

Michael F. Easley, Governor
Buck Lattimore, Chairman



DOMINICK S. DARRANCE, Commissioner
Thomas J. Bolch, 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 15, 17 & 19, 2004, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Ms. Karissa Davan, Legal Specialist to Commissioner Laura K. Mavretic, Dobbs Building, 430 N. Salisbury Street, Raleigh, North Carolina 27611. The telephone number for Ms. Davan is (919) 807-2512. 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 15, 17 & 19, 2004
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. 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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

LAURA K. MAVRETIC, CHAIR
BUCK LATTIMORE, CHAIRMAN
PAMELA T. YOUNG, COMMISSIONER

MONDAY, NOVEMBER 15, 2004

9:30 A.M. RALEIGH, NORTH CAROLINA

975839 GH 9:30	DANNIE B. NORRIS v S & S DRYWALL SOUTHERN GUARANTY INSURANCE	PLF: BRENT ADAMS & ASSOCIATES SANFORD, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
054762 CS 9:30	JIMMIE RAY WALTERS v COOPER KENWORTH INC. SEGWICK CMS INC.	PLF: ROTHROCK LAW FIRM HILLSBOROUGH, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
270602 KL 9:30	CALVIN SHAWN ANDERSON v JORDAN TREE SERVICES INC. CNA INSURANCE	PLF: LAW OFFICES OF JAMES SCOTT FARRIN DURHAM, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
291640 JD 9:30	ANITA HENDERSON v LEITH TOYOTA BRENTWOOD SERVICES	PLF: TERRY M. KILBRIDE RALEIGH, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
751962 GG 9:30	MARGARET M. ELLINGTON v CAROLINA INDEPENDENT PUBLICATIONS COMPANION PROPERTY CASUALTY	PLF: LAW OFFICES OF GEORGE W. LENNON RALEIGH, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
308374 TS 9:30	EFROSINI WATSON v J C PENNEY COMPANY, INC. AMERICAN HOME ASSURANCE/ AIG CLAIM SERVICES	PLF: JONES MARTIN PARRIS & TESSENER RALEIGH, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.

(COURT RECESS)
(ORAL ARGUMENT TO RESUME AT 1:30)

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MONDAY, NOVEMBER 15, 2004

1:30 P.M. RALEIGH, NORTH CAROLINA

125444 DANIEL HARRIS
MC v
1:30 NC DEPT OF CORRECTION

PLF: DORAN & SHELBY
 SALISBURY, N.C.

DFT: NC DEPARTMENT OF JUSTICE
 TINA L. HIABSE, RALEIGH, N.C.

(MAVRETIC, BALLANCE & LATTIMORE)

299327 SUSIE SHEARIN
NG v
1:30 LEWIS TREE SERVICE
 ZURICH NORTH AMERICA

PLF: SINNO LAW OFFICES
 GARNER, N.C.

DFT: LEWIS & ROBERTS
 CHARLOTTE, N.C.

286027 ZORA PITT
NG v
1:30 SUNOCO PRODUCTS CO.
 GENERAL ADJUSTMENTS BUREAU

PLF: BRUMBAUGH MU & KING
 JACKSONVILLE, N.C.

DFT: BROOKS STEVENS & POPE
 CARY, N.C....

271819 CONNIE JEAN COOPER
LD v
1:30 MCCREARY MODERN INC
 NATIONAL BENEFITS AMERICA

PLF: RANDY D.DUNCAN
 HICKORY, N.C.

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

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LAURA K. MAVRETIC, CHAIR
BUCK LATTIMORE, CHAIRMAN
PAMELA T. YOUNG, COMMISSIONER

WEDNESDAY, NOVEMBER 17, 2004

9:30 A.M. RALEIGH, NORTH CAROLINA

243560 LD 9:30	DURWOOD R. BROTHERS v WA BROWN & SONS THE PMA GROUP	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
220208 PB 9:30	KELLY D. LANE v BEALL'S INC. WAUSAU INSURANCE CO.	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: CRANFILL SUMNER & HARTZOG WILMINGTON, N.C.
187718 295631 MC 9:30	AUDREY "DEAN" HORROCKS v SHANER OPERATING CORP LEGION INSURANCE CO. NC INSURANCE GUARANTY ASSOC	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: MOREAU MARKS & GAVIGAN CHARLOTTE, N.C.
134896 CS 9:30	SUSAN ELAM v REVLON INC. RSKCO	PLF: BRUMABUGH MU & KING JACKSONVILLE, N.C. DFT: WOMBLE CARLYLE SANDRIDGE & RICE, RALEIGH, N.C.
066092 LD 9:30	CHERRYL FOWLER, WIDOW AND ADMIN OF THE ESTATE CHARLES FOWLER, GAL FOR CORI NICOLE FOWLER & CHERYL FOWLER GAL FOR SHELBY SLOAN FOWLER, COLIN RAYCE FOWLER & CORBIN MILES FOWLER MINOR CHILDREN OF KENNETH GLENN FOWLER, DECEASED v DEHART RACING INC. NC INSURANCE GUARANTY ASSOC	PLF: CRUMLEY & ASSOCIATES HIGH POINT, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.

(COURT RECESS)
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WEDNESDAY, NOVEMBER 17, 2004

1:30 P.M. RALEIGH, NORTH CAROLINA

816126 845780 DB 1:30	PATRICIA MARTIN v WESTPOINT STEVENS INC SELF-INSURED (SCOTT, MAVRETIC & LATTIMORE)	PLF: PRO SE DFT: BROOKS STEVENS & POPE CARY, N.C.
223086 CS 1:30	SIEGLINDE DUNOVANT v STONEVILLE FURNITURE CO. TWIN CITY FIRE INSURANCE	PLF: PATTERSON HARKAVY & LAWRENCE RALEIGH, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
TA-17719 GG 1:30	JEFFEY J. SCHUBART v N.C DEPT OF TRANSPORTATION	PLF: LAW OFFICE OF TIMOTHY WELBORN WINSTON-SALEM,N.C. <hr/> ALEXY FLETCHER WILLS & WILLS POINT HARBOR, N.C. DFT: NC DEPARTMENT OF JUSTICE T. HLABSE, RALEIGH, N.C.
203253 359851 359862 384651 LD 1:30	FRANCE YVONNE MCKINNA v IREDELL COUNTY SCHOOLS SELF-INSURED	PLF: PRO SE. DFT: NC DEPARTMENT OF JUSTICE MARC X. SNEED, RALEIGH, N.C.
223648 SG 1:30	JAMES L. HARMON, SR. v BALL- INCON GLASS PACKAGING THE TRAVELERS INSURANCE CO.	PLF: FAITH HERNDON DURHAM, N.C. DFT: NORTHUP & MCCONNELL ASHEVILLE, N.C. <hr/> ROOT & ROOT WEAVERVILLE, N.C. <hr/> WOMBLE CARLYLE SANDRIDGE RICE, WINSTON-SALEM, N.C.

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PAMELA T. YOUNG, COMMISSIONER

FRIDAY, NOVEMBER 19, 2004

9:30 A.M. RALEIGH, NORTH CAROLINA

166027 PH 9:30	CATHERINE MCRAE v FIRSTHEALTH OF THE CAROLINA SELF-INSURED	PLF: PRO SE. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
150383 CS 9:30	PERCY WASHINGTON v NORTH EAST CAROLINA FARMS WAUSAU	PLF: EDWARDS & RICCI GREENVILLE, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.
900313 PH 9:30	RODNEY A. WHITE v STAFF AMERICA INC RSKCO INSURANCE	PLF: MAYNARD & HARRIS WINSTON-SALEM, N.C. DFT: YOUNG MOORE & HENDERSON RALEIGH, N.C.
550114 CS 9:30	CYNTHIA ESTELLE BOOKER DOUGLAS, ADMIN OF THE ESTATE OF LEROY DOUGLAS, JR. DECEASED v J.S. TRUCK SERVICE INC. LIBERTY MUTUAL INS CO.	PLF: LAW OFFICES OF KATHLEEN GREENSBORO, N.C. DFT: HEDRICK EATMAN GARDNER & KINCHELOE, CHARLOTTE, N.C.
363245 GH 9:30	PAULINO LOPEZ BAUTISTA v AIRBORN COATING INC COMMERCE INDUSTRY INS.	PLF: REBECCA L. THOMAS CHARLOTTE, N.C. DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.

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FRIDAY, NOVEMBER 19, 2004

1:30 P.M. RALEIGH, NORTH CAROLINA

935751	JEANNE CHELLIS	PLF:	GRIMES & TEICH
AP	v		ASHEVILLE, N.C.
1:30	MISSION ST JOSEPH'S HEALTH SYSTEM	DFT:	VAN WINKLE BUCK WALL STARNES &
	SELF-INSURED		DAVIS, ASHEVILLE, N.C.

217197	KATHY LEWIS	PLF:	THE MOORE LAW FIRM
JD	v		ASHEVILLE, N.C.
1:30	CANTON HEALTH INVESTORS	DFT:	NORTHUP & MCCONNELL
	A SUDSIDIARY OF ROCKINGHAM		ASHEVILLE, N.C.
	HEALTH INVESTORS		
