Mike Causey, Commissioner of Insurance Charlton L. Allen, Chairman Yolanda K. Stith, Vice-Chairman



Philip A. Baddour, III, Commissioner Myra L. Griffin, Commissioner A. Robinson Hassell, Commissioner Christopher C. Loutit, Commissioner

North Carolina Industrial Commission

September 19, 2018

IMPORTANT NOTICE TO ALL PARTIES

The cases listed on the attached calendar are scheduled for disposition by the Full Commission. Some cases may be determined without oral argument pursuant to Rule 11 NCAC 23A .0701(h) or Rule 11 NCAC 23B .0301. The parties will be notified by the Commission prior to the hearing dates below if oral argument is waived. If no such notification is provided, oral argument will be held as scheduled below:

NOVEMBER 1, 8, 14, AND 28, 2018 DOBBS BUILDING, SECOND FLOOR, ROOM 2173 430 NORTH SALISBURY STREET RALEIGH, NORTH CAROLINA 27603

Please enter the building through the security desk area located on the third floor (on the mall area). You will be required to present a photo ID in order to enter the building.

Please review the enclosed calendar to determine the exact date on which your case will be heard. Please note that the cases docketed prior to your case may be dismissed or continued. If you are not present in court when your case is reached, the Full Commission will consider the record and will render its decision without hearing oral argument.

For cases appearing on the enclosed calendar, all motions, including requests for continuances, should be addressed to the chair of the panel and must be filed in accordance with Rule 11 NCAC 23A .0108 for workers' compensation cases, or Rule 11 NCAC 23B .0307 for tort cases. Requests for continuances should be submitted at least two weeks prior to the date of hearing. An exception may be made for unexpected emergencies, in which case the continuance request should be filed as described above and followed up with a telephone call or electronic mail to the law clerk identified below. **In the event a case is continued, the case will be heard before the same panel at a later date.** In lieu of a continuance, oral argument may be waived for the party requesting the continuance.

Other inquiries regarding the cases appearing on the enclosed calendar should be directed to Christian McCullen, Law Clerk to Commissioner Christopher C. Loutit, Dobbs Building, 1236 Mail Service Center, Raleigh, North Carolina 27699-1236. The telephone number for Mr. McCullen is (919) 807-2678, and the electronic mail address is christian.mccullen@ic.nc.gov.

ALL BRIEFS AND FORMS 44 must be filed in accordance with Rule 11 NCAC 23A .0108 for workers' compensation cases. Briefs and Forms T-44 filed in tort cases may be filed by electronic mail to dockets@ic.nc.gov or via EDFP. For help with EDFP registration, please visit http://www.ic.nc.gov/EDFPregistrationInstructions.pdf. A party who fails to timely file a brief may be denied oral argument.

For additional information, please consult the Rules of the Industrial Commission as they apply to hearings before the Full Commission.

NORTH CAROLINA INDUSTRIAL COMMISSION

Linda Langdon Docket Director

CHARLTON L. ALLEN, CHAIRMAN YOLANDA K. STITH, VICE-CHAIRMAN PHILIP A. BADDOUR, III, COMMISSIONER MYRA L. GRIFFIN, COMMISSIONER A. ROBINSON HASSELL, COMMISSIONER CHRISTOPHER C. LOUTIT, CHAIR OF PANEL

THURSDAY, NOVEMBER 1, 2018

9:00 A.M. RALEIGH, NORTH CAROLINA

PLEASE NOTE: THURSDAY, NOVEMBER 1, 2018, IS RESERVED FOR ANY CASES RESET BY ORDER OF THE FULL COMMISSION. IF YOU HAVE ANY QUESTIONS ABOUT WHETHER A CASE IS SET FOR HEARING ON THIS DATE, PLEASE CONTACT THE LAW CLERK LISTED ON THE FIRST PAGE OF THIS CALENDAR.

CHRISTOPHER L. LOUTIT, CHAIR OF PANEL YOLANDA K. STITH, VICE-CHAIRMAN MYRA L. GRIFFIN, COMMISSIONER

THURSDAY, NOVEMBER 8, 2018		9:00 A.M.		RALEIGH, NORTH CAROLINA
17-775525 WS 9:00	THOMAS BARLOW v. MERCHANTS DISTRIBUTORS, INC.	PLF:	OXNER + PERMAR GREENSBORO, N.C.	
9.00	SELF-INSURED (CORVEL CORPORATION)	DFT:		GARDNER KINCHELOE & LO, CHARLOTTE, N.C.
17-793838 DMH 9:00	ALFONZA CASTLE v. INDUSTRIAL FABRICATORS, INC. GREAT AMERICAN INSURANCE COMPANY	PLF:	OXNER + CHARLO	
		DFT:	_	GARDNER KINCHELOE & LO, CHARLOTTE, N.C.
16-002725 DMH 9:00	LUON NAY v. CORNERSTONE STAFFING SOLUTION STARNET INSURANCE COMPANY (KEY RISK MANAGEMENT SERVICES)	PLF:	BV LAW I	
		DFT:)	BREWER RALEIGH	DEFENSE GROUP , N.C.

CHRISTOPHER L. LOUTIT, CHAIR OF PANEL YOLANDA K. STITH, VICE-CHAIRMAN MYRA L. GRIFFIN, COMMISSIONER

WEDNESDAY, NOVEMBER 14, 2018		9:00 A.M.		RALEIGH, NORTH CAROLINA
15-034232 BD 9:00	FILIBERTO GARCIA-BARBOZA v. EL MANDADO LATIN INTERNATIONAL PRODUCTS NATIONAL LIABILITY & FIRE INSURANCE		RALEIGH TEAGUE	
16-757256 MCB 9:00	EVA MONTOYA v. TRANSIT MANAGEMENT OF CHARLOTTE, INC. SELF-INSURED (COMPENSATION CLAIMS SOLUTION	PLF:	KEN HAR CHARLO	RIS & ASSOCIATES ΓΤΕ, N.C.
		DFT:	SMITH LA	
16-027111 &	NERY M. VASQUEZ YOJCOM v. ARISTEO RIVERA AVILES, NON-INSURED, AND ROBERTO C. HUERTA TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA, AND MITCHELL CONSTRUCTION AND DEVELOPMENT, LLC BUILDERS MUTUAL INSURANCE COMPANY			ICES OF JAMES SCOTT DURHAM, N.C.
			N.C. DEPARALEIGH	ARTMENT OF JUSTICE , N.C.
			_	GARDNER KINCHELOE & LO, CHARLOTTE, N.C.
			LEWIS & RALEIGH	
PH-5484 AP 9:00	N.C. INDUSTRIAL COMMISSION v. ARISTEO RIVERA AVILES, NON-INSURED, AND		PRO SE.	
	ARISTEO RIVERA AVILES, INDIVIDUA	ALLY 		

CHRISTOPHER L. LOUTIT, CHAIR OF PANEL YOLANDA K. STITH, VICE-CHAIRMAN MYRA L. GRIFFIN, COMMISSIONER

WEDNESDAY, NOVEMBER 28, 2018			A.M.	RALEIGH, NORTH CAROLINA
16-000418 KH 9:00	BILLY N. FAISON, JR. v. HARDHAT WORKFORCE SOLUTIONS, LLC ALLIED EASTERN INDEMNITY COMPANY	PLF:	RIDDLE & BRANTLEY GOLDSBORO, N.C.	
		DFT:	MCANGUS RALEIGH,	NGUS GOUDELOCK & COURIE IIGH, N.C.
17-008239 AW 9:00	YANEYSI GUEVARA v. SPECTRUM BRANDS HOLDINGS, INC.	PLF:	STEWART ROCK HIL	L, S.C.
	LIBERTY INSURANCE CORPORATION	DFT:	MCANGUS CHARLOT	
17-779119 DS 9:00	BIANCA KALLENBACH v. CIRCLE K STORES, INC. TRAVELERS INSURANCE COMPANY		RICCI LAV GREENVII	
			_	PADGETT PRICKETT + HN, RALEIGH, N.C.