

Beverly Eaves Perdue, Governor  
Pamela T. Young, Chair



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

## 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 12, 16, and 17, 2009, all motions, requests for continuances, and telephone inquiries should be directed to the attention of James Vaughan, Agency Legal Specialist to Commissioner Dianne C. Sellers, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Mr. Vaughan is (919) 807-2522. 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 12, 16 & 17, 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

Docket Section • 4336 Mail Service Center • Raleigh, North Carolina 27699-4336  
Telephone: (919) 807-2504 • Fax: (919) 715-0282 • Internet Address: <http://www.ic.nc.gov/>

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW            DOCKET

DIANNE C. SELLERS, PANEL CHAIR  
PAMELA T. YOUNG, CHAIR  
CHRISTOPHER SCOTT, COMMISSIONER

THURSDAY, NOVEMBER 12, 2009

9:30 A.M.

RALEIGH, NORTH CAROLINA

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820327 PB 9:30	DEREK G. DAMITZ v PRINT USA, INC. TRAVELERS INDEMNITY COMPANY OF AMERICA	PLF: JANET H. DOWNING FAYETTEVILLE, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
099322 GH 9:30	MARIANO MONEGRO-QUEZADA v PANELS, SERVICES & COMPONENTS, INC. STONEWOOD INSURANCE CO.	PLF: OXNER THOMAS & PERMAR GREENSBORO, N.C. DFT: BROOKS STEVENS & POPE RALEIGH, N.C.
890610 CS 9:30	JEFFREY SMITH v CALDWELL FREIGHT LINES C.N.A. (COTTINGHAM & BUTLER CLAIMS SERVICES, INC.)	PLF: R. STEVE BOWDEN & ASSOCIATES GREENSBORO, N.C. DFT: BROTHERTON FORD YEOMAN & BERRY, GREENSBORO, N.C.
888350 BD 9:30	JOHN THOMPSON v STS HOLDINGS, INC WAUSAU INSURANCE COMPANIES	PLF: THE DEUTERMAN LAW FIRM GREENSBORO, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
553343 TS 9:30	WILBERT O'NEAL v SELCO CONSTRUCTION CAROLINA RISK MANAGER	PLF: PRO SE DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.

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

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RALEIGH, NORTH CAROLINA

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675122      JERRY STEPHEN COLE  
PH                    v  
1:30      REEVES BROTHERS  
            LIBERTY MUTUAL GROUP

PLF: GRIMES & TEICH  
ASHEVILLE, N.C.

DFT: MULLEN HOLLAND & COOPER  
GASTONIA, N.C.

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893190      MELODY CURTIS  
PH                    v  
1:30      RITE-AID  
            TRAVELERS

PLF: LAW OFFICES OF FREDERICK R. STANN  
GASTONIA, N.C.

DFT: MULLEN HOLLAND & COOPER  
GASTONIA, N.C.

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897970      JEFF MITCHEM  
BH                    v  
1:30      ROLAND BLACK HEATING &  
            COOLING  
            BUILDERS MUTUAL

PLF: LAW OFFICES OF FREDERICK R. STANN  
GASTONIA, N.C.

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

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DIANNE C. SELLERS, PANEL CHAIR  
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MONDAY, NOVEMBER 16, 2009

9:30 A.M.

RALEIGH, NORTH CAROLINA

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794052 KL 9:30	AMY JAVORSKY v NEW HANOVER REGIONAL MEDICAL CENTER SELF-INSURED (ALLIED CLAIMS ADMINISTRATION, INC.)	PLF: POISSON POISSON & BOWER WILMINGTON, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C.
642397 RH 9:30	PAMELA G. ROBERTS v THE CATO CORPORATION D/B/A IT'S FASHION ZURICH INSURANCE CO.	PLF: POISSON POISSON & BOWER WADESBORO, N.C.  DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
947718 MG 9:30	BOBBIE LAMM v SOUTHERN NATIONAL SPEEDWAY, INC. AIG CLAIMS SERVICES, INC.	PLF: ROSE RAND WALLACE WILSON, N.C.  DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
884188 BD 9:30	LAURA RICKARD TUCKER v SEALY, INC. DISCOVER PROPERTY & CASUALTY INSURANCE COMPANY	PLF: LING & FARRAN GREENSBORO, N.C.  DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
496250 RH 9:30	PATSY HEYBYRNE v VALDESE GENERAL HOSPITAL ROYAL & SUNALLIANCE/ ARROWPOINT CAPITAL CORP.	PLF: COX & GAGE MORGANTON, N.C.  DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.

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MONDAY, NOVEMBER 16, 2009

1:30 P.M.

RALEIGH, NORTH CAROLINA

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898054      RAFAEL ACOSTA  
RH                      v  
1:30          N.C. DEPARTMENT OF  
                    CORRECTION

PLF: RICHARD B. HARPER  
SYLVA, N.C.

DFT: N.C. DEPARTMENT OF JUSTICE  
ASHEVILLE, N.C.

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516047      BOBBY POPE  
&                      v  
556630      ANDERSON SERVICES OF THE  
BH          CAROLINAS  
1:30          THE HARTFORD

PLF: GRANDY & MARTIN  
CHARLOTTE, N.C.

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

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869360      ROBERT P. PAYNE  
TS                      v  
1:30          DOLE FRESH VEGETABLES/  
                    CASTLE & COOKE, INC.  
                    THE HARTFORD

PLF: PRO SE

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

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TUESDAY, NOVEMBER 17, 2009

9:30 A.M.

RALEIGH, NORTH CAROLINA

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552869 JD 9:30	ROBERT L. NOBLES, JR. v COASTAL POWER & ELECTRIC, INC AMERICAN INTERSTATE INS CO.	PLF: GREG JONES LAW WILMINGTON, N.C.  DFT: BROOKS STEVENS & POPE RALEIGH, N.C.
580354 RR 9:30	CRANSTON SEALEY v KENNETH SMITH – SMITH DRYWALL KEY RISK INSURANCE CO.	PLF: GREG JONES & ASSOCIATES WILMINGTON, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
420606 CS 9:30	LEROY PRESTON v TRANSWOOD, INC. GREAT WEST CASUALTY AND PRESTON TRUCKING LIBERTY MUTUAL INSURANCE	PLF: D. BAKER MCINTYRE III CHARLOTTE, N.C.  DFT: RUDISILL WHITE & KAPLAN CHARLOTTE, N.C.  HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
203223 BD 9:30	MARY GRAY, ON BEHALF OF OF DAVID D. GRAY, DECEASED, v UNITED PARCEL SERVICES, INC. LIBERTY MUTUAL INSURANCE CO.	PLF: TEAGUE ROTENSTREICH & STANALAND, GREENSBORO, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
002798 BD 9:30	MURIEL INABNET v YOST & LITTLE REALTY THE HARTFORD  <b>(MEYER*, SCOTT &amp; SELLERS)</b>	PLF: TEAGUE ROTENSTREICH & STANALAND, GREENSBORO, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.

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194103 GH 1:30	KEVIN KREUTZER v HAAS CNC RACING PACIFIC INDEMNITY COMPANY	PLF: THE SUMWALT LAW FIRM CHARLOTTE, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
791752 GH 1:30	MARIA ROSAS-MEJIA v BAJA PRODUCTS, LTD. WAUSAU INSURANCE COMPANY	PLF: CRUMLEY ROBERTS CONCORD, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
848248 GH 1:30	JAMES E. PIERCE, II v ISOMETRICS, INC. KEY RISK INSURANCE COMPANY	PLF: CRUMLEY ROBERTS CONCORD, N.C.  DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
506643 KL 1:30	MARTIN LIPSCOMB v MAYFLOWER VEHICLE SYSTEMS AIG CLAIM SERVICES, INC.	PLF: FERGUSON STEIN & CHAMBERS CHARLOTTE, N.C.  DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.

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