Beverly Eaves Perdue, Governor Pamela T. Young, Chair



Bernadine S. Ballance, Commissioner Linda Cheatham, Commissioner Laura K. Mavretic, Commissioner Danny L. McDonald, Commissioner Staci Meyer, Commissioner Christopher Scott, 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 December 6, 8, and 10, 2010, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Monica Jackson, Law Clerk to Commissioner Bernadine S. Ballance, Dobbs Building, 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 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:

DECEMBER 6, 8 & 10, 2010 DOBBS BUILDING SECOND FLOOR, ROOM 2173 430 NORTH SALISBURY STREET RALEIGH, NORTH CAROLINA 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

BERNADINE S. BALLANCE, CHAIR STACI MEYER, COMMISSIONER LINDA CHEATHAM, COMMISSIONER

MONDAY, DECEMBER 6, 2010		9:00	A.M. RALEIGH, NORTH CAROLINA		
786184 RH 9:00	KENNETH SCOTT NORRIS  v J. E. WILSON ENTERPRISES, INC. PENN NATIONAL INSURANCE CO.	PLF:	MAST SCHULZ MAST JOHNSON & WELLS, SMITHFIELD, N.C.		
		DFT:	CRANFILL SUMNER & HARTZOG RALEIGH, N.C.		
786184 KENNETH SCOTT NORRIS RH v ADM J. E. WILSON ENTERPRISES, INC.		PLF:	MAST SCHULZ MAST JOHNSON & WELLS, SMITHFIELD, N.C.		
APP 9:00	PENN NATIONAL INSURANCE CO.	DFT:	CRANFILL SUMNER & HARTZOG RALEIGH, N.C.		
095682 JG 9:00	TONY WEAVIL  v SUMMER INDUSTRIES, LLC ACCIDENT FUND INSURANCE CO.	PLF:	LANIER LAW GROUP JAMESTOWN, N.C.		
		DFT:	CRANFILL SUMNER & HARTZOG RALEIGH, N.C.		
757301 KL 9:00	WENDY DUNNAVANT v O'HENRY INC. PENN NATIONAL INS. CO. AND/OR SUMMIT PET PRODUCTS PMA INSURANCE GROUP	PLF:	THE LAW OFFICE OF KENNETH JOHNSON, GREENSBORO, N.C.		
9.00		DFT:	CRANFILL SUMNER & HARTZOG RALEIGH, N.C.		
			HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.		
725683, 771748, 777938 & 787107 BH 9:00	DEBBIE H. BEARD v CAPE FEAR VALLEY HEALTH SYSTEM SELF-INSURED	PLF:	LAW OFFICES OF KATHLEEN G. SUMNER, GREENSBORO, N.C.		
		DT:	DICKIE MCCAMEY & CHILCOTE CHARLOTTE, N.C.		

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

BERNADINE S. BALLANCE, CHAIR STACI MEYER, COMMISSIONER LINDA CHEATHAM, COMMISSIONER

MONDAY, DECEMBER 6, 2010		1:30 P.M.		RALEIGH, NORTH CAROLINA	
488865 VH	DONNA ELLISON v	PLF:	PRO SE		
1:30	DANA CORPORATION SPECIALTY RISK SERVICE	DFT:		K GARDNER KINCHELOE & LO, CHARLOTTE, N.C.	
	(SCOTT, MAVRETIC & CHEATHAM)	)			
&	PAUL MOOSE v DIANE WATKINS	PLF:		REVE & ASSOCIATES TTE, N.C.	
AP 1:30	NON-INSURED		N.C. DEP RALEIGH	ARTMENT OF JUSTICE I, N.C.	
	N.C. INDUSTRIAL COMMISSION  V  DIANE WATKINS, EMPLOYER, AND DIANE WATKINS, INDIVIDUALL		MULLEN GASTON	HOLLAND & COOPER IA, N.C.	
	(CHEATHAM*, BALLANCE, AND MAVRETIC)				

BERNADINE S. BALLANCE, CHAIR STACI MEYER, COMMISSIONER LINDA CHEATHAM, COMMISSIONER

WEDNESDAY, DECEMBER 8, 2010		9:00 A.M.		RALEIGH, NORTH CAROLINA
&	KEITH KENNEDY  v  MINUTEMAN POWERBOSS	PLF:	SCUDDER RALEIGH	R & HEDRICK , N.C.
CS 9:00	THE HARTFORD AND CNA	DFT:	CRANFILI RALEIGH	L SUMNER & HARTZOG , N.C.
				CAMPBELL DENNIS & , RALEIGH, N.C.
W03917 GH 9:00	TINA GORE v RANDY'S MEAT MARKET HARLEYSVILLE INSURANCE	PLF:		Y MCINTOSH COLLIER & EDES, WILMINGTON, N.C.
		DFT:	_	GARDNER KINCHELOE & LO, WILMINGTON, N.C.
PH 9:00 JOHN UNDE	CHAD BUTLER v JOHNSON CONTROLS, INC.	PLF:	WALLACI SALISBUI	E & GRAHAM RY, N.C.
	UNDERWRITERS SAFETY & CLAIMS, INC.	DFT;		CAMPBELL DENNIS & , RALEIGH, N.C.
788427 VH 9:00	SUSAN ROBERSON v WAL-MART STORES AMERICAN HOME ASSURANCE	PLF:		UGH MU & KING VILLE, N.C.
			RALEIGH	MOORE & HENDERSON , N.C.

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

BERNADINE S. BALLANCE, CHAIR STACI MEYER, COMMISSIONER LINDA CHEATHAM, COMMISSIONER

WEDNESDAY, DECEMBER 8, 2010		1:30 P.M.		RALEIGH, NORTH CAROLINA	
W02231 GH 1:30	JOSHUA BLAINE STIGLETS  v PHOENIX SKI CORP D/B/A CATALOOCHEE SKI AREA NEW HAMPSHIRE INSURANCE	PLF:	RICHARD B. HARPER SYLVA, N.C.		
		DFT:	MCANGU CHARLOT	S GOUDELOCK & COURIE TE, N.C.	
		PLF:		ITH HARGETT PETHO & ON, CHARLOTTE, N.C.	
	CORVEL CORPORATION	DFT:	N.C. DEPA RALEIGH,	ARTMENT OF JUSTICE , N.C.	
790647 MG 1:30	SYLVESTER WEBB v PIEDMONT MAINTENANCE &	PLF:	PRO SE		
	SERVICES, INC. AND FLUOR SIGNATURE SERVICES ARGONAUT INSURANCE COMPANY. AND CONTINENTAL CASUALTY CO. (CNA CLAIMS SERVICE)	DFT:	STILES BY	YRUM & HORNE TE, N.C.	
			CRANFILI RALEIGH,	L SUMNER & HARTZOG , N.C.	

BERNADINE S. BALLANCE, CHAIR STACI MEYER, COMMISSIONER LINDA CHEATHAM, COMMISSIONER

FRIDAY, DECEMBER 10, 2010		9:00 A.M.		RALEIGH, NORTH CAROLINA
W22159 RWR 9:00	ROSEMARY GUTIERREZ  v COAST PERSONNEL SERVICES	PLF:	YOUNCE RALEIGH	
9.00	AIU HOLDINGS/CHARTIS INSURANCE	E DFT:		CAMPBELL DENNIS & , RALEIGH, N.C.
883266 RH 9:00	WATTIE D. MOORE  v THE GOODYEAR TIRE &	PLF:	CAITLYN DURHAM	T. FULGHUM , N.C.
	RUBBER COMPANY LIBERTY MUTUAL INSURANCE CO.	DFT:	_	GARDNER KINCHELOE & LO, RALEIGH, N.C.
925024 BD 9:00	RICKY L. FINCHER  v SOUTHERN FABRICATORS	PLF:	POISSON WADESB	POISSON & BOWER ORO, N.C.
7.00	STONEWOOD INSURANCE COMPANY	/ DFT:	BROOKS RALEIGH	
890172 VH 9:00	MARIO AGUIRRE-GALLENTAN v BASSETT SEAMLESS GUTTERING, IN			D M. MARSHALL I-SALEM, N.C.
	BASSETT SEAMLESS GUTTERING, IN BERKLEY NET UNDERWRITERS KEY RISK MANAGEMENT SERVICES, INC.		_	GARDNER KINCHELOE & LO, CHARLOTTE, N.C.