

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 October 4 & 6, 2005, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Laura Carter, Agency Legal Specialist to Commissioner Dianne C. Sellers, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Carter is (919) 807-2524. 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:

OCTOBER 4 & 6, 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

DIANNE C. SELLERS-CHAIR
BERNADINE S. BALLANCE, COMMISSIONER
LAURA K. MAVRETIC, COMMISSIONER

TUESDAY, OCTOBER 4, 2005

9:30 A.M. RALEIGH, NORTH CAROLINA

399885 AP 9:30	JEFFERY MATTISON v THE MANGUM GROUP, INC. ZURICH NORTH AMERICA	PLF: CHRISTOPHER HARPER DURHAM, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
944327 WT 9:30	DONALD PRIDGEN v J & D ENTERPRISES LIBERTY MUTUAL INS. CO.	PLF: RALPH G. WILLEY ROCKY MOUNT, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, RALEIGH, N.C.
454507 MC 9:30	JAMES JOE WOODS v MODERN AUTOMOTIVE NETWORK/ MODERN TOYOTA SELF-INSURED (BRENTWOOD SERVICES, INC.)	PLF: WALDEN & WALDEN WINSTON-SALEM, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
355742 KL 9:30	JAMES JENKINS v PILOT HOSIERY MILL AMERICAN HOME ASSURANCE CO.	PLF: WALDEN & WALDEN WINSTON-SALEM, N.C. DFT: ROBINSON & LAWING WINSTON-SALEM, N.C.
346893 BH 9:30	VALERIE HARRIS v CNC ACCESS, INC. WAUSAU UNDERWRITER INS. CO.	PLF: HARDISON & LEONE RALEIGH, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.

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

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LAURA K. MAVRETIC, COMMISSIONER

TUESDAY, OCTOBER 4, 2005

1:30 P.M. RALEIGH, NORTH CAROLINA

426541 GG 1:30	JAMES G. DELP v TYCO INTERNATIONAL SEDGWICK JAMES CAROLINAS	PLF: PRO SE. DFT: WILSON & RATLEDGE RALEIGH, N.C.
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308513 MC 1:30	MARY H. QUEEN v HIGHWAY EXPRESS, INC. CLARENDON NATIONAL INS. CO.	PLF: WALLACE & GRAHAM SALISBURY, N.C. DFT: RUDISILL WHITE & KAPLAN CHARLOTTE, N.C.
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388451 PH 1:30	RONNIE CALDWELL v EZZELL TRUCKING AMCORP	PLF: SELLERS HINSHAW AYERS DORTCH & LYONS, CHARLOTTE, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
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816964 PH 1:30	DAVID WARD v FLOORS PERFECT PENN NATIONAL INSURANCE	PLF: LAW OFFICES OF GEORGE W LENNON RALEIGH, N.C. DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.

(SELLERS*, BALLANCE, & MAVRETIC)

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
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DIANNE C. SELLERS-CHAIR
BERNADINE S. BALLANCE, COMMISSIONER
LAURA K. MAVRETIC, COMMISSIONER

THURSDAY, OCTOBER 6, 2005

9:30 A.M. RALEIGH, NORTH CAROLINA

268685 WT 9:30	DONALD GALLIMORE v SOUTHERN EXPOSURES BUILDERS MUTUAL INS. CO.	PLF: J. STEPHEN GRAY SALISBURY, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
272469 RR 9:30	JAYNE HAYS v REXEL, INC. GALLAGHER BASSETT SERVICES	PLF: LAW OFFICE OF LESLIE O. WICKHAM, JR. DURHAM, N.C. DFT: CRANFILL SUMNER & HARTZOG CHARLOTTE, N.C.
337343 WT 9:30	JAMES EARL CHAPLIN v KOURY CORPORATION SELECTIVE INS COMPANY OF S.C.	PLF: ROBERT LAUVER KERNERSVILLE, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
399391 PH 9:30	RONALD DESHAIES v FERGUSON BOX & SUPPLY MFG MONTGOMERY INSURANCE CO.	PLF: THE SUMWALT LAW FIRM CHARLOTTE, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
978835 WT 9:30	LINDA DILLINGHAM v WESTERN CAROLINA CENTER KEY RISK MANAGEMENT SERVICES	PLF: RICHARD B. HARPER SYLVA, N.C. DFT: NC DEPARTMENT OF JUSTICE LAURA J. GENDY, RALEIGH, N.C.

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

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FULL COMMISSION
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LAURA K. MAVRETIC, COMMISSIONER

THURSDAY, OCTOBER 6, 2005

1:30 P.M. RALEIGH, NORTH CAROLINA

309779	NORMAN BOJE	PLF:	LAW OFFICE OF JUDITH FRASER
GG	v		WAYNESVILLE, N.C.
1:30	D.W.I.T., L.L.C. ET AL		-----
	NON-INSURED;		NC DEPARTMENT OF JUSTICE
	D.J. GRIFFITH D/B/A GRIFFITH	DFT:	SCARLETTE GARDNER, RALEIGH, N.C.
	CONSTRUCTION COMPANY,		BALL BARDEN & BELL
	NON-INSURED;		ASHEVILLE, N.C.
	BUILDERS MUTUAL INS, CO.		-----
			LAW OFFICES OF GENE THOMAS
			LEICHT, ASHEVILLE, N.C.

			LEWIS & ROBERTS, RALEIGH, N.C.
546801	SANDRA M. MOORE	PLF:	PATTERSON HARKAVY & LAWRENCE
EG	v		CHAPEL HILL, N.C.
1:30	MOHAWK INDUSTRIES, INC.	DFT:	TEAGUE CAMPBELL DENNIS &
	SELF-INSURED		GORHAM, RALEIGH, N.C.
	(SELLERS,* BALLANCE & MAVRETIC)		
TA-18416	DONALD H. GUTH	PLF:	CLARK NEWTON EVANS & BRYAN
GG	v		WILMINGTON, N.C.
ADMAPP	NC DEPARTMENT OF HEALTH	DFT:	NC DEPARTMENT OF JUSTICE
1:30	AND HUMAN SERVICES		ROBERT HARGETT, RALEIGH, N.C.
