

Michael F. Easley, Governor  
Pamela T. Young, Chair



Bernadine S. Ballance, Commissioner  
Buck Lattimore, Commissioner  
Laura K. Mavretic, Commissioner  
Danny L. McDonald, Commissioner  
Christopher Scott, Commissioner  
Dianne C. Sellers, 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 21, 23, and 28, 2008, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Monica Jackson, Agency Legal Specialist to Commissioner Bernadine S. Ballance, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Jackson is (919) 807-2647.**

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 21, 23 & 28, 2008  
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 PANEL  
LAURA K. MAVRETIC, COMMISSIONER  
DANNY L. MCDONALD, COMMISSIONER

TUESDAY, OCTOBER 21, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

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222079 AP 9:30	STANLEY MATHERSON v SPEER CONCRETE PENN NATIONAL	PLF: WOLF & HOGAN RALEIGH, N.C.  DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
653864 RR 10:00	ROCKY SOLES v NATIONAL SPINNING COMPANY ZURICH AMERICAN INSURANCE CO.	PLF: HEDRICK & MORTON WILMINGTON, N.C.  DFT: MCANGUS GOUDELOCK & COURIE RALEIGH, N.C.
935629 RH 10:00	JAMES LUCAS BURNS v SOUTHLAND GAMING CORP. AIG CLAIM SERVICES	PLF: JACKSON & ASSOCIATES WILMINGTON, N.C.  DFT: CRANFILL SUMNER & HARTZOG WILMINGTON, N.C.
620492 RR 11:00	GEORGIA ALTMAN v HEALTH SCIENCES FOUNDATION, INC. ZURICH NORTH AMERICA	PLF: ERIC ALTMAN LELAND, N.C.  DFT: LEWIS & ROBERTS RALEIGH, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
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BERNADINE S. BALLANCE, CHAIR PANEL  
LAURA K. MAVRETIC, COMMISSIONER  
DANNY L. MCDONALD, COMMISSIONER

TUESDAY, OCTOBER 21, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

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318903 BD 1:30	DEBORAH HUBBARD v N.C. DEPARTMENT OF CORRECTION KEY RISK MANAGEMENT SERVICES	PLF: RAMSAY LAW FIRM CHARLOTTE, N.C.  DFT: N.C. DEPARTMENT OF JUSTICE ASHEVILLE, N.C.
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589100 PB 1:30	TERRY EARP v SHERRILL FURNITURE COMPANY THE PHOENIX INSURANCE CO.	PLF: THE SHANKLE LAW FIRM CHARLOTTE, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
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342221 JD 1:30	ROBERT EDWARD COLE v INDUSTRIAL MAINTENANCE OVERFLOW CORPORATION KEY RISK INSURANCE AND PMA INSURANCE AND POWER PLANT MAINTENANCE (MOREE'S POWER PLANT MAINTENANCE) N.C. INSURANCE GUARANTY ASSOCIATION	PLF: WALLACE & GRAHAM SALISBURY, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.  ----- MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.  ----- CRANFILL SUMNER & HARTZOG CHARLOTTE, N.C.

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BERNADINE S. BALLANCE, CHAIR PANEL  
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DANNY L. MCDONALD, COMMISSIONER

THURSDAY, OCTOBER 23, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

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126492 JG 9:30	KENNETH K. BAKER v CENTRAL CAROLINA COMMUNITY COLLEGE THE HARTFORD	PLF: JEANETTE T. PEACE SANFORD, N.C.  DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
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648429 DT 10:00	SHERRIE P. MCELVEEN, GAL OF RYAN L. MORRIS, MINOR CHILD OF JAMES EARL MORRIS, DECEASED, v TAYLOR EXPRESS NATIONAL INTERSTATE INS CO.	PLF: MACRAE PERRY AND MACRAE FAYETTEVILLE, N.C.  DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
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582704 & 582705 PB 10:30	KIMBERLY DANIEL v LABORATORY CORPORATION OF AMERICA SELF-INSURED (BROADSPIRE INSURANCE COMPANY)	PLF: LANIER LAW GROUP DURHAM, N.C.  DFT: SMITH MOORE GREENSBORO, N.C.
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634791 BH 10:30	TONI EDWARDS v UNIVERSITY OF NORTH CAROLINA AT GREENSBORO SELF-INSURED (KEY RISK MANAGEMENT SERVICES)	PLF: DOUGLAS S. HARRIS GREENSBORO, N.C.  DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
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**(COURT RECESS)**  
**(ORAL ARGUMENT TO RESUME AT 1:30)**

NORTH CAROLINA INDUSTRIAL COMMISSION  
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BERNADINE S. BALLANCE, CHAIR PANEL  
LAURA K. MAVRETIC, COMMISSIONER  
DANNY L. MCDONALD, COMMISSIONER

THURSDAY, OCTOBER 23, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

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779059 RR 1:30	ELDER A. VAN GELDEREN v PIEDMONT PIPING MECHANICAL CONTRACTING, INC. NATIONAL TRUST INSURANCE CO.	PLF: CHARLES G. MONNETT, III & ASSOC. CHARLOTTE, N.C.  DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
583699 RR 1:30	PHOEBE WILLIFORD v THE PANTRY, INC. SELF-INSURED (GALLAGHER BASSETT SERVICES)	PLF: LAW OFFICE OF KATHLEEN G. SUMNER GREENSBORO, N.C.  DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
601895 JG 1:30	CURTIS HOLMES v STRUCTURAL STEEL OF CAROLINA, INC. ACCIDENT FUND INSURANCE OF AMERICA	PLF: WALDEN & WALDEN WINSTON-SALEM, N.C.  DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.

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BERNADINE S. BALLANCE, CHAIR PANEL  
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DANNY L. MCDONALD, COMMISSIONER

TUESDAY, OCTOBER 28, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

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613567 KL 9:30	CAROLINA PABLO MANUEL v DIXON FOOD GROUP SELF-INSURED (KEY RISK MANAGEMENT SERVICES)	PLF: ANDERSON & ANDERSON RALEIGH, N.C.  DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
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144263 & 987125 RWR 10:30 <b>RE-SET</b>	NANCY BRICKER v RHONEY FURNITURE HOUSE SELECTIVE INSURANCE CO.  <b>(MCDONALD*, BALLANCE &amp; YOUNG)</b>	PLF: RANDY D. DUNCAN HICKORY, N.C.  DFT: RUDISILL WHITE & KAPLAN CHARLOTTE, N.C.
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552859 PH 11:00 <b>RE-SET</b>	TERRY KOHEN v BRIDGEWAY'S INC. GREAT WEST CASUALTY CO.  <b>(MCDONALD*, SCOTT &amp; YOUNG)</b>	PLF: ROBERT A. LAUVER KERNERSVILLE, N.C.  DFT: RUDISILL WHITE & KAPLAN CHARLOTTE, N.C.
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**(COURT RECESS)**  
**(ORAL ARGUMENT TO RESUME AT 1:30)**

TUESDAY, OCTOBER 28, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

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769187 RWR 1:30	GLENN PERRITT v SOUTHERN CORROSION, INC. AMERICAN INSURANCE COMPANY	PLF: THE SUMWALT LAW FIRM CHARLOTTE, N.C.  DFT: RUDISILL WHITE & KAPLAN CHARLOTTE, N.C.
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396614 AP 1:30	FRANK HALLMAN v N.C. DEPARTMENT OF CORRECTION-OPERATING SELF-INSURED (KEY RISK MANAGEMENT SERVICES)	PLF: WILLIAM & MILLS ASHEVILLE, N.C.  DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
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