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

| DAVID F. EVANS, et al, |) |
|----------------------------|--------------------------|
| Plaintiffs, |)) |
| V. |) Case No. 1:07-CV-00739 |
| THE CITY OF DURHAM, et al, |) |
| Defendants. |) |
| | |

AMENDED CERTIFICATE OF SERVICE

The undersigned certifies that on May 9, 2008, Defendants Baker, Chalmers, Council, Hodge, Ripberger, and Russ timely filed and served the Reply of Defendants Baker, Chalmers, Council, Hodge, Lamb, Ripberger, and Russ in Support of Motion to Dismiss to all counsel of record through the CM/ECF system. Due to a clerical error, copies of the Reply were not mailed that same day, as stated in the Certificate of Service attached to the Reply, to the non CM/ECF participants.

The undersigned further certifies that a copy of the Reply was served today upon each of the following non CM/ECF participants by United States mail, postage prepaid, addressed as follows:

Richard D. Emery Ilann M. Maazel EMERY, CELLI, BRINKERHOFF & ABADY, LLP 75 Rockefeller Plaza, 20th Floor New York, NY Attorneys for Plaintiff Seligmann Barry C. Scheck 100 Fifth Avenue New York, NY 10011 Attorneys for Plaintiff Seligmann

Linwood Wilson Post Office Box 2301 Durham, NC 27702 *Pro Se*

Roger E. Warrin Michael A. Vatis John P. Nolan Ana H. Voss STEPTOE & JOHNSON, LLP 1330 Connecticut Ave. N.W. Washington, DC 20036 Attorneys for Defendant City of Durham

This the 15th day of May, 2008.

Respectfully submitted,

By: /s/ D. Martin Warf
D. Martin Warf
N.C. State Bar No. 32982
Attorneys for Defendants Baker, Chalmers,
Council, Hodge, Lamb, Ripberger, and Russ
434 Fayetteville Street, Suite 1900
Raleigh, North Carolina 27601
Telephone: (919) 835-4100
Facsimile: (919) 829-8714

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| Defendants. |) | |
| THE CITY OF DURHAM, et al, |) | |
| v. |) Case No. 1:07-CV-00739 | |
| Plaintiffs, |)) | |
| DAVID F. EVANS, et al, |) | |

I hereby certify that the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Brendan V. Sullivan, Jr.
Robert M. Cary
Christopher N. Manning
Charles Davant IV
WILLIAMS &CONNOLLY, LLP
725 Twelfth Street, N.W.
Washington, DC 20005
Attorneys for Plaintiffs Evans and Finnerty

Robert J. King, III
Kearns Davis
BROOKS, PIERCE, McLENDON,
HUMPHREY & LEONARD, LLP
Post Office Box 26000
Greensboro, NC 27420
Attorneys for Defendants DNA Security,
Inc. and Richard Clark

David S. Rudoph RUDOLPH, WIDENHOUSE & FIALKO 312 W. Franklin Street Chapel Hill, NC 27516 Attorneys for Plaintiff Seligmann

Robert A. Saar Nicholas J. Sanservino, Jr. OGLETREE DEAKINS NASH SMOAK & STEWART, PC 2301 Sugar Bush Rd., Suite 600 Raleigh, NC 27612 Attorneys for DNA Security James A. Roberts, III LEWIS & ROBERTS, PLLC 1305 Navaho Drive, Suite 400 Raleigh, NC 27605 Attorneys for Brian Meehan

Reginald B. Gillespie, Jr. FAISON & GILLESPIE Post Office Box 51729 Durham, NC 27717 Attorneys for Defendant City of Durham

Edwin M. Speas Eric P. Stevens POYNER & SPRUILL, LLP 3600 Glenwood Avenue Raleigh, NC 27612 Attorneys for Defendant Gottlieb Paul R. Dickinson, Jr. LEWIS & ROBERTS, PLLC 590 Fairview Rd., Suite 102 Charlotte, NC 28210 Attorneys for Brian Meehan

Joel M. Craig Henry W. Sappenfield KENNON, CRAVER, BELO, CRAIG & MCKEE, PLLC Post Office Box 51579 Attorneys for Defendant Himan

James B. Maxwell MAXWELL, FREEMAN & BOWMAN, P.A. Post Office Box 52396 Durham, NC 27717 Attorneys for Defendant Addison

I further certify that a copy of the foregoing was served today upon each of the following non CM/ECF participants by United States mail, postage prepaid, addressed as follows:

Richard D. Emery

Ilann M. Maazel

EMERY, CELLI, BRINKERHOFF & New York, NY 10011

ABADY, LLP

75 Rockefeller Plaza, 20th Floor

New York, NY

Attorneys for Plaintiff Seligmann

Linwood Wilson Post Office Box 2301 Durham, NC 27702 *Pro Se* Roger E. Warrin Michael A. Vatis John P. Nolan Ana H. Voss

STEPTOE & JOHNSON, LLP 1330 Connecticut Ave. N.W. Washington, DC 20036

Attorneys for Defendant City of Durham

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D. Martin Warf
N.C. State Bar No. 32982
Attorneys for Defendants Baker, Chalmers,
Council, Hodge, Lamb, Ripberger, and Russ
434 Fayetteville Street, Suite 1900
Raleigh, North Carolina 27601
Telephone: (919) 835-4100

martin.warf@troutmansanders.com

Facsimile: (919) 829-8714