

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 30 and December 1 and 2, 2009, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Monica Jackson, Law Clerk to Commissioner Bernadine S. Ballance, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Ms. Jackson is (919) 807-2647. 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 30 AND DECEMBER 1 & 2, 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

BERNADINE S. BALLANCE, PANEL CHAIR  
STACI MEYER, COMMISSIONER  
CHRISTOPHER SCOTT, COMMISSIONER

MONDAY, NOVEMBER 30, 2009

9:00 A.M.

RALEIGH, NORTH CAROLINA

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677728 GH 9:00	TERESA L. RHODES v MOHAWK INDUSTRIES, INC. SELF-INSURED (HELMSMAN MANAGEMENT SERVICES, INC.)	PLF: PATTERSON HARKAVY CHAPEL HILL, N.C.  DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
785940 GG 9:00	NATASHA N. TUCKER v ALLEGIS GROUP MAXIM HEALTH BROADSPIRE	PLF: M. REID ACREE, JR. SALISBURY, N.C.  DFT: WILSON & RATLEDGE RALEIGH, N.C.
621393 RR 9:00	RACHEL PLYLER v SCOTT TECHNOLOGIES AMERICAN HOME ASSURANCE	PLF: DORAN SHELBY PETHEL & HUDSON SALISBURY, N.C.  DFT: WILSON & RATLEDGE RALEIGH, N.C.
TA-18145 JP 9:00	CHARLES BARBER v N.C. DEPARTMENT OF CORRECTION	PLF: PRO SE  DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
991821 BH 9:00	ALPHONSO WARD v SHERWIN WILLIAMS GALLAGHER BASSETT SERVICES	PLF: SCHLOSSER & PRITCHETT GREENSBORO, N.C.  DFT: MOREAU & MARKS CHARLOTTE, N.C.

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BERNADINE S. BALLANCE, PANEL CHAIR  
STACI MEYER, COMMISSIONER  
CHRISTOPHER SCOTT, COMMISSIONER

TUESDAY, DECEMBER 1, 2009

9:30 A.M.

RALEIGH, NORTH CAROLINA

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200109 RWR 9:30	FREDERICK "FRITZ" RICE v RGIS INVENTORY SPECIALISTS ZURICH INSURANCE COMPANY (GALLAGHER BASSETT SERVICES, INC.)	PLF: OXNER THOMAS & PERMAR RALEIGH, N.C.  DFT: MCANGUS GOUDELOCK & COURIE RALEIGH, N.C.
795258 RR 9:30	DAVID ARTHUR v RHA HEALTH SERVICES INC. TRAVELERS INDEMNITY CO.	PLF: KELLUM LAW FIRM NEW BERN, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C.
726814 RR 9:30	BLAKE KRAUSE v BAK TRANSPORT, INC. STATE NATIONAL INSURANCE CO. (GAB ROBINS NORTH AMERICA, INC.)	PLF: BAKER & SLAUGHTER WILMINGTON, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C.
728212 JD 9:30	SHEILA SMITH v O'BERRY CENTER SELF-INSURED (CORVEL CORPORATION)	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C.  DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
TA-16672 PY ADM APP 9:30	THOMAS M. URQUHART, JR., ADMINISTRATOR OF THE ESTATE OF BETSEY ALLEN DERR URQUHART, DECEASED, v EAST CAROLINA UNIVERSITY SCHOOL OF MEDICINE	PLF: PRO SE  DFT: N.C. DEPARTMENT OF JUSTICE 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

BERNADINE S. BALLANCE, PANEL CHAIR  
STACI MEYER, COMMISSIONER  
CHRISTOPHER SCOTT, COMMISSIONER

TUESDAY, DECEMBER 1, 2009

1:30 P.M.

RALEIGH, NORTH CAROLINA

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573150     SANDRA K. SIMPSON  
KL                    v  
1:30        THE HUTTON COMPANIES/ADP  
              TOTALSOURCE, INC.  
              SEDGWICK CLAIMS  
              MANAGEMENT SERVICES

PLF: GARY A. DODD  
      ASHEVILLE, N.C.  
  
DFT: YOUNG MOORE & HENDERSON  
      RALEIGH, N.C.

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205232     YVONNE BITTLE  
BD                    v  
1:30        DILLARD'S  
              ESIS

PLF: DEVORE ACTON & STAFFORD  
      CHARLOTTE, N.C.  
  
DFT: HEDRICK GARDNER KINCHELOE &  
      GAROFALO, CHARLOTTE, N.C.

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545105     SHEILA S. DALTON  
CS                    v  
1:30        WATERS OF HICKORY, INC.  
              HARTFORD INSURANCE CO.

PLF: WALDEN & WALDEN  
      WINSTON-SALEM, N.C.  
  
DFT: HEDRICK GARDNER KINCHELOE &  
      GAROFALO, CHARLOTTE, N.C.

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681638     LILLIE MAE STEELMAN  
RH                    v  
1:30        SELECT MEDICAL CORPORATION  
              THE PHOENIX INSURANCE CO.

PLF: LEWIS & DAGGETT  
      WINSTON-SALEM, N.C.  
  
DFT: HEDRICK GARDNER KINCHELOE &  
      GAROFALO, CHARLOTTE, N.C.

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TA-21178   VICTOR JEROME MCCLAIN  
LKM                    v  
ADM        N.C. DEPARTMENT OF CORRECTION  
APP  
1:30

PLF: MAKO ASSOCIATES  
      WILMINGTON, N.C.  
  
DFT: N.C. DEPARTMENT OF JUSTICE  
      RALEIGH, N.C.

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NORTH CAROLINA INDUSTRIAL COMMISSION  
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BERNADINE S. BALLANCE, PANEL CHAIR  
STACI MEYER, COMMISSIONER  
CHRISTOPHER SCOTT, COMMISSIONER

WEDNESDAY, DECEMBER 2, 2009

9:00 A.M.

RALEIGH, NORTH CAROLINA

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150598      MARY FRANCES POWE  
JD                                      v  
9:00        CENTERPOINT HUMAN SERVICES  
              BRENTWOOD SERVICES  
  
**(BALLANCE\*, MEYER & SELLERS)**

PLF: LAW OFFICES OF KATHLEEN G.  
SUMNER, GREENSBORO, N.C.

DFT: RUDISILL WHITE & KAPLAN  
CHARLOTTE, N.C.

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596035      JEFFREY LILLEY  
RR                                      v  
9:00        COMMERCIAL TRUCK AND  
              STRATEGIC OUTSOURCING, INC.  
              THE HARTFORD  
              (SPECIALTY RISK SERVICES)

PLF: KEEL O'MALLEY TUNSTALL  
TARBORO, N.C.

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

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596035      JEFFREY LILLEY  
ADM                                     v  
APP        COMMERCIAL TRUCK AND  
SM        STRATEGIC OUTSOURCING, INC.  
9:00       THE HARTFORD  
             (SPECIALTY RISK SERVICES)

PLF: KEEL O'MALLEY TUNSTALL  
TARBORO, N.C.

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

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642396      MARGARET SALLENGER  
RWR                                     v  
9:00        VILLAGE CLEANERS  
              STATE FARM FIRE AND  
              CASUALTY COMPANY

PLF: ROSE RAND, WILSON, N.C.

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MORRISON LAW FIRM, WILSON. N.C.  
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THOMAS & FARRIS, WILSON. N.C.

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

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808008      JIMMY C. STONE  
VH                                      v  
9:00        GIBBS MACHINE CORPORATION  
              ARROWPOINT CAPITAL CORP

PLF: DOUGLAS S. HARRIS  
GREENSBORO, N.C.

DFT: MCANGUS GOUDELOCK & COURIE  
CHARLOTTE, N.C.

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**CONTINUED**

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293037	DIANA OAKS	PLF: SELLERS HINSHAW AYERS DORTCH &
CS	v	LYONS, CHARLOTTE, N.C.
9:00	C.F. CLONINGER TRUCKING	DFT: WILLSON JONES CARTER & BAXLEY
	SOURCEONE GROUP	CHARLOTTE, N.C.
	(NOW DALRADA)	

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

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FULL COMMISSION  
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WEDNESDAY, DECEMBER 2, 2009          1:30 P.M.          RALEIGH, NORTH CAROLINA

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432693	MELINDA S. PURDY-BILCHECK	PLF: LAW OFFICES OF GEORGE W. LENNON
&	v	RALEIGH, N.C.
567020	IBM COROPORATION	DFT: CRANFILL SUMNER & HARTZOG
LD	LIBERTY MUTUAL INSURANCE CO.	RALEIGH, N.C.
RESET		
1:30	<b>(BALLANCE*, YOUNG &amp; SCOTT)</b>	

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357500	GARY L. SHEPHERD	PLF: PRO SE
KL	v	
1:30	NATIONAL FEDERATION	DFT: HEDRICK GARDNER KINCHELOE &
	PMA INSURANCE GROUP	GAROFALO, CHARLOTTE, N.C.
	<b>(BALLANCE *, MAVRETIC &amp; YOUNG)</b>	

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