

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

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 6 & 13, 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 Nikki S. Williams, Law Clerk to Commissioner Bernadine S. Ballance, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699-4336. The telephone number for Ms. Ballance is (919) 807-2514 and the e-mail address is nikki.thompson.williams@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

BERNADINE S. BALLANCE, CHAIR OF PANEL
DANNY L. MCDONALD, COMMISSIONER
TAMMY R. NANCE, COMMISSIONER

WEDNESDAY, NOVEMBER 6, 2013

9:00 A.M.

RALEIGH, NORTH CAROLINA

668043 KL 9:00	WILTON LEWIS v SMITHFIELD PACKING TRANSPORTATION GALLAGHER BASSETT SERVICES, INC.	PLF: ADAMS BURGE & BOUGHMAN FAYETTEVILLE, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C.
X69635 PB 9:00	ALVIN SHAW v STAFFMASTERS, INC. ZURICH AMERICAN INSURANCE CO., (GALLAGHER BASSETT SERVICES)	PLF: SCUDDER & HEDRICK RALEIGH, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
X07144 VH 9:00	CARL BARNES v WAL-MART, INC., #5118 NATIONAL UNION FIRE OF PITTSBURGH, PA	PLF: RIDDLE & BRANTLEY JACKSONVILLE, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
Y15885 PH 9:00	JARVIS BLANDING v FED-EX SEDGWICK CMS	PLF: DEUTERMAN LAW GROUP GREENSBORO, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.

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

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WEDNESDAY, NOVEMBER 6, 2013

1:30 P.M.

RALEIGH, NORTH CAROLINA

X80963 DAVID BELCH
KL v
1:30 JOHNNY KORTHEUER D/B/A
 JK'S CONSTRUCTION & REPAIR
 KEY RISK MANAGEMENT
 SERVICES, INC.

PLF: THE OLIVE LAW FIRM
 CHARLOTTE, N.C.

DFT: HEDRICK GARDNER KINCHELOE &
 GAROFALO, WILMINGTON, N.C.

BROOKS STEVENS AND POPE
RALEIGH, N.C.

W28304 PETER M. MUELLER
PH v
1:30 BSH HOME APPLIANCES CORPORATION
 PHOENIX INSURANCE COMPANY

PLF: KELLUM LAW FIRM
 NEW BERN, N.C.

DFT: HEDRICK GARDNER KINCHELOE &
 GAROFALO, WILMINGTON, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION
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BERNADINE S. BALLANCE, CHAIR OF PANEL
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LINDA CHEATHAM, COMMISSIONER

WEDNESDAY, NOVEMBER 13, 2013

9:00 A.M.

RALEIGH, NORTH CAROLINA

Y04543 PH 9:00	CARLOS ORDONES v HULL BROTHERS LUMBER COMPANY FORESTRY MUTUAL INSURANCE COMPANY	PLF: THE TEJADA LAW FIRM RALEIGH, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
X15782 BD 9:00	GEORGE CALVIN NEWMAN v SIEMENS WESTINGHOUSE LIBERTY MUTUAL INSURANCE COMPANY	PLF: THE SUMWALT LAW FIRM CHARLOTTE, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
X23252 GH 9:00	MICHAEL GOODWIN v RHA HOWELL, INC. PMA INSURANCE GROUP	PLF: OXNER THOMAS + PERMAR RALEIGH, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
Y01780 KML 9:00	RICHARD POOLE v KATAY LOGISTICS, INC. RIVERPORT INSURANCE COMPANY (KEY RISK MANAGEMENT SERVICES)	PLF: HENSON FUERST ROCKY MOUNT, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
X71574 & X79386 KML 9:00	EDWARD TYSON v HOUSE OF RAEFORD FARMS, INC. (PMA MANAGEMENT)	PLF: LAW OFFICE OF KATHLEEN G. SUMNER GREENSBORO, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C.

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WEDNESDAY, NOVEMBER 13, 2013

1:30 P.M.

RALEIGH, NORTH CAROLINA

X02405 & v TIMBER STRUCTURES, INC. AMERICAN ZURICH INSURANCE CO. JAMES C. CERATT, JR., D/B/A TIMBER STRUCTURES BUILDERS, NON-INSURED	SANTIAGO ESTRADA v TIMBER STRUCTURES, INC. AMERICAN ZURICH INSURANCE CO. JAMES C. CERATT, JR., D/B/A TIMBER STRUCTURES BUILDERS, NON-INSURED	PLF: HEDRICK KEPLEY BOONE, N.C. ----- N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C. DFT: PATRICK HARPER DIXON HICKORY, N.C.
PH-2880 AP 1:30	N.C. INDUSTRIAL COMMISSION v JAMES C. CERATT, JR. D/B/A TIMBER STRUCTURES BUILDERS, NON-INSURED, AND JAMES C. CERATT, JR., INDIVIDUALLY	----- HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
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X10215 & X86135 KML 1:30	OLIVIA DAWN MEADOWS YOUNG v FIBER & YARN PRODUCTS, INC. THE HARTFORD LIBERTY MUTUAL INSURANCE COMPANY	PLF: RANDY D. DUNCAN HICKORY, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C. ----- MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
