

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

RYAN MCFADYEN, MATTHEW WILSON, and )  
BRECK ARCHER, )  
 )  
 Plaintiffs, )  
 )  
 v. )  
 )  
 DUKE UNIVERSITY, et al., )  
 )  
 Defendants. )

**Civil Action No.: 1:07-cv-953**

**MOTION FOR EXTENSION OF TIME**

NOW COME Defendants DNA Security Inc. (“DSI”) and Richard Clark (“Clark”), by and through counsel and pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, and move this Court to extend the time in which they may answer Plaintiffs’ Second Amended Complaint by thirty (30) days. In support of this Motion, Defendants DSI and Clark show unto the Court the following:

1. Plaintiffs’ Second Amended Complaint was filed on February 23, 2010;
2. Defendants DSI and Clark filed their Motion to Dismiss the Second Amended Complaint, which Motion to Dismiss was referred to the Court for determination, along with the Motions to Dismiss of the numerous other named defendants in this case, on May 4, 2010;
3. A Memorandum Opinion and Order was entered on March 31, 2011 granting in part and denying in part the Motion to Dismiss of Defendants DSI and Clark;
4. Defendants DSI’s and Clark’s response to Plaintiffs’ Second Amended Complaint is currently due on or about April 14, 2011;
5. No prior extensions of time have been requested or obtained by Defendants DSI and Clark;

6. Counsel for Defendants DSI and Clark has communicated with Plaintiffs' counsel prior to filing this Motion for Extension of Time, and Plaintiffs' counsel does not object to the requested extension; and

7. Given the voluminous nature of the Second Amended Complaint, consisting of some 428 pages and 1,388 numbered paragraphs, Defendants DSI and Clark require an extension of time of thirty (30) days, to and including May 16, 2011, within which to answer Plaintiffs' Second Amended Complaint.

WHEREFORE, Defendants DNA Security Inc. and Richard Clark hereby pray that the Court grant them an extension of time, to and including May 16, 2011, within which to answer Plaintiffs' Second Amended Complaint.

Respectfully submitted, this the 11th day of April, 2011.

/s/ Robert J. King III  
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*Counsel for Defendants DNA Security, Inc.  
and Richard Clark*

**CERTIFICATE OF SERVICE**

I hereby certify that, on this date, the foregoing **Motion For Extension of Time** was filed electronically. Notice of this filing will be sent by operation of the Court's Electronic Filing System to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

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This the 11th day of April, 2011.

/s/ Robert J. King III  
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