



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 15, 26, and 28, 2009, all motions, requests for continuances, and telephone inquiries should be directed to the attention of David Stahl, Agency Specialist to Commissioner Christopher Scott, 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 15, 26 & 28, 2009
DOBBS BUILDING
SECOND FLOOR, ROOM 2173
430 NORTH SALISBURY STREET
RALEIGH, NC 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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

CHRISTOPHER SCOTT, PANEL CHAIR
BERNADINE S. BALLANCE, COMMISSIONER
STACI MEYER, COMMISSIONER

THURSDAY, OCTOBER 15, 2009

9:30 A.M.

RALEIGH, NORTH CAROLINA

TA-15897	REGGIE WOODARD	PLF:	NC PRISONER LEGAL SERVICES, INC.
JG	v		RALEIGH, N.C.
9:30	N.C. DEPARTMENT OF CORRECTION	DFT:	NC DEPARTMENT OF JUSTICE
			RALEIGH, N.C.

799188	ROSALI FERNANDEZ	PLF:	HARRINGTON & JONES
PB	v		GREENVILLE, N.C.
9:30	SOLEIL GROUP, INC.	DFT:	YOUNG MOORE & HENDERSON
	UNION INSURANCE COMPANY		RALEIGH, N.C.

263856	TIMOTHY JACKSON	PLF:	HARRIS & MAYNARD
PH	v		WINSTON-SALEM, N.C.
9:30	WINSTON-SALEM STATE UNIVERSITY	DFT:	NC DEPARTMENT OF JUSTICE
	SELF-INSURED		RALEIGH, N.C.
	(KEY RISK MANAGEMENT SERVICES)		

669901	PAUL D. HAITHCOCK	PLF:	BRINKLEY WALSER
CS	v		LEXINGTON, N.C.
9:30	MOTHER MURPHY'S LABORATORIES	DFT:	HEDRICK GARDNER KINCHELOE &
	WAUSAU INSURANCE COMPANIES		GAROFALO, RALEIGH, N.C.

651682	JANELLA HANNOLD	PLF:	DORAN SHELBY PETHEL & HUDSON
TS	v		SALISBURY, N.C.
9:30	ALDI INC	DFT:	ORBOCK RUARK & DILLARD
	THE PHOENIX INSURANCE		WINSTON-SALEM, N.C.
	COMPANY		

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

CHRISTOPHER SCOTT, PANEL CHAIR
BERNADINE S. BALLANCE, COMMISSIONER
STACI MEYER, COMMISSIONER

MONDAY, OCTOBER 26, 2009

9:30 A.M.

RALEIGH, NORTH CAROLINA

570691 & 615291 WT 9:30	THERESA A. BUSQUE v MID-AMERICA APARTMENT COMMUNITIES AND/OR HERMITAGE @ BEECHTREE WAUSAU INSURANCE COMPANY AND/OR TRAVELERS INSURANCE CO.	PLF: PRATHER LAW FIRM RALEIGH, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C. ----- HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
799667 TS 9:30	CAREY DENNING v N.C. DEPARTMENT OF AGRICULTURE KEY RISK MANAGEMENT SERVICES	PLF: MARCARI RUSSOTTO SPENCER & BALABAN, RALEIGH, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
803700 PH 9:30	MARY E. BUCHANAN v ABLE BODY LABOR BROADSPIRE	PLF: KENNETH M. JOHNSON GREENSBORO, N.C. DFT: WILSON & RATLEDGE RALEIGH, N.C.
108264 BH 9:30	LILLIAN B. JOHNSON v GOODYEAR TIRE & RUBBER CO. LIBERTY MUTUAL INS GROUP	PLF: OXNER THOMAS & PERMAR RALEIGH, N.C. ----- LAW OFFICES OF KATHLEEN G. SUMNER, GREENSBORO, N.C. (FORMER COUNSEL) DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
351178 & 328445 BH 9:30	BARBARA L. WADDELL v GOODYEAR TIRE & RUBBER CO. LIBERTY MUTUAL INS GROUP	PLF: OXNER THOMAS & PERMAR RALEIGH, N.C. ----- LAW OFFICES OF KATHLEEN G. SUMNER, GREENSBORO, N.C. (FORMER COUNSEL) DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

CHRISTOPHER SCOTT, PANEL CHAIR
BERNADINE S. BALLANCE, COMMISSIONER
STACI MEYER, COMMISSIONER

WEDNESDAY, OCTOBER 28, 2009

9:30 A.M.

RALEIGH, NORTH CAROLINA

600511 GH 9:30	PEGGY MALLOY v UNICCO SERVICE CO TRAVELERS INDEMNITY COMPANY OF AMERICA	PLF: EDELSTEIN & PAYNE RALEIGH, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
796881 & 886332 KL 9:30	KAREN WILEY-EBERLE v UNC-CHAPEL HILL SELF-INSURED (KEY RISK MANAGEMENT SERVICES)	PLF: LENNON & CAMAK RALEIGH, N.C. DFT: N.C.DEPARTMENT OF JUSTICE RALEIGH, N.C.
564052 &	RANDOLPH BROWN v SHADY DANIELS, JR. (NOW DECEASED), NON-INSURED, AND SHADY DANIELS. JR., INDIVIDUALLY, AND MID-ATLANTIC D/B/A LONG LEAF PRODUCTS LIBERTY MUTUAL	PLF: DAVID AND ASSOCIATES WILMINGTON, N.C. ----- N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C. ----- SHADY DANIELS, JR. (NOW DECEASED, UNREPRESENTED)
PH-1804 AP 9:30	N.C. INDUSTRIAL COMMISSION v SHADY DANIELS, JR. (NOW DECEASED), NON-INSURED, AND SHADY DANIELS, JR., INDIVIDUALLY, AND MID-ATLANTIC D/B/A LONG LEAF PRODUCTS LIBERTY MUTUAL	

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NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

CHRISTOPHER SCOTT, PANEL CHAIR
BERNADINE S. BALLANCE, COMMISSIONER
STACI MEYER, COMMISSIONER

WEDNESDAY, OCTOBER 28, 2009 9:30 A.M. AND 1:30 P.M. RALEIGH, NORTH CAROLINA

602543 & 799233 PB 9:30	VALENCIA HANDY v CAPE FEAR VALLEY HEALTH SYSTEM SELF-INSURED	PLF: MACRAE PERRY & MACRAE FAYETTEVILLE, N.C. DFT: DICKIE MCCAMEY & CHILCOTE CHARLOTTE, N.C.
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680437 PB 9:30	ANNETTE LAWRENCE v N.C. DEPARTMENT OF CORRECTION SELF-INSURED (KEY RISK MANAGEMENT SERVICES)	PLF: PRO SE DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
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COURT RECESS
(ORAL ARGUMENTS TO RESUME AT 1:30 P.M.)

WEDNESDAY, OCTOBER 28, 2009 1:30 P.M. RALEIGH, NORTH CAROLINA

786998 CS 1:30	MICHAEL DWAIN MAJOR v COMMSCOPE CNA/AMERICAN CASUALTY CO.	PLF: RANDY D. DUNCAN HICKORY, N.C. DFT: CRANFILL SUMNER & HARTZOG CHARLOTTE, N.C.
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689217 & 784392 TS 1:30	SHIRLEY HURDT WARD v ETHAN ALLEN - MAIDEN DIVISION TRAVELERS/THE PHOENIX INSURANCE CO.	PLF: RANDY D. DUNCAN HICKORY, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
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768138 PH 1:30	BRENDA HUMPHRIES v CLEVELAND COUNTY BOARD OF EDUCATION KEY RISK INSURANCE COMPANY	PLF: RANDY D. DUNCAN HICKORY, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
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