

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 10 & 12, 2005, all motions, requests for continuances, and telephone inquiries should be directed to the attention of David Stahl, Agency Legal Specialist to Commissioner Thomas J. Bolch, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Mr. Stahl is (919) 807-2514. 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 10 & 12, 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

THOMAS J. BOLCH-CHAIR
CHRISTOPHER SCOTT, COMMISSIONER
PAMELA T. YOUNG, COMMISSIONER

MONDAY, OCTOBER 10, 2005

9:30 A.M. RALEIGH, NORTH CAROLINA

229163 PB 9:30	LESLIE PRICE v AMERICAN RED CROSS SELF-INSURED	PLF: THE JERNIGAN LAW FIRM RALEIGH, N.C. DFT: KESTENBAUM LAW FIRM DURHAM, N.C.
436623 PH 9:30	ROSEMARY SWEENEY v SOUTH SEA RATTAN COLLECTION THE CHARTER OAK FIRE INSURANCE CO.	PLF: GRIMES & GRIMES GREENSBORO, N.C. DFT: ORBOCK RUARK & DILLARD WINSTON-SALEM, N.C.
166942 KL 9:30	BRUCE VAUGHN v GEODAX TECHNOLOGY THE TRAVELERS INS CO.	PLF: LAW OFFICES OF KATHLEEN G. SUMNER GREENSBORO, N.C. DFT: CRANFILL SUMNER & HARTZOG CHARLOTTE, N.C.
042041 GH 9:30	JERRY JACK HEFNER v WESTERN SOUTHERN LIFE INS CO. GATES MCDONALD	PLF: LAW OFFICE OF G. LEE MARTIN CONCORD, N.C. DFT: KESTENBAUM LAW FIRM DURHAM, N.C.
346138 TS 9:30	ROY JEFFREY HOPKINS v INDEPENDENT TROUBLESHOOTING (NON-INSURED)	PLF: WAYNE E. CRUMWELL REIDSVILLE, N.C. DFT: PRO SE.

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

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PAMELA T. YOUNG, COMMISSIONER

MONDAY, OCTOBER 10, 2005

1:30 P.M. RALEIGH, NORTH CAROLINA

159006 WILBUR SMITH
GG v
1:30 WOOLARD, INC.
RSKCO

PLF: H. BRIGHT LINDLER
ROCKINGHAM, N.C.

DFT: LEWIS & ROBERTS
RALEIGH, N.C.

168056 RICHARD BYRD
WT v
1:30 DREXEL HERITAGE FURNISHING
INC. /LIFESTYLE FURNISHINGS
AMERICAH HOME ASSURANCE

PLF: ELEANOR MACCORKLE
ASHEVILLE, N.C.

DFT: MORRIS YORK WILLIAMS SURLES &
BARRINGER, CHARLOTTE, N.C.

249009 SHIRLEY T. EARLY
KL v
1:30 STEIN MART
ROYAL & SUNALLIANCE

PLF: LAW OFFICES OF DAVID GANTT
ASHEVILLE, N.C.

DFT: MORRIS YORK WILLIAMS SURLES &
BARRINGER, CHARLOTTE, N.C.

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WEDNESDAY, OCTOBER 12, 2005

9:30 A.M. RALEIGH, NORTH CAROLINA

TA-17358 WT 9:30	LOUIS DAVID FECTEAU v N.C. DEPARTMENT OF CORRECTION	PLF: PRISONER LEGAL SERVICES RALEIGH, N.C. DFT: NC DEPARTMENT OF JUSTICE DAHRA J. TANOURY, RALEIGH, N.C.
190804 BL 9:30	SARONA R. KELLY v WAKE COUNTY SHERIFF'S DEPT COMPENSATION CLAIMS SOLUTIONS (ACE USA, SERVICING AGENT)	PLF: THE LAW OFFICES OF GEORGE W. LENNON, RALEIGH, N.C. DFT: BROOKS STEVENS & POPE CARY, N.C.
367025 364195 MC 9:30	ANDREW LEWIS WEST v CONSOLIDATED DIESEL COMPANY SELF-INSURED (ACE USA, SERVICING AGENT)	PLF: YOLANDA L. NOWLIN RALEIGH, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, RALEIGH, N.C.
TA-17480 TS 9:30	ERIC THORNTON v F.J. CHERRY HOSPITAL SELF-INSURED (KEY RISK MANGEMENT)	PLF: NARRON & HOLDFORD WILSON, N.C. DFT: NC DEPARTMENT OF JUSTICE AMAR MAJMUNDAR, RALEIGH, N.C.
080805 BH/NT 9:30	MARK L. PAGE v GOODYEAR TIRE AND RUBBER CO. HELMSMAN MANAGEMENT SERV	PLF: WILLIAM G. BARBOUR GREENSBORO, N.C. DFT: BROOKS STEVENS & POPE CARY, N.C.

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

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WEDNESDAY, OCTOBER 12, 2005

1:30 P.M. RALEIGH, NORTH CAROLINA

143307 PERRY TILLY PLF: ELLIOT PISHKO & MORGAN
BH v WINSTON-SALEM, N.C.
1:30 HIGH POINT SPRINKLER
AETNA INSURANCE CO. DFT: HEDRICK EATMAN GARDNER &
KINCHELOE, CHARLOTTE, N.C.
(BOLCH*, BALLANCE & MAVRETIC)

232064 ZELLON WARD PLF: THE ROBERTS LAW FIRM
WT v GASTONIA, N.C.
1:30 CMI CONTRACTING, INC.
SELECTIVE INSURANCE CO. DFT: RUDISLL WHITE & KAPLAN
CHARLOTTE, N.C.

392421 JERRY BRIAN SMITH PLF: THE ROBERTS LAW FIRM
BL v GASTONIA, N.C.
ADMAPP G & G CONSTRUCTORS AND
1:30 METSO PAPER, INC. DFT: MCANGUS GOUDELOCK & COURIE
CHARLOTTE, N.C.

YOUNG MORPHIS BACH & TAYLOR
HICKORY, N.C.

HEDRICK EATMAN GARDNER &
KINCHELOE, CHARLOTTE, N.C.
