

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

## 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 13, 18, and 20, 2008, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Ms. Layla Santa Rosa, Agency Legal Specialist to Commissioner Buck Lattimore, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Santa Rosa is (919) 807-2524.**

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 13, 18 & 20, 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

BUCK LATTIMORE, PANEL CHAIR  
BERNADINE S. BALLANCE, COMMISSIONER  
DIANNE C. SELLERS, COMMISSIONER

THURSDAY, NOVEMBER 13, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

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558214 JDE 9:30	DONALD AVERY v FRAMING UNLIMITED BUILDERS MUTUAL INS CO.	PLF: WHITLEY RODGMAN & WHITLEY RALEIGH, N.C.  DFT: LEWIS & ROBERTS RALEIGH, N.C.
190829 RWR 9:30	JUDY LEE MURRAY v KEITH MURRAY TOYOTA NORTH AMERICAN SPECIALTY INSURANCE COMPANY	PLF: ROSE RAND WILSON, N.C.  DFT: BROOKS STEVENS AND POPE CARY, N.C.
672125 JDE 9:30	CARNELL WILLIAMS v S.T. WOOTEN CORPORATION THE PHOENIX INSURANCE CO.	PLF: ANDERSON LAW FIRM WILSON, N.C.  DFT: LEWIS & ROBERTS RALEIGH, N.C.
365328 RR 9:30	CLINTONIA THOMAS v HUNTINGTON HEALTH CARE SAFETY NATIONAL CASUALTY INS. (WACHOVIA INSURANCE SERVICES)	PLF: PRO SE  DFT: WILSON & RATLEDGE 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

BUCK LATTIMORE, PANEL CHAIR  
BERNADINE S. BALLANCE, COMMISSIONER  
DIANNE C. SELLERS, COMMISSIONER

THURSDAY, NOVEMBER 13, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

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548914 PH 1:30	WADE W. KEITH v NORTH CAROLINA GRANITE CORP SELF-INSURED (THE PMA INSURANCE GROUP)	PLF: CHARLES PEED & ASSOCIATES WINSTON-SALEM, N.C.  DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.
025912 RH 1:30	RANDOLPH HUNTER v UNITED PARCEL SERVICE LIBERTY MUTUAL INSURANCE CO	PLF: PRO SE  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
TA-19663 WT 1:30	JAMES KEITH CIFERS v NORTH CAROLINA DEPARTMENT OF TRANSPORTATION	PLF: PRO SE  DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.

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NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW            DOCKET

BUCK LATTIMORE, PANEL CHAIR  
BERNADINE S. BALLANCE, COMMISSIONER  
DIANNE C. SELLERS, COMMISSIONER

TUESDAY, NOVEMBER 18, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

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485317	ROGER DALE CANTRELL	PLF:	BYRD BYRD ERVIN WHISNANT &
RH	v		MCMAHON, MORGANTON, N.C.
1:30	BAXTER INTERNATIONAL, INC.	DFT:	GARY TAGTMEYER KING
	BROADSPIRE SERVICES		CHARLOTTE, N.C.

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723039	DAVID RENZI	PLF:	THE SUMWALT LAW FIRM
PB	v		CHARLOTTE, N.C.
1:30	STARBUCKS COFFEE COMPANY	DFT:	DICKIE MCCAMEY & CHICOTE
	GALLAGHER BASSETT SERVICES,		CHARLOTTE, N.C.
	INC.		

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242714	CATHERINE JONES	PLF:	POISSON POISSON & BOWER
RH	v		WADESBORO, N.C.
<b>RE-SET</b>	WELFARE TO WORK PROGRAM	DFT:	HEDRICK GARDNER KINCHELOE &
1:30	THE TRAVELERS		GAROFALO, CHARLOTTE, N.C.
	<b>( LATTIMORE *, BALLANCE &amp; SELLERS)</b>		

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538210	FRED FITZGERALD	PLF:	PRO SE
BD	v		
1:30	CITY OF CHARLOTTE	DFT:	JONES HEWSON & WOOLARD
	SELF-INSURED		CHARLOTTE, N.C.

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NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW            DOCKET

BUCK LATTIMORE, PANEL CHAIR  
BERNADINE S. BALLANCE, COMMISSIONER  
DIANNE C. SELLERS, COMMISSIONER

THURSDAY, NOVEMBER 20, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

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771800 & PH-1920 GH 9:30	SZCEPAN GORZKOWSKI v RICHWAY DEVELOPMENT CORP NON-INSURED L. WAYNE FERRELL, INDIVIDUALLY, RICHARD H. DIXON, INDIVIDUALLY, JEAN S. BUTLER, INDIVIDUALLY, PEGGY J. THURSBY, INDIVIDUALLY	PLF: ANDERSON & ANDERSON RALEIGH, N.C. ----- N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.  DFT: RALPH G. WILLEY III ROCKY MOUNT, N.C.
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NORTH CAROLINA INDUSTRIAL  
COMMISSION  
v  
RICHWAY DEVELOPMENT CORPORATION  
NON-INSURED  
L. WAYNE FERRELL, INDIVIDUALLY,  
RICHARD H. DIXON, INDIVIDUALLY,  
JEAN S. BUTLER, INDIVIDUALLY,  
PEGGY J. THURSBY, INDIVIDUALLY

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524414 JG 9:30	VICTOR RODRIGEZ BONILLA v DELHAIZE AMERICA/FOOD LION L.L.C. SPECIALTY RISK SERVICES, INC.	PLF: LAW OFFICE OF K. GREGORY GUNTER RALEIGH, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
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TA-19735 GG 9:30	HELEN EVANS v N.C. CENTRAL UNIVERSITY	PLF: PRO SE  DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
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