

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

DAVID F. EVANS, et al.,

Plaintiffs,

v.

CITY OF DURHAM, N.C., et al.,

Defendants.

Case No. 1:07CV739

**AGREED MOTION EXTENDING TIME OF  
LINWOOD WILSON TO ANSWER COMPLAINT**

Plaintiffs David F. Evans, Collin Finnerty, and Reade Seligmann, by undersigned counsel, hereby move for an Order extending the time for Defendant Linwood Wilson to answer or otherwise respond to the Complaint to December 11, 2007.

In support of this Motion, Plaintiffs state as follows:

1. On November 6, 2007, Defendant Wilson contacted counsel for Plaintiffs Evans and Finnerty to state that he has not yet retained counsel to represent him in this litigation and to request an extension of time in which to answer or otherwise respond to the Complaint.

2. At present, the deadline for Defendant Wilson to answer or otherwise respond to the Complaint is November 12, 2007; the deadline for Defendant Michael B. Nifong is December 11, 2007; and the deadline for all other Defendants is December 10, 2007.

3. Defendant Wilson, *pro se*, and all Plaintiffs have agreed to the proposed extension to December 11, 2007.

4. Because Defendant Wilson is not yet represented by counsel, Plaintiffs represented that they would file this Motion to request the Court's approval of the proposed extension to December 11, 2007, and that they would serve Defendant Wilson with copies of this Motion and any communications with the Court concerning this Motion.

**WHEREFORE**, Plaintiffs request that the Court extend the time for Defendant Linwood Wilson to answer or otherwise respond to the Complaint to December 11, 2007.

Dated: November 7, 2007

Respectfully submitted,

**WILLIAMS & CONNOLLY LLP**

By: /s/ Charles Davant IV  
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*David F. Evans and Collin Finnerty*

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-and-

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(\* motion for special appearance  
to be filed forthwith)

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(\* motion for special appearance  
to be filed forthwith)

*Attorneys for Plaintiff Reade Seligmann*

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**CERTIFICATE OF SERVICE**

I hereby certify that, on November 7 , 2007, I electronically filed the foregoing **Agreed Motion Extending Time of Linwood Wilson To Answer Complaint** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

James B. Craven III  
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*Counsel for Defendant DNA Security,  
Inc. & Richard Clark*

I further certify that I caused the foregoing document to be served by first-class mail, postage prepaid, to the following non CM/ECF participants:

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-and-

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c/o 120 E. Parrish Street, Ste. 210  
P.O. Box 2301  
Durham, N.C. 27702

Moreover, Reginald B. Gillespie, Jr., counsel for Defendant City of Durham, N.C., has agreed to cause the foregoing to be provided to Defendants Mark Gottlieb, Benjamin Himan, David Addison, Steven Chalmers, Beverly Council, Ronald Hodge, Jeff Lamb, Stephen Mihaich, Michael Ripberger, and Lee Russ, employees of the City of Durham whose addresses the City of Durham has requested not be placed in the public court file.

Respectfully submitted,

/s/ Charles Davant IV

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