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May 29, 2008

VIA E-MAIL

Rob Cary
WILLIAMS & CONNOLLY LLP
725 Twelfth Street, N.W.
Washington, DC 20005

Re: Evans, Finnerty, Seligmann v. The City of Durham, North Carolina, et al.
No. 1:07-CV-739

Dear Rob:

Regarding your letter of May 20, 2008 suggesting that the parties hold their Rule 26(f) conference: In the Middle District of North Carolina, the requirement to hold such a conference is triggered by the Clerk sending a notice of the initial pretrial conference. LR 16.1(b). This has not occurred, and the Court's practice is not to require a discovery conference while motions to dismiss are pending. In any event, it is inappropriate to begin discovery while motions to dismiss are pending, particularly motions that are largely grounded on the existence of various immunities.

Sincerely,



Robert J. King III

RJK:mh

cc: Kearns Davis
Clint Pinyan
DJ O'Brien