

Mike Causey, Commissioner of Insurance  
Charlton L. Allen, Chairman  
Yolanda K. Stith, Vice-Chairman



Philip A. Baddour, III, Commissioner  
Myra L. Griffin, Commissioner  
A. Robinson Hassell, Commissioner  
Christopher C. Loutit, Commissioner

## North Carolina Industrial Commission

August 23, 2018

### IMPORTANT NOTICE TO ALL PARTIES

The cases listed on the attached calendar are scheduled for disposition by the Full Commission. 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 2, 18, 23, AND 30, 2018**  
**DOBBS BUILDING, SECOND FLOOR, ROOM 2173**  
**430 NORTH SALISBURY STREET**  
**RALEIGH, NORTH CAROLINA 27603**

Please enter the building through the security desk area located on the third floor (on the mall area). You will be required to present a photo ID in order to enter the building.

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 are not present in court when your case is reached, 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 .0307 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 Seth Lumpkins, Law Clerk to Commissioner Philip A. Baddour, III, Dobbs Building, 1236 Mail Service Center, Raleigh, North Carolina 27699-1236. The telephone number for Mr. Lumpkins is (919) 807-2656, and the electronic mail address is [seth.lumpkins@ic.nc.gov](mailto:seth.lumpkins@ic.nc.gov).

ALL BRIEFS AND FORMS 44 must be filed in accordance with Rule 11 NCAC 23A .0108 for workers' compensation cases. Briefs and Forms T-44 filed in tort cases may be filed by electronic mail to [dockets@ic.nc.gov](mailto:dockets@ic.nc.gov) or via EDFP. 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  
Linda Langdon  
Docket Director

Office of The Clerk • 1236 Mail Service Center • Raleigh, North Carolina 27699-1236  
Telephone: (919) 807-2504 • Fax: (919) 715-0282  
Internet Address: <http://www.ic.nc.gov/>

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW            DOCKET

CHARLTON L. ALLEN, CHAIRMAN  
YOLANDA K. STITH, VICE-CHAIRMAN  
PHILIP A. BADDOUR, III, CHAIR OF PANEL  
MYRA L. GRIFFIN, COMMISSIONER  
A. ROBINSON HASSELL, COMMISSIONER  
CHRISTOPHER C. LOUITT, COMMISSIONER

TUESDAY, OCTOBER 2, 2018

9:00 A.M.

RALEIGH, NORTH CAROLINA

PH-4010    N.C. INDUSTRIAL COMMISSION  
(14-714432)            v.  
AP            RAINTREE HEALTHCARE OF  
9:00            WILKESBORO, LLC D/B/A  
RESET        WILKES COUNTY ADULT CARE, INC.,  
                  AND/OR RAINTREE HEALTHCARE OF  
                  WINSTON-SALEM, LLC, AND  
                  REEMA OWENS, INDIVIDUALLY

PLF:    THE LAW OFFICES OF TIMOTHY D.  
          WELBORN, WILKESBORO, N.C.

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

DFT:    THE MONTGOMERY LAW FIRM  
          CHARLOTTE, N.C.

**(COMMISSIONER BADDOUR\*, CHAIRMAN ALLEN AND COMMISSIONER GRIFFIN)**

**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

PHILIP A. BADDOUR, III, CHAIR OF PANEL  
MYRA L. GRIFFIN, COMMISSIONER  
CHRISTOPHER L. LOUITT, COMMISSIONER

THURSDAY, OCTOBER 18, 2018

9:00 A.M.

RALEIGH, NORTH CAROLINA

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16-056012 LG 9:00	TYRONE SMITH v. WEST FRASER, INC. MATRIX ABSENCES MANAGEMENT, INC.	PLF: DAVID JONES GREENVILLE, N.C. DFT: YOUNG MOORE AND HENDERSON RALEIGH, N.C.
16-732039 &	OCTAVIO NAMBO SUAZO v. JUAN J. GUTIERREZ-BOJORQUEZ, NON-INSURED, AND ROBCO RESIDENTIAL CONSTRUCTION, ERIE INSURANCE	PLF: LAW OFFICES OF JAMES SCOTT FARRIN, DURHAM, N.C. ----- N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C. DFT: LAW OFFICE OF MICHAEL L. YOPP DUNN, N.C.
PH-5227 AP 9:00	N.C. INDUSTRIAL COMMISSION v. JUAN J. GUTIERREZ-BOJORQUEZ, NON-INSURED, AND JUAN J. GUTIERREZ-BOJORQUEZ, INDIVIDUALLY	----- MCANGUS GOUDELOCK & COURIE RALEIGH, N.C.
TA-26695 RH 9:00	HGGLBT INTERNATIONAL EXPRESS TRUST/TRUSTEE BOARD v. STATE OF NORTH CAROLINA, EMPLOYEE ARCHIE SMITH, JR., III, NORTH CAROLINA STATE BAR/ JEFF D. ROGERS, AGENT BAR NUMBER 14291, AND N.C. ADMINISTRATIVE OFFICE OF COURT/MARION WARREN (DIRECTOR)	PLF: PRO SE. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.

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NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW          DOCKET

PHILIP A. BADDOUR, III, CHAIR OF PANEL  
MYRA L. GRIFFIN, COMMISSIONER  
CHRISTOPHER L. LOUITT, COMMISSIONER

TUESDAY, OCTOBER 23, 2018

1:00 P.M.

RALEIGH, NORTH CAROLINA

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15-045305	ORLANDO PEREZ	PLF:	GUNTER LAW GROUP
MS	v.		RALEIGH, N.C.
1:00	WALKER PRICE	DFT:	ORBOCK RUARK & DILLARD
	CAROLINA MUTUAL INSURANCE,		WINSTON-SALEM, N.C.
	C/O INSURITY		
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X46492	HOWARD LINN SAFLEY	PLF:	WALLACE AND GRAHAM
JT	v.		SALISBURY, N.C.
1:00	HBD INDUSTRIES, INC.	DFT:	MCANGUS GOUDELOCK & COURIE
	HEW HAMPSHIRE INSURANCE		CHARLOTTE, N.C.
	COMPANY		
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13-735506	TARA DEVINEY	PLF:	BADDOUR PARKER HINE & HALE
TP	v.		GOLDSBORO, N.C.
1:00	WAYNE HEALTH CORPORATION	DFT:	GOLDBERG SEGALLA
	VININGS INSURANCE COMPANY		GREENSBORO, N.C.
	(SYNERGY COVERAGE SOLUTIONS)		

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NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW          DOCKET

PHILIP A. BADDOUR, III, CHAIR OF PANEL  
MYRA L. GRIFFIN, COMMISSIONER  
CHRISTOPHER L. LOUITT, COMMISSIONER

TUESDAY, OCTOBER 30, 2018

9:00 A.M.

RALEIGH, NORTH CAROLINA

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X85945      MOHAMED S. MEKNI  
KH                    v.  
9:00          COLLECTIVE BRANDS, INC.,  
                  (PAYLESS SHOES)  
                  FIDELITY AND GUARANTY  
                  (GALLAGHER BASSETT SERVICES, INC.)

PLF: YOUNCE & VTIPL  
RALEIGH, N.C.

DFT: ALLEN & NEWMAN  
CHARLOTTE, N.C.

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17-000383    CHRISTOPHER M. WHEELER  
KH                    v.  
9:00          WINSTON-SALEM HOUSING  
                  AUTHORITY  
                  NCHARRP

PLF: RAYMOND M. MARSHALL  
WINSTON-SALEM, N.C.

DFT: CRANFILL SUMNER & HARTZOG  
RALEIGH, N.C.

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17-768974    JOSE R. HERNANDEZ  
MS                    v.  
9:00          JCC STRUCTURES, INC.  
                  CAROLINA CASUALTY INSURANCE  
                  COMPANY  
                  (BERKLEynet)

PLF: RAYMOND M. MARSHALL  
WINSTON-SALEM, N.C.

DFT: BREWER DEFENSE GROUP  
RALEIGH, N.C.

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