



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 7, 13, and 16, 2011, all motions, requests for continuances, and telephone inquiries should be directed to the attention of Thomas Perlungher, Law Clerk to Commissioner Danny L. McDonald, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Mr. Perlungher is (919) 807-2510. 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 7, 13 & 16, 2011
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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

DANNY L. MCDONALD, CHAIR
LINDA CHEATHAM, COMMISSIONER
CHRISTOPHER SCOTT, COMMISSIONER

WEDNESDAY, DECEMBER 7, 2011

9:00 A.M.

RALEIGH, NORTH CAROLINA

685305 TS 9:00	THEODORE JUSTICE v VARIETY WHOLESALERS SELF-INSURED (HEWITT COLEMAN & ASSOCIATES, INC.)	PLF: MAST MAST JOHNSON WELLS & TRIMYER, SMITHFIELD, N.C. DFT: MCANGUS GOUDELOCK & COURIE RALEIGH, N.C.
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610012 RH 9:00	CHARLES BRANHAM v N.C. DEPARTMENT OF CORRECTION CORVEL CORPORATION	PLF: BRUMBAUGH MU & KING JACKSONVILLE, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
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W17631 AP 9:00	PAUL GRAYSON v FIRST CHARLOTTE PERFUSION SERVICES, INC., NON-INSURED. AND/OR NOVANT HEALTH, INC., D/B/A PRESBYTERIAN HOSPITAL, SELF-INSURED	PLF: THE SUMWALT LAW FIRM CHARLOTTE, N.C. DFT: ORBOCK RUARK & DILLARD WINSTON-SALEM, N.C.
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NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

DANNY L. MCDONALD, CHAIR
LINDA CHEATHAM, COMMISSIONER
CHRISTOPHER SCOTT, COMMISSIONER

WEDNESDAY, DECEMBER 7, 2011

9:00 A.M.

RALEIGH, NORTH CAROLINA

669137 SG 9:00	ROBERT WHITE, HOLLY FAYE WHITE, WIFE, AND SAVANNAH NICOLE WHITE, A MINOR CHILD, BY AND THROUGH HER GUARDIAN AD LITEM VERNON SUMWALT v NOVANT HEALTHCARE, INC., SELF-INSURED, AND CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY, SELF INSURED; AND CAROLINA NEUROSURGERY & SPINE ASSOCIATES (PEERLESS INSURANCE CO./ MONTGOMERY INSURANCE CO.); AND CAROLINAS MEDICAL CENTER MEDICAL CENTER-NORTHEAST PMA INSURANCE GROUP); AND MILLER ORTHOPAEDIC CLINIC NOW ORTHOCAROLINA, P.A), (TRAVELERS/AETNA PROPERTY CASUALTY); AND CAROLINA BONE & JOINT (CARRIER UNKNOWN)	PLF: FARAH & CAMMARANO RALEIGH, N.C. ----- SUMWALT LAW FIRM CHARLOTTE, N.C. DFT: ORBOCK RUARK & DILLARD WINSTON-SALEM, N.C. ----- DICKIE MCCAMEY & CHILCOTE CHARLOTTE, N.C. ----- JONES HEWSON & WOOLARD CHARLOTTE, N.C. ----- HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C. ----- MULLEN HOLLAND & COOPER GASTONIA, N.C. ----- RUDISILL WHITE & KAPLAN CHARLOTTE, N.C.
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COURT RECESS
(ORAL ARGUMENTS TO RESUME AT 1:30 P.M.)

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

DANNY L. MCDONALD, CHAIR
LINDA CHEATHAM, COMMISSIONER
CHRISTOPHER SCOTT, COMMISSIONER

TUESDAY, DECEMBER 13, 2011

9:00 A.M.

RALEIGH, NORTH CAROLINA

W63907 RH 9:00	SCOTTY GARCIA v GLOVER WELDING, LLC CHARTIS INSURANCE	PLF: BLAKE LAW FIRM WILSON, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
X01968 VH 9:00	RICK BROWN v BROWN CAMPBELL INTERIORS GENERAL CASUALTY INSURANCE COMPANY	PLF: OXNER THOMAS + PERMAR RALEIGH, N.C. DFT: ORBOCK RUARK & DILLARD WINSTON-SALEM, N.C.
895147 BH 9:00	KIMBERLY STOUT, WIDOW OF SCOTT STOUT, DECEASED v PETE WALL PLUMBING BUILDERS MUTUAL INSURANCE CO.	PLF: PAMELA W. FOSTER HIGH POINT, N.C. DFT: LEWIS & ROBERTS RALEIGH, N.C.
W56958 TS 9:00	FRED LEAKS v NATIONAL RETAIL SYSTEMS, INC. THE PHOENIX INSURANCE COMPANY (TRAVELERS INSURANCE CO.)	PLF: OXNER THOMAS + PERMAR RALEIGH, N.C. DFT: DICKIE MCCAMEY & CHILCOTE CHARLOTTE, N.C.

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

DANNY L. MCDONALD, CHAIR
LINDA CHEATHAM, COMMISSIONER
CHRISTOPHER SCOTT, COMMISSIONER

TUESDAY, DECEMBER 13, 2011

1:30 P.M.

RALEIGH, NORTH CAROLINA

W87635, DINA OCHOA
X00966 v
& NOAH'S ANGELS, LLC,
X21932 D/B/A COMFORT KEEPERS
JG NORTH AMERICAN SPECIALTY
1:30 INSURANCE COMPANY
 (GALLAGHER BASSETT)

PLF: WALDEN & WALDEN
 WINSTON-SALEM, N.C.

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

683568 FRANCES K. WALLACE
VH v
1:30 INTELICOAT TECHNOLOGIES
 THE HARTFORD

PLF: POISSON POISSON & BOWER
 WADESBORO, N.C.

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

W66377 BRENDA E. WRIGHT
BD v
1:30 WAL-MART, INC., #1127
 CLAIMS MANAGEMENT, INC.

PLF: POISSON POISSON & BOWER
 WADESBORO, N.C.

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

NORTH CAROLINA INDUSTRIAL COMMISSION
FULL COMMISSION
REVIEW DOCKET

DANNY L. MCDONALD, CHAIR
LINDA CHEATHAM, COMMISSIONER
CHRISTOPHER SCOTT, COMMISSIONER

FRIDAY, DECEMBER 16, 2011

9:00 A.M.

RALEIGH, NORTH CAROLINA

TA-21206 SG 9:00	THOMAS BOYD, BY AND THROUGH TYRA POWELL, GUARDIAN AD LITEM, v N.C. DEPARTMENT OF HEALTH AND HUMAN SERVICES	PLF: PERRY PERRY & PERRY DURHAM, N.C. DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
W18556 MV 9:00	JERALD W. CARTER v THE CITY OF REIDSVILLE NC LEAGUE OF MUNICIPALITIES	PLF: OXNER THOMAS + PERMAR GREENSBORO, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
X01025 CS 9:00	WILLIAM ALLEN v INTEGRATED ELECTRICAL SERVICES CNA INSURANCE COMPANY	PLF: OXNER THOMAS + PERMAR WINSTON-SALEM, N.C. DFT: CRANFILL SUMNER & HARTZOG CHARLOTTE, N.C.
W68665 & X12829 PB 9:00	CHARLES E. FOSTER v LOWES HOME CENTERS, INC. SELF-INSURED (SEDGWICK CMS)	PLF: SELLERS HINSHAW AYERS DORTCH & LYONS, CHARLOTTE, N.C. DFT: CRANFILL SUMNER & HARTZOG CHARLOTTE, N.C.
W78352 PB 9:00	THOMAS FORTIER v KEFFER CHRYSLER JEEP DODGE DEALERS' CHOICE MUTUAL INSURANCE (BRENTWOOD SERVICES ADMINISTRATORS)	PLF: SEIFER FLATOW CHARLOTTE, N.C. DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
