



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 3, 10, and 13, 2009, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Michelle Denning, Agency Legal Specialist to Commissioner Staci Meyer, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Denning is (919) 807-2668. 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 Linda Langdon., 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, 10 & 13, 2009
DOBBS BUILDING
SECOND FLOOR, ROOM 2173
430 NORTH SALISBURY STREET
RALEIGH, NC 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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

STACI MEYER, PANEL CHAIR
LAURA K. MAVRETIC, COMMISSIONER
DANNY L. MCDONALD, COMMISSIONER

TUESDAY, NOVEMBER 3, 2009

1:30 P.M.

RALEIGH, NORTH CAROLINA

590844 BD 1:30	MELANIE Y. SHEHAN v TAYLOR TOGS, INC. FIRST COMP INSURANCE COMPANY	PLF: BRIAN L. PETERSON ASHEVILLE, N.C. DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
482975 RR 1:30	MITCHELL L. "MICKEY" BAILEY v PERFORMANCE SALES & MARKETING WAUSAU INSURANCE COMPANY	PLF: ANDERSON & HERLONG GREENVILLE, S.C. DFT: WILLSON JONES CARTER & BAXLEY CHARLOTTE, N.C.
772897 PH 1:30	HARRY FRED WIMER v FAMILY COIN LAUNDRY ACCIDENT FUND INSURANCE	PLF: COBOURN & SALEEBY SPARTANBURG, S.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
775712 JD 1:30	STEPHEN A. EMORY v FEDERAL EXPRESS CORPORATION SELF-INSURED (SEDGWICK CLAIMS MANAGEMENT SERVICE, INC.)	PLF: KELLUM LAW FIRM JACKSONVILLE, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION
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TUESDAY, NOVEMBER 10, 2009

9:30 A.M.

RALEIGH, NORTH CAROLINA

990810	JOHN NELSON	PLF:	HARDISON & ASSOCIATES
JG	v		RALEIGH, N.C.
9:30	REPUBLIC WASTE SERVICES, INC.	DFT:	MCANGUS GOUDELOCK & COURIE
	ACE		RALEIGH, N.C.
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779960	JOSHUA ADAMS POWELL	PLF:	MAST SHULTZ MAST JOHNSON &
MG	v		WELLS, SMITHFIELD, N.C.
9:30	CITY OF RALEIGH	DFT:	TEAGUE CAMPBELL DENNIS &
	SELF-INSURED (PMA)		GORHAM, RALEIGH, N.C.
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802263	KEVIN D. EVERETT	PLF:	GREG JONES LAW
RR	v		WILMINGTON, N.C.
9:30	CAROLINA MASONRY UNLIMITED	DFT:	BROOKS STEVENS & POPE
	STONEWOOD INSURANCE CO.		RALEIGH, N.C.
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768772	JAMES HUTCHENS	PLF:	FRANKLIN SMITH
RR	v		ELKIN, N.C.
9:30	ALEX LEE	DFT:	HEDRICK GARDNER KINCHELOE &
	SELF-INSURED		GAROFALO, CHARLOTTE, N.C.
	(BROADSPIRE, A CRAWFORD CO.)		
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676703	GROVER M. ENSLEY	PLF:	WALLACE & GRAHAM
GG	v		SALISBURY, N.C.
9:30	FMC CORPORATION	DFT:	HEDRICK GARDNER KINCHELOE &
	SELF-INSURED		GAROFALO, CHARLOTTE, N.C.
	(BROADSPIRE, A CRAWFORD CO.)		

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
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TUESDAY, NOVEMBER 10, 2009

1:30 P.M.

RALEIGH, NORTH CAROLINA

865559 JG 1:30	RAINALDO GONZALEZ v DELHAIZE AMERICA/ FOOD LION, INC SELF- INSURED (RISK MANAGEMENT SERVICES, INC.)	PLF: CRUMLEY & ASSOCIATES CONCORD, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
894431 &	DAVID CHAVARRIA INTERIANO v CHRISTIAN PAUL POPAN, NON-INSURED, AND CHRISTIAN PAUL POPAN, INDIVIDUALLY	PLF: PANTAZIS LAW FIRM CHARLOTTE, N.C. N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
PH-2115 AP 1:30	N.C. INDUSTRIAL COMMISSION v CHRISTIAN PAUL POPAN, NON-INSURED, AND CHRISTIAN PAUL POPAN, INDIVIDUALLY	DFT: PRO SE
600992 CS 1:30	JUDY MARIE DAVIS LAIL v BURKE COUNTY SCHOOLS SELF-INSURED (KEY RISK MANAGEMENT SERVICES)	PLF: RANDY D. DUNCAN HICKORY, N.C. DFT: N.C. DEPARTMENT OF JUSTICE ASHEVILLE, N.C.
891164 PH 1:30	JACOB DANIEL CHRISTIAN v RYAN'S SELF-INSURED (SPECIALTY RISK SERVICES)	PLF: RANDY D. DUNCAN HICKORY, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM RALEIGH, N.C.

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FRIDAY, NOVEMBER 13, 2009

9:30 A.M.

RALEIGH, NORTH CAROLINA

674017 BH 9:30	CHARLIE THARRINGTON v WAL-MART STORES, INC. AMERICAN HOME ASSURANCE CO.	PLF: YOUNCE & VTIPIL RALEIGH, N.C. DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.
897465 BD 9:30	MICHAEL D. PALMER v TRIAD CONSTRUCTION SERVICES, INC. STONEWOOD INSURANCE CO.	PLF: SCHLOSSER & PRITCHETT GREENSBORO, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
805453 VH 9:30	DARLENE J. DIAL v UNC PEMBROKE SELF-INSURED (KEY RISK MANAGEMENT SERVICES)	PLF: LAW OFFICES OF KATHLEEN SUMNER GREENSBORO, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
895393 BD 9:30	CINDI CORY v DEBBIES STAFFING SERVICES, INC. WAUSAU INSURANCE COMPANIES	PLF: KENNETH M. JOHNSON GREENSBORO, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
