIGH, NC            |
| PH-1976                    | NC INDUSTRIAL COMMISSION<br>V.<br>CHRIS SNYDER d/b/a SNYDER DESIGN BUILD<br>And CHRIS SNYDER, Individually  |                     | ATTORNEY GENERAL'S OFFICE<br>RALEIGH, NC  |

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PLEASE REFER TO "SECTION VI-EXPERT WITNESS" OF THE "NOTICE TO ALL PARTIES" INSTRUCTIONS REGARDING THE TESTIMONY OF EXPERT WITNESS.

**NOTICE TO ATTORNEYS:** A COPY OF THIS CALENDAR IS NOT BEING SENT TO REPRESENTED PARTIES. IT IS YOUR RESPONSIBILITY TO NOTIFY YOUR CLIENT.

\*\*\*THE NOTICES ABOVE APPLY TO ALL CASES SCHEDULED THROUGHOUT THE DESIGNATED WEEK.

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**\*\*PRE-TRIAL ORDER REQUIRED\*\***

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|                               |   |             |  |
|-------------------------------|---|-------------|--|
| <b>826907<br/>9:00</b>        | <b>LISA McCRAY<br/>V.<br/>ANGELO'S PIZZA, INC.<br/>NON-INSURED<br/>AND</b>  | <b>PLF:</b> |  |
| <b>PH-2081</b>                | <b>NC INDUSTRIAL COMMISSION<br/>V.<br/>ANGELO'S PIZZA, INC.<br/>And LOUISE LUPO, Individually<br/>And VINCENT A. LUPO, Individually<br/>And ROCCO A. MAGLIO, Individually</b> | <b>DFT:</b> | <b>ATTORNEY GENERAL'S OFFICE<br/>RALEIGH, NC</b> |
| <b>815895<br/>9:00<br/>**</b> | <b>GRADY FARMER<br/>V.<br/>RICHARD OVERTON d/b/a BIG O'S TRUCKS &amp; PARTS<br/>NON-INSURED<br/>AND</b>   | <b>PLF:</b> | <b>ANDERSON &amp; ANDERSON<br/>RALEIGH, NC</b>   |
| <b>PH-1980</b>                | <b>NC INDUSTRIAL COMMISSION<br/>V.<br/>RICHARD OVERTON d/b/a BIG O'S TRUCKS &amp; PARTS<br/>And RICHARD OVERTON, Individually</b>   | <b>DFT:</b> | <b>CHICHESTER &amp; WALKER<br/>LITTLETON, NC</b> |
| <b>887713<br/>9:00</b>        | <b>PEDRO RANGEL<br/>V.<br/>GREEN COUNTRY SERVICE, INC.<br/>NON-INSURED<br/>AND</b>  | <b>PLF:</b> | <b>YOUNCE &amp; VTIPIL<br/>RALEIGH, NC</b>       |
| <b>PH-2079</b>                | <b>NC INDUSTRIAL COMMISSION<br/>V.<br/>GREEN COUNTRY SERVICE, INC.<br/>And MARK SCARNEECHIA, Individually</b>   | <b>DFT:</b> | <b>ATTORNEY GENERAL'S OFFICE<br/>RALEIGH, NC</b> |

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| <b>785948<br/>9:00</b>        | <b>SERAFIN P. TOLEDO<br/>V.<br/>S.L. WOMBLE CONSTRUCTION, INC.<br/>NON-INSURED<br/>AND</b>                                      | <b>PLF: LANIER LAW GROUP<br/>WINSTON-SALEM, NC<br/>DFT:</b>   |
| <b>PH-1964</b>                | <b>NC INDUSTRIAL COMMISSION<br/>V.<br/>S.L. WOMBLE CONSTRUCTION, INC.<br/>And SHANN L. WOMBLE, Individually</b>                 | <b>ATTORNEY GENERAL'S OFFICE<br/>RALEIGH, NC</b>  |
| <hr/>                         |   |   |
| <b>931013<br/>9:00</b>        | <b>FRANKLIN D. BOYKIN, JR.<br/>V.<br/>ANDY SALVATORE d/b/a SMITHFIELD PREOWNED<br/>CENTER<br/>NON-INSURED<br/>AND</b>           | <b>PLF: LUCAS, DENNING &amp; ELLERBE<br/>SELMA, NC<br/>DFT:</b>   |
| <b>PH-2085</b>                | <b>NC INDUSTRIAL COMMISSION<br/>V.<br/>ANDY SALVATORE d/b/a SMITHFIELD PREOWNED CENTER<br/>And ANDY SALVATORE, Individually</b> | <b>ATTORNEY GENERAL'S OFFICE<br/>RALEIGH, NC</b>  |
| <hr/>                         |   |   |
| <b>890170<br/>9:00<br/>**</b> | <b>ISMAEL A. VILLATORO<br/>V.<br/>THE LANDSCAPE COMPANY, INC.<br/>NON-INSURED<br/>AND</b>                                       | <b>PLF: LAW OFFICES OF JAMES S.<br/>FARRIN<br/>DURHAM, NC<br/>DFT: WARREN, PERRY, NARRON<br/>SHACKLEFORD &amp; MACKAY<br/>WAKE FOREST, NC</b> |
| <b>PH-2084</b>                | <b>NC INDUSTRIAL COMMISSION<br/>V.<br/>THE LANDSCAPE COMPANY, INC.<br/>And MARSHALL LYNN MITCHELL, JR., Individually</b>        | <b>ATTORNEY GENERAL'S OFFICE<br/>RALEIGH, NC</b>  |
| <hr/>                         |   |   |
| <b>844610<br/>9:00<br/>**</b> | <b>JAMES E. SHANNON<br/>V.<br/>WILLIAM A. JARRETT CONSTRUCTION<br/>NON-INSURED<br/>AND</b>                                      | <b>PLF: SCUDDER &amp; HEDDRICK<br/>RALEIGH, NC<br/>DFT: HEDRICK, GARDNER,<br/>KINCHELOE &amp; GAROFALO<br/>RALEIGH, NC</b>                    |
| <b>PH-2017</b>                | <b>NC INDUSTRIAL COMMISSION<br/>V.<br/>WILLIAM A. JARRETT CONSTRUCTION<br/>And WILLIAM A. JARRETT, Individually</b>             | <b>ATTORNEY GENERAL'S OFFICE<br/>RALEIGH, NC</b>  |

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|                |  |             |                                  |
|----------------|--|-------------|----------------------------------|
| <b>673272</b>  | <b>DOMINGO D. BARRIOS</b>                        | <b>PLF:</b> | <b>WHITLEY, RODGMAN &amp;</b>    |
| <b>9:00</b>    | <b>V.</b>  |             | <b>WHITLEY; RALEIGH, NC</b>      |
| <b>**</b>      | <b>OUTBACK DESIGNS, INC. (Sub-Contractor)</b>    | <b>DFT:</b> | <b>HEDRICK, GARDNER,</b>         |
|                | <b>NON-INSURED</b>                               |             | <b>KINCHELOE &amp; GAROFALO</b>  |
|                | <b>And/or</b>                                    |             | <b>RALEIGH, NC</b>               |
|                | <b>JED PITTARD BUILDERS (General Contractor)</b> | <b>DFT:</b> | <b>LEWIS &amp; ROBERTS</b>       |
|                | <b>BUILDERS MUTUAL INSURANCE COMPANY</b>         |             | <b>RALEIGH, NC</b>               |
|                | <b>AND</b>                                       |             |                                  |
| <b>PH-1751</b> | <b>NC INDUSTRIAL COMMISSION</b>                  |             | <b>ATTORNEY GENERAL'S OFFICE</b> |
|                | <b>V.</b>  |             | <b>RALEIGH, NC</b>               |
|                | <b>OUTBACK DESIGNS, INC.</b>                     |             |                                  |
|                | <b>And JERRY STEPHENSON, Individually</b>        |             |                                  |
|                | <b>And SANDRA STEPHENSON, Individually</b>       |             |                                  |

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|                |  |             |                                  |
|----------------|--|-------------|----------------------------------|
| <b>823905</b>  | <b>JAMES PIERCE</b>                              | <b>PLF:</b> | <b>ANDERSON &amp; ANDERSON</b>   |
| <b>9:00</b>    | <b>V.</b>  |             | <b>RALEIGH, NC</b>               |
|                | <b>JAMES SHEARIN d/b/a SHEARIN'S AUTO And/or</b> | <b>DFT:</b> |                                  |
|                | <b>SHEARIN'S USED CARS</b>                       |             |                                  |
|                | <b>NON-INSURED</b>                               |             |                                  |
|                | <b>AND</b>                                       |             |                                  |
| <b>PH-2086</b> | <b>NC INDUSTRIAL COMMISSION</b>                  |             | <b>ATTORNEY GENERAL'S OFFICE</b> |
|                | <b>V.</b>  |             | <b>RALEIGH, NC</b>               |
|                | <b>JAMES SHEARIN d/b/a SHEARIN'S AUTO And/or</b> |             |                                  |
|                | <b>SHEARIN'S USED CARS</b>                       |             |                                  |
|                | <b>And JAMES SHEARIN, Individually</b>           |             |                                  |

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|                |   |             |                                      |
|----------------|---|-------------|--------------------------------------|
| <b>887359</b>  | <b>GERARDO ZEPHUA</b>                                     | <b>PLF:</b> | <b>LAW OFFICES OF VELÁSQUZ &amp;</b> |
| <b>9:00</b>    | <b>V.</b>   |             | <b>ASSOCIATES</b>                    |
|                | <b>OZARK ATLANTIC LLC, And/or</b>                         |             | <b>DURHAM, NC</b>                    |
|                | <b>OZARK ATLANTIC DIVISION 6 LLC (General Contractor)</b> | <b>DFT:</b> |                                      |
|                | <b>NON-INSURED</b>  |             |                                      |
|                | <b>And/or</b>   |             |                                      |
|                | <b>BERTIN OCAMP MARTINEZ (Sub-Contractor)</b>             |             |                                      |
|                | <b>NON-INSURED</b>  |             |                                      |
|                | <b>And/or</b>   |             |                                      |
|                | <b>JUAN ESTRADA LOPEZ (Sub-Contractor)</b>                |             |                                      |
|                | <b>NON-INSURED</b>  |             |                                      |
|                | <b>AND</b>  |             |                                      |
| <b>PH-2083</b> | <b>NC INDUSTRIAL COMMISSION</b>                           |             | <b>ATTORNEY GENERAL'S OFFICE</b>     |
|                | <b>V.</b>   |             | <b>RALEIGH, NC</b>                   |
|                | <b>OZARK ATLANTIC LLC, And/or</b>                         |             |                                      |
|                | <b>OZARK ATLANTIC DIVISION 6 LLC (General Contractor)</b> |             |                                      |
|                | <b>And BOB DAILY, Individually</b>                        |             |                                      |
|                | <b>And M. LYNN DAILY, Individually</b>                    |             |                                      |
|                | <b>And JOHN A. DAILY, Individually</b>                    |             |                                      |
|                | <b>And SANDY DAILY, Individually</b>                      |             |                                      |
|                | <b>And/or</b>   |             |                                      |
|                | <b>BERTIN OCAMP MARTINEZ (Sub-Contractor)</b>             |             |                                      |
|                | <b>And/or</b>   |             |                                      |
|                | <b>JUAN ESTRADA LOPEZ (Sub-Contractor)</b>                |             |                                      |

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