

Michael F. Easley, Governor
Buck Lattimore, Chairman



Bernadine S. Ballance, Commissioner
Danny L. McDonald, Commissioner
Laura K. Mavretic, Commissioner
Christopher Scott, Commissioner
Dianne C. Sellers, Commissioner
Pamela T. Young, 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 14, 16, and 20, 2007 all motions, requests for continuances, and telephone inquiries should be directed to the attention of Michelle Denning, Agency Legal Specialist to Buck Lattimore, Chairman, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Denning is (919) 807-2668. 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 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, 14, 16 & 20, 2007
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, CHAIRMAN
BERNADINE S. BALLANCE, COMMISSIONER
LAURA K. MAVRETIC, COMMISSIONER

WEDNESDAY, NOVEMBER 14, 2007

9:30 A.M. RALEIGH, NORTH CAROLINA

525434 CLIFFORD OLSEN
KL v
9:30 CITY OF RALEIGH
 SELF-INSURED

PLF: JERNIGAN LAW FIRM
 RALEIGH, N.C.

DFT: CITY ATTORNEY'S OFFICE
 RALEIGH, N.C.

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

547261 STEPHEN R. TOWNSEND
PB v
9:30 APEX CABINET CO., INC.
 WESTPORT INSURANCE CO.
 (GALLAGHER BASSETT SERVICES)

PLF: PATTERSON HARKAVY
 CHAPEL HILL, N.C.

DFT: WILSON JONES CARTER & BAXLEY
 GREENVILLE, S.C.

497227 JIMMY R. SMITH
RR v
9:30 ROBERT DERRICK APPLEWHITE,
 D/B/A AAA CONSTRUCTION, A/K/A
 AAA CONTRACTORS
 NORTH CAROLINA FARM BUREAU
 MUTUAL INSURANCE COMPANY

PLF: BRANTLEY JENKINS RIDDLE HARDEE
 & HARDEE, GOLDSBORO, N.C.

DFT: YOUNG MOORE & HENDERSON
 RALEIGH, N.C.

520594 RAMEDIOS SAAVEDRA
JD v
9:30 CANDOR HOSIERY MILLS
 LIBERTY MUTUAL INSURANCE CO.

PLF: R. STEVE BOWDEN & ASSOCIATES
 GREENSBORO, N.C.

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

498435 HELEN PAGE
AP v
9:30 HOKE COUNTY SCHOOLS/DPI
 SELF-INSURED
 (KEY RISK MANAGEMENT SERVICES, INC)

PLF: PRO SE

DFT: NC DEPARTMENT OF JUSTICE
 RALEIGH, N.C.

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

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WEDNESDAY, NOVEMBER 14, 2007

1:30 P.M. RALEIGH, NORTH CAROLINA

857224 GG 1:30	CHRIS T. MILLER v NEWTON TRANSPORTATION KEY RISK MANAGEMENT SERVICES	PLF: COX GAGE & SASSER MORGANTON, N.C. DFT: STILES BYRUM & HORNE CHARLOTTE, N.C.
578296 BH 1:30	NELLIE R. HEAVNER v CAROLINA MILLS, INC. LIBERTY MUTUAL GROUP	PLF: LAW OFFICES OF FREDERICK R. STANN GASTONIA, N.C. DFT: CRANFILL SUMNER & HARTZOG CHARLOTTE, N.C.
472954 RR 1:30	SHERRI MIDGETT v FOOD LION, LLC. SELF-INSURED (RISK MANAGEMENT SERVICES)	PLF: WILLIAM F. WARD, III NEW BERN, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C.
537831 RWR 1:30	RAFAEL MENDOZA-MEJIA v ERNESTO HURTADO D/B/A PBS CONCRETE COMPANION PROPERTY & CASUALTY GROUP	PLF: THE LAW OFFICES OF ROBERT J. WILLIS, RALEIGH, N.C. DFT: YORK WILLIAMS BARRINGER LEWIS & BRIGGS, CHARLOTTE, N.C.

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FRIDAY, NOVEMBER 16, 2007

9:30 A.M. RALEIGH, NORTH CAROLINA

397080 & 611890 KL 9:30	BILLY WAGNER v GOODYEAR TIRE & RUBBER CO. LIBERTY MUTUAL INSURANCE CO.	PLF: JERNIGAN LAW FIRM RALEIGH, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
238262 424164 & 619348 AP 9:30	STEVIE O. BRINKLEY v COMMERCIAL GRADING, INC. D/B/A FOWLER CONTRACTING ZURICH NORTH AMERICA AND FCCI INSURANCE GROUP	PLF: LENNON & CAMAK RALEIGH, N.C. DFT: MCANGUS GOUDELOCK & COURIE RALEIGH, N.C. ----- CARRUTHERS & ROTH GREENSBORO, N.C.
548959 PH 9:30	JOSEPH WHALEY v L.M. MCLAMB & SON CONSTRUCTION BITUMINOUS INSURANCE CO.	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
390249 JD 9:30	DERWIN REYNOLDS v NUCOR STEEL SPECIALTY RISK SERVICES	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: PATTERSON DILTHEY CLAY BRYSON & ANDERSON, RALEIGH, N.C.
598102 RWR 9:30	JULIA EVANS-FLOOD v NEW HANOVER REGIONAL MEDICAL CENTER ALLIED CLAIMS ADMINISTRATION	PLF: PRO SE DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C.

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

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FRIDAY, NOVEMBER 16, 2007

1:30 P.M. RALEIGH, NORTH CAROLINA

250904 AP 1:30	BILLY J. KELLEY v MERITOR AUTOMOTIVE SELF-INSURED NON-INSURED, AND MARSHA PATTERSON-JONES, INDIVIDUALLY, AND/OR RANDY ALEXANDER, INDIVIDUALLY	PLF: WILLIAMS & MILLS ASHEVILLE, N.C. DFT: WILSON JONES CARTER & BAXLEY GREENVILLE, S.C.
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540906 &	MICHAEL DEWAYNE PUTMAN v RANDY ALEXANDER AND/OR MAJESTIC MOUNTAIN CONST., INC. NON-INSURED, AND MARSHA PATTERSON-JONES, INDIVIDUALLY, AND/OR RANDY ALEXANDER, INDIVIDUALLY,	PLF: JUDITH C. FRASER ASHEVILLE, N.C. ----- NC DEPARTMENT OF JUSTICE RALEIGH, N.C. DFT: LEICHT & OLINGER ASHEVILLE, N.C.
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PH-1669 GH 1:30	NORTH CAROLINA INDUSTRIAL COMMISSION v RANDY ALEXANDER AND/OR MAJESTIC MOUNTAIN CONST., INC., NON-INSURED, AND MARSHA PATTERSON-JONES, INDIVIDUALLY, AND/OR RANDY ALEXANDER, INDIVIDUALLY	----- RANDY ALEXANDER, PRO SE ----- MARSHA PATTERSON-JONES, PRO SE
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NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
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BUCK LATTIMORE, CHAIRMAN
BERNADINE S. BALLANCE, COMMISSIONER
LAURA K. MAVRETIC, COMMISSIONER

FRIDAY, NOVEMBER 16, 2007

1:30 P.M. RALEIGH, NORTH CAROLINA

559307 &	DARRELL THOMPSON v RANDY ALEXANDER AND/OR MAJESTIC MOUNTAIN CONST., INC., NON-INSURED, AND MARSHA PATTERSON-JONES, INDIVIDUALLY, AND/OR RANDY ALEXANDER, INDIVIDUALLY,	PLF: MELROSE SEAGO & LAY SYLVA, N.C. ----- NC DEPARTMENT OF JUSTICE RALEIGH, N.C. DFT: LEIGHT & OLINGER ASHEVILLE, N.C.
PH-1669 GH 1:30	NORTH CAROLINA INDUSTRIAL COMMISSION v RANDY ALEXANDER AND/OR MAJESTIC MOUNTAIN CONST., INC, NON-INSURED, AND MARSHA PATTERSON-JONES, INDIVIDUALLY, AND/OR RANDY ALEXANDER, INDIVIDUALLY	----- RANDY ALEXANDER, PRO SE ----- MARSHA PATTERSON-JONES, PRO SE

. NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
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BUCK LATTIMORE, CHAIRMAN
BERNADINE S. BALLANCE, COMMISSIONER
LAURA K. MAVRETIC, COMMISSIONER

TUESDAY, NOVEMBER 20, 2007

9:30 A.M. RALEIGH, NORTH CAROLINA

571169 MELVIN THOMPSON
RR v
9:30 STOCK BUILDING SUPPLY
 LIBERTY MUTUAL INS CO.

PLF: SCUDDER & HEDRICK
 RALEIGH, N.C.

DFT: WILSON & RATLEDGE
 RALEIGH, N.C.

521897 JOYCE T. STONE
WT v
9:30 THE MEGA FORCE STAFFING
 GROUP, INC.
 AMERICAN HOME ASSURANCE

PLF: BRENT ADAMS & ASSOCIATES
 RALEIGH, N.C.

DFT: YOUNG MOORE & HENDERSON
 RALEIGH, N.C.

126659 PAUL H. CULLIFER
RWR v
9:30 MCLANE COMPANY
 AMERICAN HOME ASSURANCE
 C/O AIG CLAIM SERVICES, INC

PLF: PERRY ANTHONY & SOSNA
 ROCKY MOUNT, N.C.

DFT: ROBINSON & LAWING
 WINSTON-SALEM, N.C.

127418 JAMES M. DORSEY
JG v
9:30 THE PANTRY
 LIBERTY MUTUAL INSURANCE CO.

PLF: BRAXTON H. BELL
 ROCKY MOUNT, N.C.

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

455846 JOHNNY JAMES JOHNSON,
JG DECEASED, BY DEMETRESS JOHNSON,
9:30 WIDOW,
 v
 THOMASVILLE FURNITURE CO.
 SELF-INSURED

PLF: GRAY NEWELL
 WINSTON-SALEM, N.C.

DFT: ORBOCK RUARK & DILLARD
 WINSTON-SALEM, N.C.

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

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LAURA K. MAVRETIC, COMMISSIONER

TUESDAY, NOVEMBER 20, 2007

1:30 P.M. RALEIGH, NORTH CAROLINA

524741 RWR 1:30	KEITH MELENDEZ v NUCOR CORPORATION SPECIALTY RISK SERVICES (MAVRETIC*, BALLANCE & MCDONALD)	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: PATTERSON DILTHEY CLAY BRYSON & ANDERSON, RALEIGH, N.C.
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592842 CS 1:30	WILLIAM BLANTON v GCA THE PHOENIX INSURANCE CO.	PLF: JOHN CHURCH SHELBY, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
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423968 CS 1:30	LEONARD WORLEY, JR., MARSHALL LEE WORLEY, AND SHANNON WORLEY ROBERTS, NATURAL CHILDREN OF LEONARD WORLEY, SR., DECEASED, v LEE WORLEY CONCRETE FINISHING COREGIS INSURANCE COMPANY (GALLAGHER BASSETT SERVICES, INC)	PLF: HARDISON & LEONE RALEIGH, N.C. ----- MARSHALL LEE WORLEY, PRO SE ----- SHANNON WORLEY ROBERTS, PRO SE ----- DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
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413671 AP 1:30	LUE SINDA BROWNING MANN v TECHNIBILT, INC. ST. PAUL-TRAVELERS INS CO./ CHARTER OAK FIRE INS CO. HARTFORD INSURANCE	PLF: RANDY D. DUNCAN HICKORY, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C. ----- YORK WILLIAMS BARRINGER LEWIS & BRIGGS, CHARLOTTE, N.C.
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