

Beverly Eaves Perdue, Governor  
Pamela T. Young, Chair



Bernadine S. Ballance, Commissioner  
Linda Cheatham, Commissioner  
Danny L. McDonald, Commissioner  
Staci Meyer, Commissioner  
Tammy R. Nance, Commissioner  
Christopher Scott, 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 November 1, 8, 15, and 17, 2011, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Janet Miller, Legal Assistant to Commissioner Bernadine S. Ballance, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Miller is (919) 807-2515. 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 1, 8, 15 & 17, 2011  
DOBBS BUILDING  
SECOND FLOOR, ROOM 2173  
430 NORTH SALISBURY STREET  
RALEIGH, NORTH CAROLINA 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

Docket Section • 4336 Mail Service Center • Raleigh, North Carolina 27699-4336  
Telephone: (919) 807-2504 • Fax: (919) 715-0282 • Internet Address: <http://www.ic.nc.gov/>

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW            DOCKET

BERNADINE S. BALLANCE, CHAIR OF PANEL  
DANNY L. MCDONALD, COMMISSIONER  
TAMMY R. NANCE, COMMISSIONER  
LINDA CHEATHAM, COMMISSIONER  
STACI MEYER, COMMISSIONER  
CHRISTOPHER SCOTT, COMMISSIONER  
PAMELA T. YOUNG, CHAIR

TUESDAY, NOVEMBER 1, 2011

9:00 A.M.

RALEIGH, NORTH CAROLINA

---

609304	DANIEL COLEY	PLF:	POISSON POISSON & BOWER
EM	v		WADESBORO, N.C.
ADM	PROFESSIONAL PIPE, INC.		
APP	NATIONAL TRUST INSURANCE	DFT:	HEDRICK GARDNER KINCHELOE &
9:00	COMPANY (FCCI INSURANCE GROUP)		GAROFALO, CHARLOTTE, N.C.

**(MEYER\*, CHEATHAM & NANCE)**

---

255772	DORIS P. SIMMONS	PLF:	PERRY PERRY & PERRY
JG	v		DURHAM, N.C.
9:00	MELLON H.R. SOLUTIONS		
	THE TRAVELERS INSURANCE CO.	DFT:	HEDRICK GARDNER KINCHELOE &
			GAROFALO, RALEIGH, N.C.

**(MEYER\*, MCDONALD & SCOTT)**

---

762807	LORRAINE MCNAIR	PLF:	TAIBI KORNBLUTH LAW GROUP
TS	v		DURHAM, N.C.
9:00	WAKEMED		
RESET	(KEY RISK MANAGEMENT	DFT:	CRANFILL SUMNER & HARTZOG
	SERVICES)		RALEIGH, N.C.

**(SCOTT\*, CHEATHAM & MEYER)**

---

**CONTINUED**



NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW DOCKET

BERNADINE S. BALLANCE, CHAIR OF PANEL  
DANNY L. MCDONALD, COMMISSIONER  
TAMMY R. NANCE, COMMISSIONER  
LINDA CHEATHAM, COMMISSIONER  
STACI MEYER, COMMISSIONER  
CHRISTOPHER SCOTT, COMMISSIONER  
PAMELA T. YOUNG, CHAIR

TUESDAY, NOVEMBER 1, 2011

1:30 P.M.

RALEIGH, NORTH CAROLINA

---

TA-21085, ROGER BARTLETT,  
TA-21086 MICHAEL BARTLETT AND  
& ANTHONY JONES  
TA-21087 v  
SG WAYNE COUNTY BOARD  
1:30 OF EDUCATION  
RESET

PLF: RIDDLE & BRANTLEY  
RALEIGH, N.C.

DFT: N.C. DEPARTMENT OF JUSTICE  
RALEIGH, N.C.

**(MCDONALD\*, SCOTT AND YOUNG)**

---



NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW DOCKET

BERNADINE S. BALLANCE, CHAIR  
DANNY L. MCDONALD, COMMISSIONER  
TAMMY R. NANCE, COMMISSIONER

TUESDAY, NOVEMBER 8, 2011

1:30 P.M.

RALEIGH, NORTH CAROLINA

---

W18038 ERNIE L. RABON  
GG v  
1:30 CENTURY CONTRACTORS, INC.  
ACE USA/ESIS

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

---

THE SUMWALT LAW FIRM  
CHARLOTTE, N.C.

DFT: MCANGUS GOUDELOCK & COURIE  
CHARLOTTE, N.C.

---

W08880 ERIC SMITH  
PB v  
1:30 ARAMARK  
SPECIALTY RISK SERVICES

PLF: THE SUMWALT LAW FIRM  
CHARLOTTE, N.C.

DFT: LEWIS & ROBERTS  
RALEIGH, N.C.

---

W21854 TRULA M. MAHALA  
BD v  
1:30 THOMASVILLE FURNITURE  
INDUSTRIES  
SELF-INSURED

PLF: HEDRICK KEPLEY  
BOONE, N.C.

DFT: GARY A. SCARZAFAVA  
RALEIGH, N.C.

---



NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW            DOCKET

BERNADINE S. BALLANCE, CHAIR  
DANNY L. MCDONALD, COMMISSIONER  
TAMMY R. NANCE, COMMISSIONER

TUESDAY, NOVEMBER 15, 2011

1:30 P.M.

RALEIGH, NORTH CAROLINA

---

884899 KL 1:30	DAVITA BISHOP v INGLES MARKETS, INC. SELF-INSURED	PLF: LAW OFFICES OF GARY A. DODD ASHEVILLE, N.C.  DFT: NORTHUP MCCONNELL & SIZEMORE ASHEVILLE, N.C.
----------------------	--	---

---

887938 MV 1:30	ELOISA V. GOMEZ v TYSON FOODS, INC. SELF-INSURED	PLF: POISSON POISSON & BOWER WADESBORO, N.C.  DFT: ORBOCK RUARK & DILLARD WINSTON-SALEM, N.C.
----------------------	---	---

---

TA-21461 GG 1:30	DARIUS GRAVES, A MINOR, BY HIS GUARDIAN <i>AD LITEM</i> , REGINA ROSS v CHARLOTTE-MECKLENBURG BOARD OF EDUCATION	PLF: LAW OFFICE OF KATE A. RECH CHARLOTTE, N.C.  DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
------------------------	--	--

---

TA-21462 GG 1:30	DEMETRIUS GRAVES, A MINOR, BY HIS GUARDIAN <i>AD LITEM</i> , REGINA ROSS v CHARLOTTE-MECKLENBURG BOARD OF EDUCATION	PLF: LAW OFFICE OF KATE A. RECH CHARLOTTE, N.C.  DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
------------------------	---	--

---

TA-21463 GG 1:30	DEONTE GRAVES, A MINOR, BY HIS GUARDIAN <i>AD LITEM</i> , REGINA ROSS v CHARLOTTE-MECKLENBURG BOARD OF EDUCATION	PLF: LAW OFFICE OF KATE A. RECH CHARLOTTE, N.C.  DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
------------------------	--	--

---

TA-22162 GG 1:30	REGINA ROSS, GUARDIAN <i>AD LITEM</i> FOR DARIUS GRAVES, DEMETRIUS GRAVES AND DEONTE GRAVES, v CHARLOTTE-MECKLENBURG BOARD OF EDUCATION	PLF: LAW OFFICE OF KATE A. RECH CHARLOTTE, N.C.  DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
------------------------	--	--

---



