

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 3 & 8, 2005, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Carrie Broder, Agency Legal Specialist to Commissioner Laura K. Mavretic, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Broder is (919) 807- 2512. 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 3 & 8, 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

LAURA K. MAVRETIC, CHAIR  
BERNADINE S. BALLANCE, COMMISSIONER  
DIANNE C. SELLERS, COMMISSIONER

THURSDAY, NOVEMBER 3, 2005

9:30 A.M. RALEIGH, NORTH CAROLINA

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263176 AP 9:30	ERTLE P. MOORE v FLUOR DANIEL RSK INSURANCE CO.	PLF: SCUDDER & HEDRICK RALEIGH, N.C.  DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
328418 AP 9:30	CARLTON MEADOWS v ROADWAY CORPORATION, INC. GALLAGHER BASSETT INS. CO.	PLF: LING & FARRAN GREENSBORO, N.C.  DFT: BROOKS STEVENS & POPE CARY, N.C.
398636 GG 9:30	KATHRYN L. GRAYSON v BELK, INC. THE TRAVELERS INSURANCE CO.	PLF: MORGAN HERRING MORGAN GREEN ROSENBLUTT & GILL, HIGH POINT, N.C.  DFT: MOREAU & MARKS, CHARLOTTE, N.C.
TA-17275 GG 9:30	CHARLENE FALLS, INDIVIDUALLY, AND FOR CRYSTAL RICHARDSON, MINOR, v WILSON COUNTY SCHOOLS	PLF: PRO SE.  DFT: NC DEPARTMENT OF JUSTICE LAURA GENDY, RALEIGH, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW            DOCKET

LAURA K. MAVRETIC, CHAIR  
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THURSDAY, NOVEMBER 3, 2005

1:30 P.M. RALEIGH, NORTH CAROLINA

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368920 RR 1:30	JOSE OVIDIO SEREN-GUTIERRES v GARCIA FOREST SERVICE, LLC. AMERICAN HOME ASSURANCE	PLF: WEST & SMITH SOUTHERN PINES, N.C.  DFT: CRANFILL SUMNER & HARTZOG CHARLOTTE, N.C.
218239 WT 1:30	KIM NHANN LEAM v LEXINGTON FURNITURE INDUSTRIES, INC. THE PHOENIX INSURANCE CO.	PLF: INHABER & RHODES WINSTON-SALEM, N.C.  DFT: MORRIS YORK WILLIAMS SURLES & BARRINGER, CHARLOTTE, N.C.
185844 AP 1:30	ANTHONY D. ROBINSON v THE LUMBER DEPOT HANOVER INSURANCE	PLF: THE SUMWALT LAW FIRM CHARLOTTE, N.C.  DFT: MORRIS YORK WILLIAMS SURLES & BARRINGER, CHARLOTTE, N.C.
305994 BH 1:30	GENE BYRUM v CERAMCO PRINTECH EVEREST REINSURANCE CO.	PLF: BOLLINGER & PIEMONTE CHARLOTTE, N.C.  DFT: MORRIS YORK WILLIAMS SURLES & BARRINGER, CHARLOTTE, N.C.

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TUESDAY, NOVEMBER 8, 2005

9:30 A.M. RALEIGH, NORTH CAROLINA

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272377 WT 9:30	TIMOTHY D. MICHAEL v STEEL FAB, INC. TRAVELERS INSURANCE CO.	PLF: THE ROBERTS LAW FIRM GASTONIA, N.C.  DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
644741 RR 9:30	BENNIE FRADY v VOLVO CONSTRUCTION EQUIPMENT KEMPER INSURANCE CO.	PLF: GANLY & RAMER ASHEVILLE, N.C.  DFT: WILSON & RATLEDGE RALEIGH, N.C.
941522 WT 9:30	BETTY L. CONLEY v WESTERN PIEDMONT COMMUNITY COLLEGE SELF/KEY RISK INSURANCE CO.	PLF: COX GAGE & SASSER MORGANTON, N.C.  DFT: GENE THOMAS LEICHT ASHEVILLE, N.C.
047860 RR 9:30	LULA MILLS v STEELCASE, INC. LIBERTY MUTUAL INSURANCE CO.	PLF: GANLY & RAMER ASHEVILLE, N.C.  DFT: VAN WINKLE BUCK STARNES & DAVIS, ASHEVILLE, N.C.

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(COURT RECESS)  
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TUESDAY, NOVEMBER 8, 2005

1:30 P.M. RALEIGH, NORTH CAROLINA

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922822 GG 1:30	LEWARD BENMACK GAINNEY v SOUTHERN FLOORING & ACOUSTICAL COMPANY USF & GUARANTY KEMPER INSURANCE CO.	PLF: WALLACE & GRAHAM SALISBURY, N.C.  DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
	<b>(SCOTT*, BALLANCE &amp; MAVRETIC)</b>	HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
247530 RR 1:30	RICHARD E. TOWE v CURBSIDE MANAGEMENT, INC. NCIGA FOR LEGION INSURANCE CO. (NOW INSOLVENT) AND/OR WNC PALLET & FORESTRY PRODUCTS COMPANY N.C. FORESTRY MUTUAL	PLF: LAW OFFICES OF RON L. MOORE ASHEVILLE, N.C.  DFT: BROOKS STEVENS & POPE CARY, N.C.  YOUNG MORPHIS BACH & TAYLOR HICKORY, N.C.
223712 AP 1:30	DOUGLAS SEALEATH MILLER v LANCE TRANSPORT, INC. NATIONAL BENEFITS	PLF: RANDY D. DUNCAN HICKORY, N.C.  DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
329026 SG 1:30	JANET LANSFORD v ZENITH FREIGHT LINES, LLC. NATIONAL INTERSTATE INS.	PLF: RANDY D. DUNCAN HICKORY, N.C.  DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.

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