

Michael F. Easley, Governor  
Pamela T. Young, Chair



Bernadine S. Ballance, Commissioner  
Buck Lattimore, Commissioner  
Danny L. McDonald, Commissioner  
Laura K. Mavretic, 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 December 8, 10, and 12, 2008, all motions, requests for continuances, and telephone inquiries should be directed to the attention of David Stahl, Agency Legal Specialist to Commissioner Christopher Scott, Dobbs Building, 4336 Mail Service Center, Raleigh, North Carolina 27699. The telephone number for Mr. Stahl is (919) 807-2514.**

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 8, 10 & 12, 2008  
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

CHRISTOPHER SCOTT, PANEL CHAIR  
DANNY L. MCDONALD, COMMISSIONER  
LAURA K. MAVRETIC, COMMISSIONER

MONDAY, DECEMBER 8, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

---

662656 JG 9:30	ELLIS AYERS, JR. v MOUNTAIN RIVER TRUCKING COMPANY, INC. AMERICAN INTERSTATE INS CO.	PLF: OXNER THOMAS & PERMAR WINSTON-SALEM, N.C.  DFT: LEWIS & ROBERTS RALEIGH, N.C.
587562 GG 9:30	NATHAN SCOTT BULLOCK v KELLOGG KEEBLER CO. GALLAGHER BASSETT	PLF: OXNER THOMAS & PERMAR GREENSBORO, N.C.  DFT: ORBOCK RUARK & DILLARD WINSTON-SALEM, N.C.
579847 RR 9:30	SHERRILL POWELL v A & F CORPORATION AMERICAN HOME ASSURANCE CO.	PLF: JANET H. DOWNING FAYETTEVILLE, N.C.  DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
396280 BH 9:30	HELEN SPERRY v KOURY CORPORATION SELECTIVE INSURANCE CO.	PLF: LAW OFFICE OF KATHLEEN G. SUMNER GREENSBORO, N.C.  DFT: RUDISILL WHITE & KAPLAN CHARLOTTE, N.C.
TA-18747 TA-18749 & TA-18750 WT 9:30	DOZIER'S LOGGING SASHA DOZIER IMMANUEL DOZIER v FRANKLIN COUNTY GOVERNMENT	PLF: PRO SE PLF: PRO SE PLF: PRO SE  DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.

---

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

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW            DOCKET

CHRISTOPHER SCOTT, PANEL CHAIR  
DANNY L. MCDONALD, COMMISSIONER  
LAURA K. MAVRETIC, COMMISSIONER

MONDAY, DECEMBER 8, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

---

555473 KL 1:30	GEORGE THOMPSON v WESTERN CAROLINA UNIVERSITY KEY RISK MANAGEMENT SERVICES	PLF: GARY DODD ASHEVILLE, N.C. DFT: N.C. DEPARTMENT OF JUSTICE ASHEVILLE, N.C.
----------------------	---	---

---

542861 KL 1:30 <b>RE-SET</b>	BOBBIE LEE ELLIS v PARK RIDGE HOSPITAL ADVENTIST HEALTH SYSTEM	PLF: ROOT & ROOT WEAVERVILLE, N.C. DFT: NORTHRUP & MCCONNELL ASHEVILLE, N.C.
---------------------------------------	---	---

**(MCDONALD\*, SCOTT & MAVRETIC)**

---

667615 PH 1:30	JOAN H. STEINMAN v CRAVEN REGIONAL MEDICAL CENTER LIBERTY MUTUAL INSURANCE CO.	PLF: DONALD J. DUNN NEW BERN, N.C. DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, WILMINGTON, N.C.
----------------------	--	---

---

718528 CS 1:30	SYLVIA C. HUMPHRIES v REA CONTRACTING LIBERTY MUTUAL INS CO.	PLF: LAW OFFICES OF MICHAEL J. BEDNARIK CHARLOTTE, N.C. DFT: CRANFILL SUMNER & HARTZOG CHARLOTTE, N.C.
----------------------	---	---

---

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW            DOCKET

CHRISTOPHER SCOTT, PANEL CHAIR  
DANNY L. MCDONALD, COMMISSIONER  
LAURA K. MAVRETIC, COMMISSIONER

WEDNESDAY, DECEMBER 10, 2008

9:30 A.M. RALEIGH, NORTH CAROLINA

---

491101 JD 9:30	RANDALL A. WILLET v CHARLES R. UNDERWOOD, INC. EMC	PLF: YOUNCE & VTIPIL RALEIGH, N.C.  DFT: TEAGUE CAMPBELL DENNIS & GORHAM, RALEIGH, N.C.
640735 JD 9:30	ALTON BRYANT v N.C. DEPARTMENT OF CORRECTION SELF-INSURED (KEY RISK MANAGEMENT SERVICES)	PLF: ELWOOD BECTON RALEIGH, N.C.  DFT: NC. DEPARTMENT OF JUSTICE RALEIGH, N.C.
783957 AP 9:30	DEREK L. SUMMERS v FOOD LION LLC RISK MANAGEMENT SERVICES, INC.	PLF: LAW OFFICE OF JESSE SHAPIRO APEX, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, RALEIGH, N.C.
762992 PH 9:30	JAMEL FRAZIER v N.C. DEPARTMENT OF TRANSPORTATION SELF-INSURED	PLF: LAW OFFICES OF JESSE SHAPIRO APEX, N.C.  DFT: N.C. DEPARTMENT OF JUSTICE RALEIGH, N.C.
638993 BH 9:30	ANN K. CLEGG v PERSONAL CARE INC. PHARMACY MUTUAL INS CO.	PLF: CRUMLEY & ASSOCIATES GREENSBORO, N.C.  DFT: MCANGUS GOUDELOCK & COURIE CHARLOTTE, N.C.

---

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

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW            DOCKET

CHRISTOPHER SCOTT, PANEL CHAIR  
DANNY L. MCDONALD, COMMISSIONER  
LAURA K. MAVRETIC, COMMISSIONER

WEDNESDAY, DECEMBER 10, 2008

1:30 P.M. RALEIGH, NORTH CAROLINA

---

240103 GG 1:30	RANDY LEE DUCKWORTH v SGL CARBON ACE USA/ESIS	PLF: DANIEL LAW FIRM MORGANTON, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GAROFALO, CHARLOTTE, N.C.
----------------------	--	--

---

665604 GG 1:30	CARL B. KINGSTON v LYON CONSTRUCTION, INC. PMA INSURANCE CO. AND PENN NATIONAL SECURITY INS CO.	PLF: WALLACE & GRAHAM SALISBURY, N.C.  DFT: CRANFILL SUMNER & HARTZOG RALEIGH, N.C.  HEDRICK GARDNER KINCHELOE & GARAFALO, CHARLOTTE, N.C.
----------------------	--	---

---

788785 BD 1:30	KAREN W. TREADAWAY v AUTUMN CARE KEY RISK INSURANCE COMPANY	PLF: POISSON POISSON & BOWER WADESBORO, N.C.  DFT: HEDRICK GARDNER KINCHELOE & GARAFALO, CHARLOTTE, N.C.
----------------------	--	--

---

NORTH CAROLINA INDUSTRIAL COMMISSION  
FULL COMMISSION  
REVIEW DOCKET

CHRISTOPHER SCOTT, PANEL CHAIR  
DANNY L. MCDONALD, COMMISSIONER  
LAURA K. MAVRETIC, COMMISSIONER

FRIDAY, DECEMBER 12, 2008

11:00 A.M. RALEIGH, NORTH CAROLINA

466773 TINA GILLAND  
& v  
PH-1268 SWANNANOVA VALLEY FAMILY  
GH MEDICINE, P.A.  
11:00 COMPANION PROPERTY AND  
CASUALTY GROUP  
NON-INSURED

N.C. INDUSTRIAL COMMISSION  
v  
SWANNANOVA VALLEY FAMILY  
MEDICINE, P.A.  
COMPANION PROPERTY AND  
CASUALTY GROUP  
NON-INSURED

**(MAVRETIC\*, BALLANCE & YOUNG)**

PLF: THE MOORE LAW FIRM  
ASHEVILLE, N.C.

N.C. DEPARTMENT OF JUSTICE  
RALEIGH, N.C.

DFT: RUSSELL & KING  
ASHEVILLE, N.C.

NORTHUP MCCONNELL & SIZEMORE  
ASHEVILLE, N.C.