

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

RYAN McFADYEN, et al.,
Plaintiffs,
v.
DUKE UNIVERSITY, et al.,
Defendants.

Case No. 1:07-cv-953

NOTICE OF FILING OF WAIVERS OF SERVICE OF SUMMONS

Pursuant to Rule 4(d)(4) of the Federal Rules of Civil Procedure, Plaintiffs Ryan McFadyen, Matthew Wilson and Breck Archer, by undersigned counsel, hereby file the annexed waivers of service of summons executed by or on behalf of Defendants City of Durham, Edward Sarvis, Stephen Mihaich, Patrick Baker, Jeff Lamb, Lee Russ, Steven Chalmers, Beverly Council, Michael Ripberger, Laird Evans, Ronald Hodge, James T. Soukup, Kammie Michael, David W. Addison, and Richard D. Clayton, Duke University, Duke University Police Department, Aaron Graves, Robert Dean, Leila Humphries, Phyllis Cooper, William F. Garber, II, James Schwab, Joseph Fleming, Jeffrey O. Best, Gary N. Smith, Greg Stotsenberg, Robert K. Steel, Richard H. Brodhead, Ph.D., Peter Lange, Ph.D., Tallman Trask, III, Ph.D., John Burness, Larry Moneta, Ed.D., Victor J. Dazau, M.D., Allison Halton, Kemel Dawkins, Suzanne Wasiolek, Stephen Bryan,

Matthew Drummond, Duke University Health Systems, Inc., Private Diagnostic Clinic, PLLC, Julie Manly, MD, Theresa Arico, R.N., and Tara Levicy, R.N.

The requests for those waivers were sent by e-mail on February 12, 2008. Accordingly, by operation of Rules 4(d)(3) and 12(a)(1)(B) of the Federal Rules of Civil Procedure, the time for the City of Durham Defendants to answer or otherwise respond to the Complaint is extended until April 14, 2008.

Dated: February 22, 2008.

Respectfully submitted,

EKSTRAND & EKSTRAND LLP

/s/ Robert C. Ekstrand

Robert C. Ekstrand, Esq.
NC Bar #26673
811 Ninth Street, Suite 260
Durham, North Carolina 27705
Phone: (919) 416-4590
Email: rce@ninthstreetlaw.com
Counsel for Plaintiffs

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CERTIFICATE OF SERVICE

I hereby certify that, on February 22, 2008, I electronically filed the foregoing NOTICE OF FILING OF WAIVERS OF SERVICE OF SUMMONS (including attachments) with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Reginald B. Gillespie, Jr.
FAISON & GILLESPIE
5517 Durham-Chapel Hill Blvd., Ste 2000
Durham NC 27717-1729
*Counsel for Defendant City of Durham,
North Carolina and Edward Sarvis*

James B. Maxwell
MAXWELL, FREEMAN &
BOWMAN, PA
P.O. Box 52396
Durham, NC 27717-2396
*Counsel for Defendants David
Addison, Kammie Michael, Richard D.
Clayton and James T. Soukup*

Edwin M. Speas
Eric P. Stevens
POYNER & SPRUILL, LLP
3600 Glenwood Avenue
Raleigh, NC 27612
Counsel for Defendant Mark Gottlieb

Joel M. Craig
KENNON CRAVER BELO CRAIG
& MCKEE, PLLC
P.O. Box 51579
Durham, NC 27717-1579
*Counsel for Defendant Benjamin
Himan*

J. Donald Cowan, Jr.
Dixie T. Wells
SMITH MOORE LLP
P.O. Box 21927
Greensboro, NC 27420
*Counsel for Defendants Duke University,
Duke University Police Department, Aaron
Graves, Robert Dean, Leila Humphries,
Phyllis Cooper, William F. Garber, II,
James Schwab, Joseph Fleming, Jeffrey O.
Best, Gary N. Smith, Greg Stotsenberg,
Robert K. Steel, Richard H. Brodhead,
Ph.D., Peter Lange, Ph.D., Tallman Trask,
III, Ph.D., John Burness, Larry Moneta,
Ed.D., Victor J. Dzau, M.D., Allison
Halton, Kemel Dawkins, Suzanne
Wasiolek, Stephen Bryan, and Matthew
Drummond*

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:

Paul R. Dickinson, Jr.
James A. Roberts, III, Esq.
LEWIS & ROBERTS PLLC
1305 Navaho Drive, Suite 400
Raleigh, NC 27609-7482
Counsel for Defendant Brian Meehan

Patricia P. Kerner
TROUTMAN SAUNDERS LLP
434 Fayetteville Street, Suite 1900
Raleigh, North Carolina 27601
***Counsel for Defendants Steven Chalmers,
Patrick Baker, Beverly Council, Ronald
Hodge, Jeff Lamb, Stephen Mihaich,
Michael Ripberger, Laird Evans and Lee
Russ***

Robert J. King, III
Kearns Davis, Esq.
BROOKS, PIERCE, McLENDON,
HUMPRHEY & LEONARD, LLP
P.O. Box 26000
2000 Renaissance Plaza
Greensboro, NC 27420
***Counsel for Defendant DNA Security, Inc.
& Richard Clark***

Dan J. McLamb
YATES, McLAMB & WEYHER, LLP
One Bank of America Plaza, Ste 1200
421 Fayetteville Street
Raleigh, NC 27601
***Counsel for Defendants Duke University
Health Systems, Inc., Private Diagnostic
Clinic, PLLC, Julie Manly, M.D., Tara
Levicy, R.N. and Theresa Arico, R.N.***

Linwood Wilson
6910 Innesbrook Way
Bahama, NC 27503-9700
Pro Se

Roger E. Warin
STEPTOE & JOHNSON LLP
1330 Connecticut Avenue, NW
Washington, DC 2003
***Counsel for Defendant City of Durham,
North Carolina***

Robert A. Sar
Nicholas J. Sanservino, Jr.
OGLETREE, DEAKINS, NASH, SMOAK
& STEWART, P.C.
2301 Sugar Bush Road, Ste 600
Raleigh, NC 27612
Counsel for Defendant DNA Security, Inc.

Jamie Gorelick
WILMER CUTLER PICKERING
HALE AND DORR, LLP
1875 Pennsylvania Avenue, NW
Washington, DC 20006
***Counsel for Defendants Duke University,
Duke University Police Department,
Aaron Graves, Robert Dean, Leila
Humphries, Phyllis Cooper, William F.
Garber, II, James Schwab, Joseph
Fleming, Jeffrey O. Best, Gary N. Smith,
Greg Stotsenberg, Robert K. Steel,
Richard H. Brodhead, Ph.D., Peter Lange,
Ph.D., Tallman Trask, III, Ph.D., John
Burness, Larry Moneta, Ed.D., Victor J.
Dzau, M.D., Allison Halton, Kemel
Dawkins, Suzanne Wasiolek, Stephen
Bryan, and Matthew Drummond***

Respectfully submitted,

/s/ Robert C. Ekstrand

Robert C. Ekstrand, Esq.

N.C. Bar No. 26673

811 Ninth Street, Suite 260

Durham, North Carolina 27705

Phone: (919) 416-4590

Email: rce@ninthstreetlaw.com

*Counsel for Plaintiffs Ryan McFadyen,
Matthew Wilson and Breck Archer*