

Michael F. Easley, Governor
Pamela T. Young, Chair



Bernadine S. Ballance, Commissioner
Buck Lattimore, Commissioner
Laura K. Mavretic, Commissioner
Danny L. McDonald, Commissioner
Christopher Scott, Commissioner
Dianne C. Sellers, Commissioner

REVISED

**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 6, 17, and 19, 2008, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Deborah Bunn, Legal Assistant to Commissioner Danny L. McDonald, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Bunn is (919) 807-2519

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 6, 17 & 19, 2008
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

DANNY L. MCDONALD, PANEL CHAIR
CHRISTOPHER SCOTT, COMMISSIONER
LAURA K. MAVRETIC, COMMISSIONER

THURSDAY, NOVEMBER 6, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

588981 AP 9:30	WILLIAM BRATTAIN v NUTRI-LAWN, INC. NON-INSURED	PLF: WHITLEY RODGMAN & WHITLEY RALEIGH, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
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(SELLERS*, MAVRETIC & SCOTT)

655696 AP 9:30	LINWOOD BELLAMY v JIMMY L. HEWETT PAINTING COMPANION PROPERTY & CASUALTY GROUP	PLF: HARDISON & COCHRAN RALEIGH, N.C. DFT: MCANGUS GOUDELOCK & COURIE RALEIGH, N.C.
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598847 PB 9:30	VICTORIANO JARAMILLO v DRAINS PLUS, INC. STONEWOOD INSURANCE CO.	PLF: LAW OFFICES OF K. GREGORY GUNTER RALEIGH, N.C. DFT: BROOKS STEVENS & POPE CARY, N.C.
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611025 TS 9:30	PATRICK SHARPLESS v BLUE THUNDER AUTO TRANSPORT, INC TRAVELS INDEMNITY COMPANY	PLF: THE LAW OFFICES OF WHITFIELD & BOWENS, DURHAM, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
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773408 PH 9:30	FREDERICK B. JOHNSON v THE CLEANING AUTHORITY THE HARTFORD	PLF: PRO SE DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
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519516 JDE 9:30	UVALDO GARCIA v TRIANGLE GRADING THE HARTFORD	PLF: PRO SE DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
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FULL COMMISSION
REVIEW DOCKET

DANNY L. MCDONALD, PANEL CHAIR
CHRISTOPHER SCOTT, COMMISSIONER
LAURA K. MAVRETIC, COMMISSIONER

MONDAY, NOVEMBER 17, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

616007 MG 9:30	PRISCILLA CARRINGTON v DUKE UNIVERSITY SELF-INSURED	PLF: EDELSTEIN & PAYNE RALEIGH, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
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803433 PH 9:30	CRAIG SMITH v P & H SERVICE, INC. PENN NATIONAL INSURANCE	PLF: JAY GERVASI GREENSBORO, N .C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
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706035 TS 9:30	KAREN S. WILLIAMS v OLSTEN STAFFING AMERICAN HOME ASSURANCE (BROADSPIRE)	PLF: LAW OFFICES OF KATHLEEN G. SUMNER, GREENSBORO, N.C. DFT: WILSON & RATLEDGE RALEIGH, N.C.
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338092 & 774553 JG 9:30	WILLIE MCIVER v BLUELINX HOLDINGS, INC. ZURICH NORTH AMERICAN	PLF: WARD & BLACK GREENSBORO, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
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(COURT RECESS)
(ORAL ARGUMENT TO RESUME AT 1:30 P.M.)

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

DANNY L. MCDONALD, PANEL CHAIR
CHRISTOPHER SCOTT, COMMISSIONER
LAURA K. MAVRETIC, COMMISSIONER

MONDAY, NOVEMBER 17, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

404892	JAMES JARVIS	PLF:	LAW OFFICES OF LEE & SMITH
PB	v		SPARTANBURG, S.C.
1:30	CONSOLIDATED STEEL SERVICES, INC.	DFT:	HEDRICK GARDNER KINCHELOE &
	TRAVELERS INDEMNITY CO.		GAROFALO, CHARLOTTE, N.C.

655671	DEBRA RICH	PLF:	GANLY & RAMER
KL	v		ASHEVILLE, N.C.
1:30	WAL-MART STORES	DFT:	HEDRICK GARDNER KINCHELOE &
	CLAIMS MANAGEMENT SERVICES		GAROFALO, CHARLOTTE, N.C.

665672	WANDA J. BENNETT	PLF:	BOLLINGER & PIEMONTE
&	v		CHARLOTTE, N.C.
665673	DRAKA COMTEQ AMERICAS, INC.	DFT:	HEDRICK GARDNER KINCHELOE &
AP	LIBERTY MUTUAL INSURANCE		GAROFALO, CHARLOTTE, N.C.
1:30	COMPANY		

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
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DANNY L. MCDONALD, PANEL CHAIR
CHRISTOPHER SCOTT, COMMISSIONER
LAURA K. MAVRETIC, COMMISSIONER

WEDNESDAY, NOVEMBER 19, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

703009 CS 9:30	RICHARD WILKINS v FOOD LION RISK MANAGEMENT SERVICES	PLF: HARDISON & COCHRAN RALEIGH, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
603700 PH 9:30	RITA CONLEY v DURHAM COUNTY PUBLIC SCHOOLS SELF-INSURED (GALLAGHER BASSETT)	PLF: LAW OFFICES OF JAMES SCOTT FARRIN DURHAM, N.C. DFT: BROOKS STEVENS & POPE CARY, N.C.
TA-19292 WT 9:30	BRANT DAYE v NORTH CAROLINA CENTRAL UNIVERSITY (SCOTT*, BALLANCE & LATTIMORE)	PLF: HORN & VOSBURG DURHAM, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
922822 MG 9:30	WENDY SHACKLETON, AS EXECUTRIX OF THE ESTATE OF BRENDA GAINNEY, DECEASED, AND EXECUTRIX OF THE ESTATE OF LEWARD BENMACK GAINNEY, DECEASED, v SOUTHERN FLOORING AND ACOUSTICAL COMPANY, INC. USF&G KEMPER INSURANCE CO. (SCOTT*, BALLANCE & MAVRETIC)	PLF: WALLACE AND GRAHAM SALISBURY, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
069799 BD 9:30	THOMAS E. WRIGHT v SIMPSON'S EGGS INC. N.C. FARM BUREAU MUTUAL INS. (SCOTT*, LATTIMORE & MAVRETIC)	PLF: POISSON POISSON & BOWER WADESBORO, N.C. DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.
