

Beverly Eaves Perdue, Governor  
Pamela T. Young, Chair



Bernadine S. Ballance, Commissioner  
Linda Cheatham, Commissioner  
Danny L. McDonald, Commissioner  
Staci Meyer, Commissioner  
Tammy R. Nance, Commissioner  
Christopher Scott, 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 October 4 and 6, 2011, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Thomas Perlungher, Law Clerk to Commissioner Danny L. McDonald, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Mr. Perlungher is (919) 807-2510. 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 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:

**OCTOBER 4 & 6, 2011  
DOBBS BUILDING  
SECOND FLOOR, ROOM 2173  
430 NORTH SALISBURY STREET  
RALEIGH, NORTH CAROLINA 27603**

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

Linda Langdon  
Docket Director

Docket Section • 4336 Mail Service Center • Raleigh, North Carolina 27699-4336  
Telephone: (919) 807-2504 • Fax: (919) 715-0282 • Internet Address: <http://www.ic.nc.gov/>

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW            DOCKET

DANNY L. MCDONALD, PANEL CHAIR  
CHRISTOPHER SCOTT, COMMISSIONER  
PAMELA T. YOUNG, CHAIR

TUESDAY, OCTOBER 4, 2011

9:00 A.M.

RALEIGH, NORTH CAROLINA

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TA-21085, ROGER BARTLETT,  
TA-21086 MICHAEL BARTLETT AND  
& ANTHONY JONES  
TA-21087            v  
SG WAYNE COUNTY BOARD  
9:00 OF EDUCATION

PLF: RIDDLE & BRANTLEY  
RALEIGH, N.C.

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

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W64644 DANIEL RAMIREZ-HERNANDEZ  
KL            v  
9:00 ALLIED BUILDING PRODUCTS  
LIBERTY MUTUAL  
INSURANCE COMPANY

PLF: FRANCISCO J. BRICIO  
CARY, N.C.

DFT: HEDRICK GARDNER KINCHELOE &  
GAROFALO, RALEIGH, N.C.

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995461 WENDY CARTER  
GG            v  
9:00 A CHILD'S WORLD LEARNING CENTER  
BRIDGEFIELD CASUALTY  
INSURANCE COMPANY

PLF: RODERICK T. MCIVER  
WINSTON-SALEM, N.C.

DFT: TEAGUE CAMPBELL DENNIS &  
GORHAM, RALEIGH, N.C.

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661765 CRISTAL MOORE  
BH            v  
9:00 BELL SENIOR LIVING  
KEY RISK INSURANCE COMPANY

PLF: CURTIS C. COLEMAN III  
GREENVILLE, N.C.

DFT: HEDRICK GARDNER KINCHELOE &  
GAROFALO, WILMINGTON, N.C.

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621682 JUAN MONTEGO BRINDIS  
&            v  
784989 PRESTAGE FOODS, INC.  
MG HEWITT COLEMAN & ASSOCIATES,  
9:00 INC., SERVICING AGENT

PLF: RIDDLE & BRANTLEY  
JACKSONVILLE, N.C.

DFT: WILSON & RATLEDGE  
RALEIGH, N.C.

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

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TUESDAY, OCTOBER 4, 2011

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RALEIGH, NORTH CAROLINA

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782253 RH 1:30	MICHAEL O'BRIEN v R & W, INC. BRIDGEFIELD CASUALTY INSURANCE CO.	PLF: RICHARD B. HARPER SYLVA, N.C.  DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
W31901, 858355, 897309 & 673849 VH 1:30	DAVID C. HELFRICH v COCA-COLA BOTTLING COMPANY CONSOLIDATED SELF-INSURED (GALLAGHER BASSETT SERVICES, INC.)	PLF: THE SUMWALT LAW FIRM CHARLOTTE, N.C.  DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
W31717 BD 1:30	TONY LANE SMITH v LOWMAN ENTERPRISE, INC. THE TRAVELERS INSURANCE COMPANY	PLF: POISSON POISSON & BOWER WADESBORO, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
394705 GH 1:30	EDWARD JACKSON PEACOCK v ASSOCIATES HOUSING FINANCE TRAVELERS INSURANCE	PLF: PRO SE  DFT: CRANFILL SUMNER & HARTZOG CHARLOTTE, N.C.

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DANNY L. MCDONALD, PANEL CHAIR  
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PAMELA T. YOUNG, CHAIR

THURSDAY, OCTOBER 6, 2011

9:00 A.M.

RALEIGH, NORTH CAROLINA

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W77904 BH 9:00	DANIEL TUNELL v RESOURCE MFG/OGISTIX AMERICAN CASUALTY COMPANY (GALLAGHER BASSETT SERVICES, INC.)	PLF: R. JAMES LORE CARY, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
W17091 MG 9:00	JEREMIAH ROGERS v PRESTAGE FOODS, INC. SAFETY NATIONAL CASUALTY CORPORATION, (GALLAGHER BASSETT SERVICES, INC.)	PLF: GREG JONES & ASSOCIATES WILMINGTON, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C.
W44050 RH 9:00	CRYSTAL CHAPPELL v SUN HEALTHCARE GROUP, INC D/B/A ALLEGHANY CARE & REHAB AIG C/O BROADSPIRE	PLF: THE LAW OFFICES OF TIMOTHY D. WELBORN, WILKESBORO, N.C. DFT: MCANGUS GOUDELOCK & COURIE RALEIGH, N.C.
W94181 &	DENNIS RAY SPIVEY v WRIGHT'S ROOFING, NON-INSURED, AND AMS STAFF LEASING DALLAS NATIONAL INSURANCE CRAWFORD & COMPANY BOYET BUILDERS AUTO-OWNERS INSURANCE	PLF: CRUMLEY ROBERTS GREENSBORO, N.C. ----- N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C. DFT: MORGAN HERRING MORGAN GREEN & ROSENBLUTT, HIGH POINT, N.C. ----- TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
PH-2655 AP 9:00	N.C. INDUSTRIAL COMMISSION v RANDY WRIGHT D/B/A WRIGHT'S ROOFING, NON-INSURED, AND RANDY WRIGHT, INDIVIDUALLY	MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.

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**CONTINUED**

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW DOCKET

DANNY L. MCDONALD, PANEL CHAIR  
CHRISTOPHER SCOTT, COMMISSIONER  
PAMELA T. YOUNG, CHAIR

THURSDAY, OCTOBER 6, 2011

9:00 A.M.

RALEIGH, NORTH CAROLINA

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044336 JERRY LYNN CAGLE  
& v  
WELBUILT HOLMES, INC., D/B/A  
W.H.I. SAND & GRAVEL,  
NON-INSURED, AND  
ISURITY INSURANCE SERVICES/  
NCME FUND

PLF: CLAWSON L. WILLIAMS  
WEST END, N.C.

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

DFT: JOHN M. BULLOCK, PRO SE

PH-2169 N.C. INDUSTRIAL COMMISSION  
AP v  
9:00 WELBUILT HOMES, INC., D/B/A  
W.H.I. SAND & GRAVEL,  
NON-INSURED, AND  
JOHN M. BULLOCK, INDIVIDUALLY

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WELBUILT HOMES, INC.  
FAYETTEVILLE, N.C.

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ORBOCK RUARK & DILLARD  
WINSTON-SALEM, N.C.

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THURSDAY, OCTOBER 6, 2011

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RALEIGH, NORTH CAROLINA

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W58384	MITZI MCCRARY	PLF:	GANLY & RAMER
VH	v		ASHEVILLE, N.C.
1:30	KING BIO, INC.	DFT:	ORBOCK RUARK & DILLARD
	ISURITY INSURANCE SERVICES/ NCME FUND		WINSTON-SALEM, N.C.
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886104	MARY A. BURNETTE	PLF:	GANLY & RAMER
BD	v		ASHEVILLE, N.C.
1:30	CAROLINA INTERNAL MEDICINE THE HARTFORD	DFT:	HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
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428882	DALE PARSLEY	PLF:	GANLY & RAMER
BD	v		ASHEVILLE, N.C.
1:30	INGLES MARKETS, INC. SELF-INSURED	DFT:	NORTHUP MCCONNELL & SIZEMORE ASHEVILLE, N.C.

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