

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 November 1 & 10, 2005, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Victoria Homick, Agency Legal Specialist to Commissioner Pamela T. Young, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Homick is (919) 807-2518. 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:

NOVEMBER 1ST & 10TH, 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. 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

PAMELA T. YOUNG, CHAIR
BUCK LATTIMORE, CHAIRMAN
CHRISTOPHER SCOTT, COMMISSIONER

TUESDAY, NOVEMBER 1, 2005

9:30 A.M. RALEIGH, NORTH CAROLINA

948836 WT 9:30	GEORGE H. DAVIS v COCHRANE FURNITURE LIBERTY MUTUAL INS.	PLF: LAW OFFICE OF LESLIE O. WICKHAM, JR., DURHAM, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, RALEIGH, N.C.
187559 PB 9:30	BALINDA EARLEY v RESIDENTIAL SERVICES XL SPECIALTY INSURANCE CO.	PLF: LAW OFFICE OF MICHAEL JACULA, WAKE FOREST, N.C. DFT: BROOKS STEVENS & POPE CARY, N.C.
255004 PH 9:30	SARA HAHUS v PIEDMONT AIRLINES AMERICAN PROTECTION INS.	PLF: LAW OFFICES OF KATHLEEN G. SUMNER, GREENSBORO, N.C. DFT: BROOKS STEVEN & POPE CARY, N.C.
913564 PH 9:30	CAROL HOLLEY, WIFE OF ELMER WAYNE HOLLEY, DECEASED v MUNDY INDUSTRIAL MAINTENANCE ZURICH NORTH AMERICA	PLF: PRO SE. DFT: LEWIS & ROBERTS RALEIGH, N.C.
086260 & 086261 GG 9:30	LINDA ALLEN JULIE ORD v IBM CORPORATION LIBERTY MUTUAL GROUP	PLF: KEN MCCALLION & ASSOCIATES NEW YORK CITY, N.Y. BRENT ADAMS & ASSOCIATES RALEIGH, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION
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TUESDAY, NOVEMBER 1, 2005

1:30 P.M. RALEIGH, NORTH CAROLINA

345752 MC 1:30	JAMES A. LEE v TURNER EQUIPMENT CO. CINCINNATI INDEMNITY CO.	PLF: WHITLEY RODGMAN & WHITLEY NEW BERN, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
261843 BD 1:30	JAY CARRIGAN v WOOD HARVEST, INC. AIG CLAIM SERVICES	PLF: CHARLES G. MONNETT, III CHARLOTTE, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
279504 JDE 1:30	CHARLES HARVEY v EPES TRANSPORT SYSTEMS PROTECTIVE INSURANCE CO.	PLF: LAW OFFICES OF MICHAEL DEMAYO CHARLOTTE, N.C. DFT: MORRIS YORK WILLIAMS SURLES & BARRINGER, CHARLOTTE, N.C.

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THURSDAY, NOVEMBER 10, 2005

9:30 A.M. RALEIGH, NORTH CAROLINA

056237 KL 9:30	MARSHALL STEVENS v LIBBEY OWENS FORD CO. SELF-INSURED (ITT SPECIALTY RISK SERVICES, INC.)	PLF: POISSON POISSON BOWER & CLODFELTER, WADESBORO, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
410482 PH 9:30	EMMANUEL TILLMAN v CONTINENTAL TIRE SELF-INSURED (GALLAGHER-BASSETT)	PLF: PRO SE. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
298587 RR 9:30	ROGER DENTON v GETRAG CORP TRAVELERS INSURANCE CO.	PLF: BYRD BYRD ERVIN WHISNANT MCMAHON & ERVIN, MORGANTON, NC DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
364463 JDE 9:30	GAIL A. WATSON v LABOR FINDERS/SPARROW ENTERPRISES, INC. ACE USA	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, 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.

(BOLCH*, SCOTT & YOUNG)

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

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THURSDAY, NOVEMBER 10, 2005

1:30 P.M. RALEIGH, NORTH CAROLINA

001851 BH 1:30	PRISCILLA EARNHARDT v PHILIP MORRIS USA, INC. LUMBERMENS MUTUAL CASUALTY COMPANY	PLF: LAW OFFICES OF SETH M. BERNANKE CHARLOTTE, N.C. DFT: HUNTON & WILLIAMS CHARLOTTE, N.C.
141741 PH 1:30	ROBERT DEEM v HBE CORPORATION D/B/A ADAMS MARK HOTEL CORPORATE CLAIMS MANAGEMENT	PLF: LAW OFFICES OF SETH M. BERNANKE CHARLOTTE, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
247147 RR 1:30	RICKEY ALLEN PAYNE, ADMIN OF THE ESTATE OF SHARON NADEAN BALL VICKERS, DECEASED v INTREPID USA CNA CLAIM PLUS	PLF: RANDY D. DUNCAN HICKORY, N.C. DFT: SHARPLESS & STAVOLA GREENSBORO, N.C.
