

Michael F. Easley, Governor
Buck Lattimore, Chairman



Bernadine S. Ballance, Commissioner
Laura K. Mavretic, Commissioner
Danny L. McDonald, Commissioner
Christopher Scott, Commissioner
Dianne C. Sellers, Commissioner
Pamela T. Young, 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 18, 22, 24 and 26, 2007, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Kristi Bellamy, Agency Legal Specialist to Commissioner Bernadine S. Ballance, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Bellamy is (919) 807-2542.

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 18, 22, 24 & 26, 2007
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. 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

BERNADINE S. BALLANCE, CHAIR
DANNY L. MCDONALD, COMMISSIONER
DIANNE C. SELLERS, COMMISSIONER

THURSDAY, OCTOBER 18, 2007

9:30 A.M. RALEIGH, NORTH CAROLINA

595265 JG 9:30	TARA WILLIAMS v TRADER PUBLISHING COMPANY THE PHOENIX FUND/ST. PAUL TRAVELERS	PLF: BRYANT D. PARIS, III RALEIGH, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, RALEIGH, N.C.
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306909 RWR 9:30	LEONARD CHARLES HARPER v PARKER TECHSEAL UNERWRITERS SAFETY & CLAIMS	PLF: ROSE & RAND WILSON, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, RALEIGH, N.C.
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349734 MC 9:30	RAMON ROCHA MENDEZ v CORONA CONCRETE COMPANY, INC. BUILDERS MUTUAL INSURANCE CO.	PLF: HALL HORNE & GREEN WILMINGTON, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
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478731, 599789 & 616555 GG 9:30	ANDREW BERRIER, CHRISTOPHER BOST AND THOMAS MORGAN v RECOVERY CONSTRUCTION BUILDERS MUTUAL INS CO.	PLF: EGERTON & ASSOCIATES GREENSBORO, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
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389913 JD 9:30	JOYCE MONTGOMERY v BEKAERT TEXTILES USA, INC. PMA INSURANCE GROUP	PLF: MICHAEL J. FEIEREISEL WINSTON-SALEM, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
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(COURT RECESS)
(ORAL ARGUMENTS TO RESUME AT 1:30 P.M.)

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
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THURSDAY, OCTOBER 18, 2007

1:30 P.M. RALEIGH, NORTH CAROLINA

881162	VINCENZA GAROFALO	PLF:	LENNON & CAMAK.
CS	v		RALEIGH, N.C.
1:30	FLORIDA COMMERCIAL STAFFING N.C. INSURANCE GUARANTY	DFT:	BROOKS STEVENS & POPE CARY, N.C.
	(BALLANCE,* LATTIMORE & SELLERS)		

374239	LOUISE N. MANKES	PLF:	LENNON & CAMAK
CS	v		RALEIGH, N.C.
1:30	UNC-GENERAL ADMINISTRATION SELF-INSURED (KEY RISK MANAGEMENT SERVICES)	DFT:	NC DEPARTMENT OF JUSTICE RALEIGH, N.C.

568772	THOMAS JOHNSON	PLF:	THE OLIVE LAW FIRM
JG	v		CHARLOTTE, N.C.
1:30	N.C. DEPARTMENT OF PUBLIC INSTRUCTION/ CHARLOTTE MECKLENBURG SCHOOLS SELF-INSURED (KEY RISK MANAGEMENT SERVICES)	DFT:	NC DEPARTMENT OF JUSTICE RALEIGH, N.C.

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DIANNE C. SELLERS, COMMISSIONER

MONDAY, OCTOBER 22, 2007

9:30 A.M. RALEIGH, NORTH CAROLINA

274978 DONALD WHITEHEAD
RWR v
9:30 PROFESSIONAL HOMECARE
 KEY RISK INSURANCE CO

PLF: JERRY D. PARKER
DUNN, N.C.

DFT: PRATHER LAW FIRM
RALEIGH, N.C.

503295 ALFRED MORRISON
& v
561289 THE GOODYEAR TIRE & RUBBER CO.
PB LIBERTY MUTUAL INS GROUP
9:30

PLF: ROTHROCK LAW FIRM
HILLSBOROUGH, N.C.

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

565411 STEVEN R. HALL
KL v
9:30 TYCO ELECTRONICS
 SELF-INSURED (SEDGWICK CLAIMS
 MANAGEMENT OF THE CAROLINAS)

PLF: OXNER THOMAS & PERMAR
GREENSBORO, N.C.

DFT: WILSON & RATLEDGE
RALEIGH, N.C.

506232 ANDREW C. BAKER
WT v
9:30 WATCO, ET AL
 HARLEYSVILLE INSURANCE
 AND/OR FIREMAN'S FUND INS CO.
 AND/OR THE PHOENIX INS CO.
 AND/OR CHARTER OAK FIRE INS.
 ST. PAUL TRAVELERS

PLF: LAW OFFICE OF M. REID ACREE, JR.
SALISBURY, N.C.

DFT: STILES BYRUM & HORNE
CHARLOTTE, N.C.

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

MCANGUS GOUDELOCK & COURIE
CHARLOTTE, N.C.

WILSON & RATLEDGE
RALEIGH, N.C.

533575 WILLIE WHITE
MG v
ADM ARROW TRUCKING
APP GREAT WEST CASUALTY CO.
9:30

PLF: JAY GERVASI
GREENSBORO, N.C.

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

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MONDAY, OCTOBER 22, 2007

1:30 P.M. RALEIGH, NORTH CAROLINA

331686 JUDY FIELDS
MG v
1:30 BAXTER INTERNATIONAL INC.
SELF-INSURED

PLF: LAW OFFICES OF GARY A. DODD
ASHEVILLE, N.C.

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

570645 JIMMY REINARD
BH v
1:30 WAL-MART ASSOCIATES, INC.
CLAIMS MANAGEMENT, INC.

PLF: CAMPBELL & ASSOCIATES
CHARLOTTE, N.C.

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

563785 GARY BUTLER
JD v
1:30 GO BLUE, INC.
GALLAGHER BASSETT
SERVICES, INC.

PLF: LAW OFFICES OF SETH M. BERNANKE
CHARLOTTE, N.C.

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

216809 TINA COOPER
JD v
1:30 WESTCARE HEALTH SYSTEM
NCIGA

PLF: PRICE SMITH HARGETT PETHO &
ANDERSON, CHARLOTTE, N.C.

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

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WEDNESDAY, OCTOBER 24, 2007

9:30 A.M. RALEIGH, NORTH CAROLINA

677256 RWR 9:30	MARY RACHEL HARDISON v GOODYEAR TIRE & RUBBER, D/B/A KELLY SPRINGFIELD LIBERTY MUTUAL INSURANCE CO.	PLF: THE JERNIGAN LAW FIRM RALEIGH, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, RALEIGH, N.C.
495399 BH 9:30	WILLIAM RICK SMITH, DECEASED v REAVES CONSTRUCTION CO. KEY RISK INSURANCE CO.	PLF: BRANTLEY JENKINS RIDDLE HARDEE & HARDEE, GOLDSBORO, N.C. ----- RALPH G. WILLEY, ROCKY MOUNT, N.C. ----- LAW OFFICES OF JAMES SCOTT FARRIN, DURHAM, N.C. ----- DFT: PRATHER LAW FIRM, RALEIGH, N.C.
433640 CS 9:30	AHMED DAHR v GUARDSMARK SECURITY AIG CLAIM SERVICES INC.	PLF: KENNETH M. JOHNSON GREENSBORO, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
TA-18568 & TA-18694 & TA-18699 WT/BL ADM APP 9:30	JENNIFER RAY, ADMINISTRATRIX OF THE ESTATE OF MICKELA NICHOLSON; LINDA JUDGE, ADMINISTRATRIX OF THE ESTATE OF MARIANNE DAUSCHER; AND EILEEN AND ROGER LAYAOU, CO-ADMINISTRATORS OF THE ESTATE OF MICHAEL LAYAOU v NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	PLF: ZAYTOUN & MILLER RALEIGH, N.C. ----- JENSEN MCGRATH PODGORNÝ RESEARCH TRIANGLE PARK, N.C. DFT: NC DEPARTMENT OF JUSTICE RALEIGH, N.C.
976927 TS 9:30	FRED HAM v APAC CAROLINA ACE USA	PLF: PRO SE DFT: WOMBLE CARLYLE SANDRIDGE & RICE, WINSTON-SALEM, N.C.

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WEDNESDAY, OCTOBER 24, 2007

1:30 P.M.

RALEIGH, NORTH CAROLINA

491457 JD 1:30	TERRY HINSON v PARKDALE MILLS WACHOVIA INS SERVICES	PLF: DORAN SHELBY PETHEL & HUDSON SALISBURY, N.C. DFT: MULLEN HOLLAND & COOPER GASTONIA, N.C.
905236 JD 1:30	REX WILLIAMS v SOI/GEORGE SALES LUMBER CO. CONTINENTAL CASUALTY CO.	PLF: TIMOTHY D. WELBORN WILKESBORO, N.C. DFT: JONES HEWSON & WOOLARD CHARLOTTE, N.C.
547821 KL 1:30	ANGEL BONILLA v RDH TIRE & RETREADING WAUSAU INSURANCE CO.	PLF: DORAN SHELBY PETHEL & HUDSON SALISBURY, N.C. DFT: CRANFILL SUMNER & HARTZOG CHARLOTTE, N.C.
424256 CS 1:30	CARLA L. SAWYER v TYRELL COUNTY SELF-INSURED (SEDGWICK CMS)	PLF: KELLUM LAW FIRM NEW BERN, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.

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FRIDAY, OCTOBER 26, 2007

1:30 P.M.

RALEIGH, NORTH CAROLINA

525728 KL 1:30	VENICE A.T. MATHES v ENVIRONMENTAL INKS & COATINGS ZURICH NORTH AMERICAN INSURANCE COMPANY	PLF: RANDY D. DUNCAN HICKORY, N.C. DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
466628 RR 1:30	TIMOTHY BRIAN SWANEY, JR. v SAFT AMERICA, INC. CRUM & FORSTER/U.S. FIRE INS	PLF: RANDY D. DUNCAN HICKORY, N.C. DFT: JONES HEWSON & WOOLARD CHARLOTTE, N.C.
