

Mike Causey, Commissioner of Insurance
Philip A. Baddour, III, Chair
Myra L. Griffin, Vice-Chair



Charlton L. Allen, Commissioner
James C. Gillen, Commissioner
Kenneth L. Goodman, Commissioner
Christopher C. Loutit, Commissioner

North Carolina Industrial Commission

August 20, 2020

IMPORTANT NOTICE TO ALL PARTIES

The cases listed on the attached calendar are scheduled for disposition by the Full Commission. Pursuant to the Commission's current hearing policy due to COVID-19, Full Commission hearings are being held telephonically. Some cases may be determined without oral argument pursuant to Rule 11 NCAC 23A .0701(h) or Rule 11 NCAC 23B .0301. The parties will be notified by the Commission prior to the hearing dates below if oral argument is waived. If no such notification is provided, oral argument will be held as scheduled below:

OCTOBER 1, 7, 21 AND 28, 2020

TELEPHONICALLY (PER COMMISSION ORDER)

(You will receive an Order with instructions for telephonic participation at a later date)

Please review the enclosed calendar to determine the exact date on which your case will be heard. Please note that the cases docketed prior to your case may be dismissed or continued. **If you do not appear telephonically, the Full Commission will consider the record and will render its decision without hearing oral argument.**

For cases appearing on the enclosed calendar, all motions, including requests for continuances, should be addressed to the chair of the panel and must be filed in accordance with Rule 11 NCAC 23A .0108 for workers' compensation cases, or Rule 11 NCAC 23B .0104 for tort cases. Requests for continuances should be submitted at least two weeks prior to the date of hearing. An exception may be made for unexpected emergencies, in which case the continuance request should be filed as described above and followed up with a telephone call or electronic mail to the law clerk identified below. **In the event a case is continued, the case will be heard before the same panel at a later date.** In lieu of a continuance, oral argument may be waived for the party requesting the continuance.

Other inquiries regarding the cases appearing on the enclosed calendar should be directed to Kristina Thompson, Law Clerk to Commissioner Kenneth L. Goodman, Dobbs Building, 1236 Mail Service Center, Raleigh, North Carolina 27699-1236. The telephone number for Ms. Thompson is (919) 807-2523, and the electronic mail address is kristina.thompson@ic.nc.gov.

ALL BRIEFS AND FORMS 44 must be filed in accordance with Rule 11 NCAC 23A .0108 for workers' compensation cases or Rule 11 NCAC 23B .0104 for tort cases. For help with EDFP registration, please visit <http://www.ic.nc.gov/EDFPRegistrationInstructions.pdf>. A party who fails to timely file a brief may be denied oral argument.

For additional information, please consult the Rules of the Industrial Commission as they apply to hearings before the Full Commission.

NORTH CAROLINA INDUSTRIAL COMMISSION

Emily M. Baucom
Clerk of the Industrial Commission

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET
(REVISED)

KENNETH L. GOODMAN, COMMISSIONER AND CHAIR OF PANEL
MYRA L. GRIFFIN, VICE-CHAIR
THOMAS H. PERLUNGHER, DEPUTY COMMISSIONER

THURSDAY, OCTOBER 1, 2020 (RESET DOCKET)

9:30 A.M. RALEIGH, NORTH CAROLINA

15-043416	NEIL THOMAS	PLF:	CAMERON SIMMONS
LG	v.		LAW OFFICE OF RICHARD FLEXNER
9:30			WILMINGTON, NC
RESET	CENTURY EMPLOYER	DFT:	RICHARD GRANOWSKY
	ORGANIZATION, LLC, PEO AND		HILL EVANS JORDAN & BEATTY
	THE COASTAL GROUP, INC., PEO-CLIENT		GREENSBORO, NC
	NC INSURANCE GUARANTY		
	ASSOCIATION,		MATTHEW P. BLAKE
	ATLANTIC CORPORATION OF		ANDERSON JONES
	WILMINGTON, INC.,		RALEIGH, NC
	SENTRY CASUALTY COMPANY		

CHRISTOPHER BLAKE/JOSEPH EASON
NELSON MULLINS RILEY &
SCARBOROUGH; RALEIGH, NC

PLEASE NOTE THAT SOME CASES SET FOR HEARING ON THIS DATE BY ORDER OF THE FULL COMMISSION MAY NOT APPEAR IN THIS LIST. IF YOU HAVE ANY QUESTIONS ABOUT WHETHER A CASE IS SET FOR HEARING ON THIS DATE, PLEASE CONTACT THE LAW CLERK LISTED ON THE FIRST PAGE OF THIS CALENDAR.

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

KENNETH L. GOODMAN, COMMISSIONER AND CHAIR OF PANEL
PHILIP A. BADDOUR, III, CHAIR
CHRISTOPHER C. LOUITIT, COMMISSIONER

WEDNESDAY, OCTOBER 7, 2020

9:30 A.M.

RALEIGH, NORTH CAROLINA

15-031208 MCB 9:30	ERVIN BENTLEY v. MCCARTHY-BUSH CORPORATION SELF-INSURED (TRISTAR)	PLF: D. BRAD COLLINS ROBERTS LAW FIRM GASTONIA, NC DFT: J. JARED SIMMS/MICHAEL COLETTA GALLIVAN WHITE & BOYD CHARLOTTE, NC
18-045476 TP 9:30	TIMOTHY SUMERLIN v. CITY OF GREENVILLE SELF-INSURED (PMA INSURANCE GROUP)	PLF: THOMAS LAMM RICCI LAW FIRM GREENVILLE, NC DFT: MICHAEL SIGMON TEAGUE CAMPBELL DENNIS & GORHAM; RALEIGH, NC
15-736732 MS 9:30	MICHAEL JUSTIN NIEMCZURA v. MILLERCOORS, LLC INDEMNITY INSURANCE COMPANY OF NORTH AMERICA	PLF: HENRY PATTERON/NARENDRA GHOSH PATTERSON HARKAVY CHAPEL HILL, NC DFT: CAROLINE LOCK/LAURA BURTON FOX ROTHSCHILD GREENSBORO, NC

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

KENNETH L. GOODMAN, COMMISSIONER AND CHAIR OF PANEL
PHILIP A. BADDOUR, III, CHAIR
CHRISTOPHER C. LOUITIT, COMMISSIONER

WEDNESDAY, OCTOBER 21, 2020

9:30 A.M.

RALEIGH, NORTH CAROLINA

18-026987 DENISE MIZELLE
KH v.
9:30

PERDUE FARMS, INC.
ZURICH AMERICAN INSURANCE
COMPANY
(BROADSPIRE)

PLF: MATTHEW HARBIN
LAW OFFICES OF JAMES SCOTT
FARRIN; DURHAM, NC
DFT: BRIAN FREEDMAN
FREEDMAN LAW FIRM
GREENSBORO, NC

19-016250 LISA MILLER
& v.
19-729851

LTS AURIA SOLUTIONS LIMITED
9:30 ZURICH AMERICAN INSURANCE
COMPANY
(ESIS)

PLF: JOHN AYERS/CHRISTIAN AYERS
SELLERS AYERS DORTCH & LYONS
CHARLOTTE, NC
DFT: GARTH H. WHITE
RUDISILL WHITE & KAPLAN
CHARLOTTE, NC

18-722672 JESUS A. CONTRERAS
WP v.
9:30

PJ'S TRUCK BODIES-EQUIPMENT
TRAVELERS CASUALTY INSURANCE
COMPANY OF AMERICA

PLF: FRANCISCO BRICIO
THE BRICIO LAW FIRM
CARY, NC
DFT: BENJAMIN MOELLER
MCANGUS GOUDELOCK & COURIE
RALEIGH, NC

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

KENNETH L. GOODMAN, COMMISSIONER AND CHAIR OF PANEL
PHILIP A. BADDOUR, III, CHAIR
CHRISTOPHER C. LOUITIT, COMMISSIONER

WEDNESDAY, OCTOBER 28, 2020

9:30 A.M.

RALEIGH, NORTH CAROLINA

16-026519 TP 9:30	MARIA CASILLAS v. BUTTERBALL, LLC SELF-INSURED (SEDGWICK CMS)	PLF: RONALD LAWRENCE EVERETT WOMBLE & LAWRENCE GOLDSBORO, NC DFT: JOHN RUOCCHIO/HOLLY STEPHENS LEWIS & ROBERTS RALEIGH, NC
17-044315 LG 9:30	YURI HERANDEZ, Guardian Ad Litem for JEHSUA YAIR PALACIOS HERNANDEZ, alleged minor son and DEYSI FAVIOLA PALACIOS HERNANDEZ, alleged minor daughter of DAVID PALACIOS, deceased v. CHRISTIAN G. LICEA BUILDERS PREMIER INSURANCE COMPANY (TRAVELERS INSURANCE)	PLF: JAMES HENSON CHRISTINA RIVENBARK & ASSOCIATES WILMINGTON, NC PLF: CAMERON SIMMONS CAMERON SIMMONS LAW WILMINGTON, NC DFT: KAITLYN HARAN MCANGUS GOUDELOCK & COURIE WILMINGTON, NC
19-010711 MS 9:30	MARGIE ELLEDGE v. UNITED HEALTH SERVICES, INC. d/b/a PRUITT HEALTH AMERICAN ZURICH INSURANCE COMPANY (CORVEL CORPORATION)	PLF: TIMOTHY D. WELBORN LAW OFFICES OF TIMOTHY D. WELBORN WILKESBORO, NC DFT: DANIEL ELLER ELLER TONNSEN BACH GREENVILLE, SC
19-039471 ET 9:30	KAREN GIONET v. SEDGWICK CLAIMS MANGEMENT SERVICES, INC. SELF-INSURED (SEDGWICK CMS)	PLF: PRO SE. DFT: JEFF KADIS HEDRICK GARDNER KINCHELOE & GAROFALO; CHARLOTTE, NC
