

Pat McCrory, Governor
Andrew T. Heath, Chairman



Bernadine S. Ballance, Commissioner
Linda Cheatham, Commissioner
Danny L. McDonald, Commissioner
Tammy R. Nance, Commissioner
Pamela T. Young, Commissioner

REVISED

North Carolina Industrial Commission

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 per I. C. Rule 701(8). The parties will be notified by the Commission prior to the hearing dates below if oral argument is declined. If no such notification is provided, oral arguments will be held as scheduled below:

**NOVEMBER 4, 8, 18 & 20, 2013
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. 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 Commission will consider the record and will render its decision without hearing oral argument.

For cases set on the attached calendar before the Full Commission, all motions, requests for continuances, and other inquiries should be directed to the attention of Daniel Golonka, Law Clerk to Commissioner Tammy R. Nance, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699-4336. The telephone number for Mr. Golonka is (919) 807-2644 and the e-mail address is daniel.golonka@ic.nc.gov.

Requests for continuances should 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 the Docket Director. Stipulations for first extensions of time to file Forms 44 or briefs must 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 Motion and proposed Order to the Commission; however, the parties must inform the Commission, in writing, as to the extension of time agreed upon. Any party who fails to timely file a brief may not be allowed oral argument before the Full Commission.

For additional information, your attention is directed to the Rules of the Industrial Commission as they apply to hearings before the Full Commission.

NORTH CAROLINA INDUSTRIAL COMMISSION

Linda Langdon
Docket Director

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

REVISED

TAMMY R. NANCE, CHAIR OF PANEL
LINDA CHEATHAM, COMMISSIONER
ANDREW T. HEATH, CHAIRMAN
BERNADINE S. BALLANCE, COMMISSIONER
DANNY L. MCDONALD, COMMISSIONER
PAMELA T. YOUNG, COMMISSIONER

MONDAY, NOVEMBER 4, 2013

1:30 P.M.

RALEIGH, NORTH CAROLINA

X41641 MG RESET 1:30	KEITH TEDDER v A&K ENTERPRISES PROTECTIVE INSURANCE COMPANY	PLF: THE LAW OFFICES OF DAVID GANTT ASHEVILLE, N.C. DFT: GOODMAN MCGUFFEY LINDSEY & JOHNSON, CHARLOTTE, N.C.
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(YOUNG*, BALLANCE & MCDONALD)

TA-20980 BD RESET 1:30	JOHN CALVIN THAMES, ADMINISTRATOR OF THE ESTATE OF JONATHAN ANDREW THAMES, DECEASED v NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES	PLF: HAYWOOD DENNY & MILLER DURHAM, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
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(YOUNG*, BALLANCE & NANCE)

302558 MG 1:30	DONALD E. SELLERS v FMC CORPORATION CONSTITUTION STATE SERVICE CO.	PLF: WALLACE AND GRAHAM SALISBURY, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
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(NANCE*, CHEATHAM & MCDONALD)

X90813 RH RESET 1:30	STEPHANIE W. GASKINS v UNIHEALTH POST-ACUTE CARE – NEUSE, LLC ZURICH NORTH AMERICAN CLAIMS (ESIS)	PLF: KELLUM LAW FIRM NEW BERN, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C.
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(MCDONALD*, CHEATHAM & YOUNG)

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

TAMMY R. NANCE, CHAIR OF PANEL
LINDA CHEATHAM, COMMISSIONER
ANDREW T. HEATH, CHAIRMAN

FRIDAY, NOVEMBER 8, 2013

9:00 A.M.

RALEIGH, NORTH CAROLINA

X34317 MWG 9:00	ANGELA ALLEN v BED BATH & BEYOND SELF-INSURED (AVIZENT)	PLF: WHITE & STRADLEY RALEIGH, N.C. DFT: MCANGUS GOUDELOCK & COURIE RALEIGH, N.C.
872397 PB 9:00	PERRY WHISNANT v NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION/ RUTHERFORD COUNTY SCHOOLS SELF-INSURED (CORVEL CORPORATION)	PLF: FERGUSON CHAMBERS & SUMTER CHARLOTTE, N.C. DFT: N.C. DEPARTMENT OF JUSTICE ASHEVILLE, N.C.
X88877 MV 9:00	WILLIAM CHESTER SPIVEY, III v DEL-CHER SMITH, INC. PROTECTIVE INSURANCE COMPANY	PLF: LAW OFFICES OF MICHAEL A. DEMAYO CHARLOTTE, N.C. DFT: GOODMAN MCGUFFEY LINDSEY & JOHNSON, CHARLOTTE, N.C.
X96177 JG 9:00	BOBBY NORRIS v PREMIUM TRANSPORTATION STAFFING DALLAS NATIONAL INSURANCE	PLF: D. BAKER MCINTYRE, III CHARLOTTE, N.C. DFT: CRANFILL SUMNER & HARTZOG CHARLOTTE, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

TAMMY R. NANCE, CHAIR OF PANEL
LINDA CHEATHAM, COMMISSIONER
ANDREW T. HEATH, CHAIRMAN

MONDAY, NOVEMBER 18, 2013

9:00 A.M.

RALEIGH, NORTH CAROLINA

992368 DERRICK JOHNSON
CS v
9:00 CITY OF RALEIGH
 NC LEAGUE OF MUNICIPALITIES

PLF: HARDISON & COCHRAN
 RALEIGH, N.C.

DFT: TEAGUE CAMPBELL DENNIS &
 GORHAM, RALEIGH, N.C.

W96832 JAMES E. DUNCAN
PB v
9:00 T.C.I. CONSTRUCTION, INC.
 STAR INSURANCE COMPANY

PLF: WILLCOX LAW FIRM
 MORGANTON, N.C.

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

X41431 ALAN D. DOSS
PH v
9:00 LOWE'S COMPANIES, INC.
 SEDGWICK CLAIMS
 MANAGEMENT SERVICES, INC.

PLF: LAW OFFICE OF JAMES SCOTT FARRIN
 DURHAM, N.C.

DFT: CRANFILL SUMNER & HARTZOG
 WILMINGTON, N.C.

X61239 DWIGHT G. HYMAN
BD v
ADM BMAR-LINC GOVERNMENT SERVICES
APP THE HARTFORD
9:00

PLF: LAW OFFICE OF KATHLEEN G. SUMNER
 GREENSBORO, N.C.

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

Y07586 MICHAEL HAGAR
PH v
9:00 KEVIN POWELL MOTORSPORTS
 FHM INSURANCE COMPANY

PLF: DEUTERMAN LAW GROUP
 GREENSBORO, N.C.

DFT: GALLIVAN WHITE & BOYD
 CHARLOTTE, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

TAMMY R. NANCE, CHAIR OF PANEL
LINDA CHEATHAM, COMMISSIONER
ANDREW T. HEATH, CHAIRMAN

WEDNESDAY, NOVEMBER 20, 2013

9:00 A.M.

RALEIGH, NORTH CAROLINA

X69127, & X69128 VH 9:00	DEMETRIUS BATTS v GOLDBERG COMPANIES, INC. ZURICH AMERICAN INSURANCE COMPANY	PLF: SCUDDER & HEDRICK RALEIGH, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
X87459 RH 9:00	CHRISTOPHER E. DEAL v DAIRY MOOVERS, LLC GREAT AMERICAN INSURANCE CO. (STRATEGIC COMP SERVICES)	PLF: KELLUM LAW FIRM NEW BERN, N.C. DFT: WILSON & RATLEDGE RALEIGH, N.C.
X50723 MWG 9:00	LOUISE GENERETTE v MAIDENFORM, INC. LIBERTY MUTUAL	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
X70989 MWG 9:00	RESHELLE GAINOR v CUMBERLAND COUNTY SCHOOLS, NORTH CAROLINA DEPARTMENT OF PUBLIC INSTRUCTION SELF-INSURED (CORVEL)	PLF: GREG JONES LAW OFFICES WILMINGTON, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
790025 KL 9:00	LILLIE J. COLVIN v NORTH CAROLINA CENTRAL UNIVERSITY (CORVEL CORPORATION) (HEATH*, MCDONALD & NANCE)	PLF: LENNON CAMAK & BERTICS RALEIGH, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
