

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

CIVIL ACTION NUMBER 1:07-CV-00953

RYAN McFADYEN, et al.,

Plaintiffs,

v.

DUKE UNIVERSITY, et al.,

Defendants.

**ANSWER OF THE DUKE  
UNIVERSITY DEFENDANTS,  
DUKE UNIVERSITY POLICE  
DEFENDANTS, AND DUKE SANE  
DEFENDANTS**

Duke University, Robert K. Steel, Richard Brodhead, John Burness, Matthew Drummond and Victor J. Dzau (hereinafter “Duke University Defendants”), Aaron Graves, Robert Dean, and Gary N. Smith (hereinafter “Duke University Police Defendants”), and Duke University Health System, Inc. and Tara Levicy (hereinafter “Duke University SANE Defendants”) respond as follows to the Second Amended Complaint filed in this action:

**FIRST DEFENSE**

Plaintiffs’ Second Amended Complaint violates Rule 8 of the Federal Rules of Civil Procedure, which requires a complaint to contain a “short and plain statement of the claim showing that the pleader is entitled to relief.” Instead, Plaintiffs’ Second Amended Complaint includes a large number of implicit allegations that are undefined and bases its allegations on a large number of false premises. It contains 428 pages and 1,388

numbered paragraphs, “most of which are not relevant to the actual legally-recognized claims that may be available.” (See D.E. 186 at 221.)

### **SECOND DEFENSE**

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny anything that is not explicitly admitted in the same terms in which it is alleged. It is not the intention of the Duke University Defendants, Duke University Police Defendants, or the Duke SANE Defendants to make any implicit admissions of facts, premises, or concepts that are logically, or otherwise, implied by the allegations within the Second Amended Complaint. Where facts, premises, or concepts are admitted, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants will admit those facts, premises or concepts expressly. The Duke University Defendants, Duke University Police Defendants, or the Duke SANE Defendants deny all other allegations within this Second Amended Complaint that are not admitted.

### **THIRD DEFENSE**

The Duke University Defendants, Duke University Police Defendants and Duke SANE Defendants have not engaged in discovery regarding the circumstances of the Plaintiffs’ allegations. The Duke University Defendants, Duke University Police Defendants and Duke SANE Defendants thus expressly reserve the right to move to amend their answer to add additional responses and defenses as discovery progresses and additional information regarding this action becomes available.

#### **FOURTH DEFENSE**

To the extent that any of the headings contained within the Second Amended Complaint are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

#### **FIFTH DEFENSE**

The Duke University Defendants, the Duke University Police Defendants, and the Duke SANE Defendants respond as follows to the numbered allegations contained in the Second Amended Complaint:

To the extent that the heading that precedes Paragraph 1 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they were a part of any type of “consortium” as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

2. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they were a part of any type of “consortium” as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

3. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

4. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

5. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that the North Carolina Attorney General's office conducted an independent investigation of the allegations made by Ms. Mangum. Upon information and belief, the Duke University Defendants and Duke SANE Defendants admit that on April 11, 2007, the North Carolina Attorney General dismissed all charges against David Evans, Colin Finnerty, and Reade Seligmann arising from the rape allegations that are the subject of this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

To the extent that the heading that precedes Paragraph 6 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

6. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

7. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

8. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

9. Duke University admits that the Plaintiffs were undergraduates at Duke University and members of its men's lacrosse team during the spring semester of 2006. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the headings that precede Paragraph 10 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

10. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, Associate Dean Bryan,

PDC, Dr. Manly, and Nurse Arico were dismissed by the Court's Order of March 31, 2011.

Duke University admits that it is a private research university. Duke University further admits that it is a non-profit corporation organized under North Carolina law. The allegation in the second sentence calls for a legal conclusion to which no response is required. To the extent that a response is required, Duke University denies the allegation contained in the second sentence. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 11 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

11. The claims against the Duke University Police Department were dismissed by the Court's Order of March 31, 2011.

Duke University denies that the Duke University Police Department is a separate legal entity from Duke University. Duke University admits that Duke University Police Officers are Duke University employees, are commissioned as law enforcement officers under the North Carolina General Statutes, and have the full range of police authority granted any municipal law enforcement officers. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 12 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

12. Aaron Graves and Duke University admit that Aaron Graves served as the Associate Vice President for Campus Safety and Security for Duke University, including during the period from March 13, 2006 (the date of Plaintiffs' party) until June 30, 2010. Duke University and former Associate Vice President Graves admit that former Associate Vice President Graves discharged appropriately and fully the responsibilities of Associate Vice President for Campus Safety and Security for Duke University. Former Associate Vice President Graves admits that he was a citizen and resident of North Carolina in 2006. Former Associate Vice President Graves denies that he is now a resident of North Carolina. Duke University and former Associate Vice President Graves deny the remaining allegations.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

13. Robert Dean and Duke University admit that Robert Dean served as the Director of the Duke University Police Department, including during the period from March 13, 2006 (the date of Plaintiffs' party) until April 2008. Duke University and former Director Dean further admit that former Director Dean discharged appropriately and fully the responsibilities of Director of the Duke University Police Department. Former Director Dean further admits that he is a resident of North Carolina. Duke University and former Director Dean deny the remaining allegations.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

14. The claims against Leila Humphries were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Leila Humphries served as the Assistant Police Chief of the Duke University Police Department, including during the period from March 13, 2006 (the date of Plaintiffs' party) until May 2006. Duke University further admits that former Assistant Police Chief Humphries discharged appropriately and fully the responsibilities of Assistant Police Chief of the Duke University Police Department. Upon information and belief, Duke University admits that former Assistant Police Chief Humphries is a citizen and resident of North Carolina. Duke University denies the remaining allegations.



The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

15. The claims against Phyllis Cooper were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Phyllis Cooper serves in the Duke University Police Department as a fully commissioned North Carolina law enforcement officer with the rank of major, including during the period from March 13, 2006 (the date of Plaintiffs' party) to the present. Duke University admits that Major Cooper discharged appropriately and fully the responsibilities of a major with the Duke University Police Department. Duke University admits that Major Cooper has served as a liaison to CrimeStoppers. Upon information and belief, Duke University admits that Major Cooper is a citizen and resident of North Carolina. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

16. The claims against William F. Garber II were dismissed by the Court's Order of March 31, 2011.

Duke University admits that William F. Garber II served as the Medical Center Affairs Manager for the Duke University Police Department, including during the period

from March 13, 2006 (the date of Plaintiffs' party) to February 2008. Duke University admits that Mr. Garber discharged appropriately and fully the responsibilities of Medical Center Affairs Manager with the Duke University Police Department. Upon information and belief, Duke University admits that Mr. Garber is a citizen and resident of North Carolina. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

17. The claims against James Schwab were dismissed by the Court's Order of March 31, 2011.

Duke University admits that James Schwab served as a fully commissioned North Carolina law enforcement officer and was a major for the Duke University Police Department, including during the period from March 13, 2006 (the date of Plaintiffs' party) until December 2006. Duke University admits that former Major Schwab discharged appropriately and fully the responsibilities of a major with the Duke University Police Department. Upon information and belief, Duke University admits that former Major Schwab is a citizen and resident of North Carolina. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

18. The claims against Joseph Fleming were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Joseph Fleming served as a fully commissioned North Carolina law enforcement officer and was a lieutenant with the Duke University Police Department, including during the period from March 13, 2006 (the date of Plaintiffs' party) until June 2006. Duke University admits that former Lieutenant Fleming discharged appropriately and fully the responsibilities of a lieutenant with the Duke University Police Department. Upon information and belief, Duke University admits that former Lieutenant Fleming is a citizen and resident of North Carolina. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

19. The claims against Jeffrey Best were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Jeffrey Best serves as a fully commissioned North Carolina law enforcement officer and is a lieutenant and Squad Commander in the Uniform Patrol Division in the Duke University Police Department, including during the period from March 13, 2006 (the date of Plaintiffs' party) to present. Duke University admits that Lieutenant Best discharged appropriately and fully the responsibilities of a lieutenant with the Duke University Police Department. Duke University admits that

Lieutenant Best was the Watch Commander on the evening of March 13, 2006, and during the early morning hours of March 14, 2006, for the Duke University Police Department. Upon information and belief, Duke University admits that Lieutenant Best is a citizen and resident of North Carolina. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 20 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

20. Gary Smith and Duke University admit that Gary Smith serves as a fully commissioned North Carolina law enforcement officer and is a Sergeant with the Duke University Police Department, including during the period from March 13, 2006 (the date of Plaintiffs' party) to the present. Duke University and Sergeant Smith admit that Sergeant Smith discharged appropriately and fully the responsibilities of an investigator with the Duke University Police Department. Sergeant Smith admits he is a citizen and resident of North Carolina. Duke University and Sergeant Smith deny the remaining allegations.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information

sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

21. The claims against Greg Stotsenberg were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Greg Stotsenberg serves as a fully commissioned North Carolina law enforcement officer and is a lieutenant for the Duke University Police Department, including during the period from March 13, 2006 (the date of Plaintiffs' party) to the present. Duke University admits that Lieutenant Stotsenberg served as a liaison to CrimeStoppers. Duke University admits that Lieutenant Stotsenberg discharged appropriately and fully the responsibilities of a lieutenant with the Duke University Police Department. Upon information and belief, Duke University admits that Lieutenant Stotsenberg is a citizen and resident of North Carolina. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 22 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

22. Robert Steel and Duke University admit that Robert Steel served as Chairman of the Duke University Board of Trustees and the Executive Committee of the

Duke University Board of Trustees, including during the period from March 13, 2006 (the date of Plaintiffs' party) until May 2009. Duke University and former Chairman Steel further admit that former Chairman Steel discharged appropriately and fully the responsibilities of Chairman of the Duke University Board of Trustees. Former Chairman Steel admits that he is a citizen and resident of Connecticut. Duke University and former Chairman Steel deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

23. Richard Brodhead and Duke University admit that Richard Brodhead serves as President of Duke University, including during the period from March 13, 2006 (the date of Plaintiffs' party) to the present. President Brodhead admits attending meetings to respond to the situation created by the accusations against the lacrosse players. Duke University and President Brodhead further admit that President Brodhead discharged appropriately and fully the responsibilities of President of Duke University. President Brodhead further admits that he is a citizen and resident of North Carolina. Duke University and President Brodhead deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

24. The claims against Peter Lange were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Peter Lange serves as Provost of Duke University, including during the period from March 13, 2006 (the date of Plaintiffs' party) to the present. Duke University admits that Provost Lange attended meetings to respond to the situation created by the accusations against the lacrosse players. Duke University further admits that Provost Lange discharged appropriately and fully the responsibilities of Provost of Duke University. Upon information and belief, Duke University admits that Provost Lange is a citizen and resident of North Carolina. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

25. The claims against Tallman Trask III were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Tallman Trask III serves as Executive Vice President of Duke University, including during the period from March 13, 2006 (the date of Plaintiffs' party) to the present. Duke University admits that Executive Vice President Trask attended meetings to respond to the situation created by the accusations against the lacrosse players. Duke University further admits that Executive Vice President Trask discharged appropriately and fully the responsibilities of Executive Vice President of

Duke University. Upon information and belief, Duke University admits that Executive Vice President Trask is a citizen and resident of North Carolina. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

26. John Burness and Duke University admit that John Burness served as Senior Vice President for Public Affairs and Government Relations at Duke University, including during the period from March 13, 2006 (the date of Plaintiffs' party) through June 30, 2008. Duke University and former Senior Vice President Burness admit that former Senior Vice President Burness attended meetings to respond to the situation created by the accusations against the lacrosse players. Duke University and former Senior Vice President Burness admit that former Senior Vice President Burness was the primary senior liaison to the City of Durham. Duke University and former Senior Vice President Burness deny that former Senior Vice President Burness was the primary liaison to the Durham Police Department. Duke University and former Senior Vice President Burness admit that former Senior Vice President Burness discharged appropriately and fully the responsibilities of Senior Vice President for Public Affairs and Government Relations of Duke University. Former Senior Vice President Burness admits that he is a citizen and resident of North Carolina. Duke University and former Senior Vice President Burness deny the remaining allegations.



The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

27. The claims against Larry Moneta were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Larry Moneta serves as Vice President for Student Affairs at Duke University, including during the period from March 13, 2006 (the date of Plaintiffs' party) to the present. Duke University admits that Vice President Moneta attended meetings to respond to the situation created by the accusations against the lacrosse players. Duke University admits that Vice President Moneta discharged appropriately and fully the responsibilities of Vice President for Student Affairs of Duke University. Upon information and belief, Duke University admits that Vice President Moneta is a citizen and resident of North Carolina. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

28. Victor Dzau, DUHS, and Duke University admit that Victor Dzau serves as Chancellor for Health Affairs and President and Chief Executive Officer of DUHS, including during the period from March 13, 2006 (the date of Plaintiffs' party) to the present. Duke University, DUHS, and Chancellor Dzau further admit that Chancellor

Dzau discharged appropriately and fully the responsibilities of Chancellor for Health Affairs and President and Chief Executive Officer of DUHS. Chancellor Dzau further admits that he is a citizen and resident of North Carolina. Duke University, DUHS, and Chancellor Dzau deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

29. The claims against Allison Haltom were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Allison Haltom served as Executive University Secretary and Vice President of Duke University, including during the period from March 13, 2006 (the date of Plaintiffs' party) until December 31, 2007. Duke University admits that former Secretary Haltom attended meetings to respond to the situation created by the accusations against the lacrosse players. Duke University further admits that former Secretary Haltom discharged appropriately and fully the responsibilities of University Secretary and Vice President of Duke University. Upon information and belief, Duke University admits that former Secretary Haltom is a citizen and resident of North Carolina. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 30 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

30. The claims against Kemel Dawkins were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Kemel Dawkins served as the Vice President for Campus Services for Duke University, including during the period from March 13, 2006 (the date of Plaintiffs' party) until April 2010. Duke University admits that former Vice President Dawkins reported to Tallman Trask, Executive Vice President of Duke University. Duke University further admits that former Associate Vice President Graves, and Mr. Drummond, Director IT Auxiliary Services-DukeCard, reported to former Vice President Dawkins. Duke University admits that former Vice President Dawkins discharged appropriately and fully the responsibilities of Vice President for Campus Services for Duke University. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

31. The claims against Suzanne Wasiolek were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Suzanne Wasiolek serves as Assistant Vice President for Student Affairs and Dean of Students at Duke University, including during the period

from March 13, 2006 (the date of Plaintiffs' party) to the present. Duke University further admits that Dean Wasiolek discharged appropriately and fully the responsibilities of Assistant Vice President for Student Affairs and Dean of Students of Duke University. Duke University further admits that Dean Wasiolek received her juris doctorate from North Carolina Central School of Law and that she practiced law for a period of nine months. Duke University denies that Dean Wasiolek acts as a lawyer in her position at Duke. Dean Wasiolek admits that she is a citizen and resident of North Carolina. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

32. The claims against Stephen Bryan were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Stephen Bryan serves as Associate Dean of Students and Director of Judicial Affairs at Duke University, including during the period from March 13, 2006 (the date of Plaintiffs' party) to the present. Duke University admits that Associate Dean Bryan discharged appropriately and fully the responsibilities of Associate Dean of Students of Duke University. Upon information and belief, Duke University admits that Associate Dean Bryan is a citizen and resident of North Carolina. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

33. Matthew Drummond and Duke University admit that Matthew Drummond served as the Director IT Auxiliary Services-DukeCard, including during the period from March 13, 2006 (the date of Plaintiffs' party) until February 2011. Duke University and Matthew Drummond admit that Matthew Drummond discharged appropriately and fully the responsibilities of Director IT Auxiliary Services-DukeCard. Former Director Drummond further admits that he is a citizen and resident of North Carolina. Duke University and Matthew Drummond deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 34 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

34. Duke University Health System, Inc. ("DUHS") and Duke University admit that DUHS is a non-profit corporation organized under North Carolina law for the purpose of operating an integrated academic health care system. Duke University and DUHS deny that Durham Center Access is a constituent entity of DUHS and deny that

DUHS operates Durham Center Access. Duke University and DUHS deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

35. The claims against Private Diagnostic Clinic, PLLC (“PDC”) were dismissed by the Court’s Order of March 31, 2011.

Duke University and DUHS admit that PDC is a professional limited liability company organized under North Carolina law. Duke University and DUHS deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

36. The claims against Julie Manly were dismissed by the Court’s Order of March 31, 2011.

DUHS admits that Julie Manly served as an emergency medicine resident physician at DUHS, including during the period from March 13, 2006 (the date of Plaintiffs’ party) until June 30, 2006. DUHS specifically denies that Dr. Manly was a “person” acting under color of law. Upon information and belief, DUHS admits that Julie Manly is a citizen and resident of North Carolina. DUHS denies the remaining allegations.

The Duke University Defendants, Duke University Police Defendants and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

37. The claims against Theresa Arico were dismissed by the Court's Order of March 31, 2011.

DUHS admits that Theresa Arico served as the Coordinator of the Sexual Assault Nurse Examiner Program at Duke University Hospital, including during the period from March 13, 2006 (the date of Plaintiffs' party) until October 2006. DUHS specifically denies that Nurse Arico was a "person" acting under color of law. Upon information and belief, DUHS admits that Nurse Arico is citizen and resident of North Carolina. DUHS denies the remaining allegations.

The Duke University Defendants, Duke University Police Defendants and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

38. Tara Levicy and DUHS admit that on March 14, 2006, Nurse Levicy was a registered nurse who was working as a staff nurse in the Emergency Department at Duke University Hospital. Nurse Levicy admits that she was a citizen and resident of North Carolina in 2006 and 2007. Nurse Levicy admits that she is now a citizen and resident of New Hampshire. DUHS and Nurse Levicy admit that on March 14, 2006, when working on her shift, Nurse Levicy had successfully completed her SANE training and was waiting for her certificate of completion to arrive in the mail. DUHS and Nurse Levicy

specifically deny that Nurse Levicy was a “person” acting under color of law. DUHS and Nurse Levicy deny the remaining allegations.

The Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

39. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, Associate Dean Bryan, PDC, Dr. Manly, and Nurse Arico were dismissed by the Court’s Order of March 31, 2011.

Duke University, former Chairman Steel, President Brodhead, former Senior Vice President Burness, former Director Drummond, Chancellor Dzau, former Associate Vice President Graves, former Director Dean, Sergeant Smith, DUHS and Nurse Levicy admit that they are Defendants in this Action. Duke University, former Chairman Steel, President Brodhead, former Senior Vice President Burness, former Director Drummond, Chancellor Dzau, former Associate Vice President Graves, former Director Dean, Sergeant Smith, DUHS and Nurse Levicy deny the remaining allegations.



40. The claims against Provost Lange, Executive Vice President Trask, Vice President Moneta, and former Secretary Haltom were dismissed by the Court's Order of March 31, 2011.

Former Chairman Steel, President Brodhead, former Senior Vice President Burness, and Chancellor Dzau admit that they are Defendants in this Action. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

41. The claims against Provost Lange, Executive Vice President Trask, Vice President Moneta, former Secretary Haltom, former Vice President Dawkins, Dean Wasiolek, and Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Former Chairman Steel, President Brodhead, former Senior Vice President Burness, former Director Drummond and Chancellor Dzau admit that they are Defendants in this Action. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

42. The claims against Dr. Manly, Nurse Arico, and PDC were dismissed by the Court's Order of March 31, 2011.

Nurse Levicy, DUHS and Duke University admit that they are Defendants named in this Action. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

43. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg and Lieutenant Best were dismissed by the Court's Order of March 31, 2011.

President Brodhead, former Associate Vice President Graves, Sergeant Smith, and former Director Dean admit that they are Defendants in this Action.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

44. The claims against Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, and Lieutenant Best were dismissed by the Court's Order of March 31, 2011.

President Brodhead, former Associate Vice President Graves, and former Director Dean admit that they are Defendants in this Action.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

45. The claims against Lieutenant Stotsenberg were dismissed by the Court's Order of March 31, 2011.

Sergeant Smith admits that he is a Defendant in this Action.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

46. The claims against former Vice President Dawkins, Dean Wasiolek, and Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Former Director Drummond admits that he is a Defendant in this Action.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

47. The claims against Lieutenant Best, former Lieutenant Fleming, Major Cooper, former Assistant Chief Humphries, former Vice President Dawkins, and Executive Vice President Trask were dismissed by the Court's Order of March 31, 2011.

Former Chairman Steel, Sergeant Smith, former Director Dean, former Associate Vice President Graves, and President Brodhead admit that they are Defendants in this Action.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

To the extent that the heading that precedes Paragraph 48 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

48. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that the City of Durham is a municipal corporation formed under the laws of North Carolina. The Duke University Defendants, Duke

University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations contained in the second sentence and, therefore, deny the allegations contained in the second sentence.

Duke University denies the allegations contained in the last sentence. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

49. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that Michael Nifong was the District Attorney for Durham County. Upon information and belief, it is further admitted that former District Attorney Nifong was disbarred by the North Carolina State Bar for his actions relating to the prosecution of David Evans, Colin Finnerty, and Reade Seligmann. Other than reports of the disbarment proceedings, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the heading that precedes Paragraph 50 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

50. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that Patrick Baker was the City Manager for the City of Durham. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

51. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that Steven Chalmers was the Chief of Police for the Durham Police Department. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

52. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that Ronald Hodge was employed by the Durham Police Department. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

53. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that Lee Russ was employed by the Durham Police Department. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

54. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that Stephen Mihaich was employed by the Durham Police Department. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

55. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that Beverly Council was employed by the Durham Police Department. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

56. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that Jeff Lamb was employed by the Durham Police Department. The Duke University Defendants, Duke

University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

57. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that Michael Ripberger was employed by the Durham Police Department. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

58. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that Laird Evans was employed by the Durham Police Department. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

59. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that James Soukup was employed by the Durham Police Department. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the heading that precedes Paragraph 60 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

60. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that Kammie Michael was employed by the Durham Police Department. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

61. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that David Addison was employed by the Durham Police Department. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the heading that precedes Paragraph 62 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

62. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that Mark Gottlieb was employed by the Durham Police Department. The Duke University Defendants, Duke



University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

63. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that Benjamin Himan was employed by the Durham Police Department. The Duke University Defendants and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

64. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that Linwood Wilson was employed by the District Attorney for the Fourteenth Judicial District. The Duke University Defendants and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

65. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that Richard Clayton was employed by the Durham Police Department. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

66. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

67. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

68. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

69. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

70. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

71. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

72. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 73 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

73. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

74. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

75. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

76. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

77. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they, or anyone acting on behalf of any of them, were a part of any type of “consortium” as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

To the extent that the heading that precedes Paragraph 78 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

78. As a result of the matters alleged in the Second Amended Complaint, which are denied, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that the Plaintiffs purport to allege violations of 42 U.S.C. § 1983, 42 U.S.C. § 1985, 42 U.S.C. § 1986, 42 U.S.C. § 1988, the North Carolina statutes, and the North Carolina common law. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny that the allegations in the Second Amended Complaint state claims upon which relief can be granted. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

79. As a result of the matters alleged in the Second Amended Complaint, which are denied, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that these allegations place jurisdiction in this Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny that the allegations in the Second Amended Complaint state claims upon which relief can be granted. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

80. As a result of the matters alleged in the Second Amended Complaint, which are denied, the Duke University Defendants, Duke University Police Defendants, and

Duke SANE Defendants admit that these allegations place jurisdiction in this Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny that the allegations in the Second Amended Complaint state claims upon which relief can be granted. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

81. As a result of the matters alleged in the Second Amended Complaint, which are denied, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit these allegations place venue in the United States District Court for the Middle District of North Carolina. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny that the allegations in the Second Amended Complaint state claims upon which relief can be granted. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

To the extent that the headings that precede Paragraph 82 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

82. The claims against the Duke University Police Department were dismissed by the Court's Order of March 31, 2011.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

83. The claims against the Duke University Police Department were dismissed by the Court's Order of March 31, 2011.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

84. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, Associate Dean Bryan, PDC, Dr. Manly, and Nurse Arico were dismissed by the Court's Order of March 31, 2011.

Duke University, former Chairman Steel, President Brodhead, former Senior Vice President Burness, former Director Drummond, Chancellor Dzau, former Associate Vice President Graves, former Director Dean, Sergeant Smith, DUHS, and Nurse Levicy deny the allegations.

85. Former Chairman Steel and Duke University deny the allegations in the introductory section of this paragraph and in subparagraphs A, B, C, D, and E.

To the extent any of the remaining Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants are alleged to be included within “Duke University officials,” an undefined term used in Paragraph 85, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny that they ever received any such directions as alleged within Paragraph 85.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

86. Former Chairman Steel specifically denies issuing any sort of directions as alleged in Paragraph 86. Former Chairman Steel denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

To the extent that the heading that precedes Paragraph 87 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

87. Former Chairman Steel specifically denies issuing any sort of “Directive” as alleged within this Second Amended Complaint. Former Chairman Steel denies the remaining allegations.

Duke University admits that it did not have any ability to intervene in the criminal investigation conducted by the Durham Police Department or to stop the criminal

prosecution led by the District Attorney. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

88. Former Chairman Steel denies the allegations.

Duke University admits that it did not have any ability to intervene in the criminal investigation conducted by the Durham Police Department or to stop the criminal prosecution led by the District Attorney. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

89. Duke University and former Chairman Steel deny the allegations contained in the first and second sentences of this paragraph. Former Chairman Steel is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

Duke University and President Brodhead admit that on March 28, 2006, President Brodhead issued a public statement that included the language quoted in Paragraph 89. To the extent this paragraph purports to characterize a portion of this statement, Duke



University and President Brodhead deny the characterization. Duke University and President Brodhead deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

90. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a video, referenced as Attachment 1 to Plaintiffs' Second Amended Complaint, has been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

91. The claims against Executive Vice President Trask, Provost Lange, Vice President Moneta, and former Secretary Haltom were dismissed by the Court's Order of March 31, 2011.

Former Chairman Steel denies the allegations.

President Brodhead, former Senior Vice President Burness, and Chancellor Dzau specifically deny that they received any such direction from former Chairman Steel as alleged in Paragraph 91. President Brodhead, former Senior Vice President Burness, and Chancellor Dzau deny the remaining allegations.

Duke University specifically denies that any of its employees received any such direction from former Chairman Steel as alleged in Paragraph 91. Duke University denies the remaining allegations

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

92. Former Chairman Steel and Duke University deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the headings that precede Paragraph 93 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

93. The allegations in Paragraph 93 call for a legal conclusion to which no response is required. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

94. Duke University admits that on July 18, 2003, the North Carolina Legislature enacted Session Law 2003-329 House Bill 736, Section 2, which amended section 116-40.5(b) of the North Carolina General Statutes. Duke University further admits that the North Carolina General Statutes authorized Duke University to enter into

an agreement with the City of Durham regarding the jurisdiction of the Duke University Police Department. Duke University further admits that the City of Durham and Duke University signed an agreement entitled, “Agreement for Police Cooperation, Mutual Aid, and Campus Law Enforcement Agency Extended Jurisdiction.” The third sentence of Paragraph 94 calls for a legal conclusion to which no response is required. To the extent that a response is required, Duke University denies the third sentence of Paragraph 94. Duke University admits that a document, referenced as Attachment 2 to Plaintiffs’ Second Amended Complaint, has been filed with the Court. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a document, referenced as Attachment 2 to Plaintiffs’ Second Amended Complaint, has been filed with the Court. The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

95. Duke University admits that Duke University and the City of Durham entered into an agreement on April 6, 2004, titled, “Agreement for Police Cooperation, Mutual Aid and Campus Law Enforcement Agency Extended Jurisdiction.” Duke University admits that a document, referenced as Attachment 3 to Plaintiffs’ Second Amended Complaint, has been filed with the Court. The remaining allegations call for

legal conclusions to which no response is required. To the extent that a response is required, Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a document, referenced as Attachment 3 to Plaintiffs' Second Amended Complaint, has been filed with the Court. The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the heading that precedes Paragraph 96 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

96. Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

97. The claims against the Duke University Police Department were dismissed by the Court's Order of March 31, 2011.

Duke University denies the allegations contained in the introductory paragraph.

With respect to subparagraph A, Duke University is without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, denies the allegations in subparagraph A.

With respect to subparagraph B, Duke University admits that the Duke University Police Department has conducted investigations into allegations of rape and other sexual offenses on property owned by Duke University. Duke University denies the remaining allegations in subparagraph B.

With respect to subparagraph C, Duke University admits that the Duke University Police Department conducted an investigation into an alleged rape that was reported to have occurred at a Duke University dormitory on or about April 27, 2006. Duke University denies the remaining allegations in subparagraph C.

With respect to subparagraph D, Duke University admits that on or about July 27, 2005, the Duke University Police Department investigated an alleged assault on a female and second-degree sexual offense that was reported to have occurred at 2109 Duke North, Duke University Medical Center. Duke University denies the remaining allegations in subparagraph D.

With respect to subparagraph E, Duke University admits that on or about July 31, 2006, the Duke University Police Department investigated an alleged second-degree sexual offense and kidnapping that was reported to have occurred at Central Campus Apartments, 2017 Yearby Street. Duke University denies the remaining allegations in subparagraph E.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a

belief about the truth of the allegations, including the allegations in subparagraphs A, B, C, D, and E, and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 98 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

98. Duke University admits that Duke University Police Officers are Duke University employees and are commissioned as North Carolina law enforcement officers under the North Carolina General Statutes. Duke University admits that an audio file, referenced as Attachment 4 to Plaintiffs' Second Amended Complaint, has been filed with the Court. To the extent that this paragraph characterizes any statements contained within the audio file, a portion of which is attached as Attachment 4, Duke University denies the characterization. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that an audio file, referenced as Attachment 4 to Plaintiffs' Second Amended Complaint, has been filed with the Court. The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the heading that precedes Paragraph 99 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

99. Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

100. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

101. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

102. Duke University admits that on March 14, 2006, the dispatcher at the Duke University Police Department received a call from Durham 911 informing him that Durham 911 had received a call reporting racial slurs being made at a house at 610 North Buchanan Boulevard. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 103 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

103. The claims against the Duke University Police Department were dismissed by the Court's Order of March 31, 2011.

Former Chairman Steel specifically denies issuing any sort of "Directive" as alleged within this Second Amended Complaint. Duke University admits that when it exercises its police power, it makes its best efforts to follow the law, the governing standards of care, and the governing standards of professional responsibility. This allegation, as stated, asks what would have happened in particular circumstances that did not actually occur. As such, it is a hypothetical question that cannot be admitted or denied with certainty. To the extent an answer is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations as stated in this paragraph, including the allegations in subparagraphs A, B, C, D, E, and F and subparts i and ii of subparagraph F.

To the extent that the heading that precedes Paragraph 104 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

104. The claims against the Duke University Police Department were dismissed by the Court's Order of March 31, 2011.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.



105. The claims against the Duke University Police Department were dismissed by the Court's Order of March 31, 2011.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

106. The claims against Nurse Arico and the Duke University Police Department were dismissed by the Court's Order of March 31, 2011.

Duke University denies the allegations.

Nurse Levicy, former Chairman Steel, President Brodhead, and former Senior Vice President Burness deny that they "aided, abetted, and acted in concert" with Ms. Mangum. Nurse Levicy, former Chairman Steel, President Brodhead, and former Senior Vice President Burness are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 107 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

107. Duke University denies the allegations.

To the extent any of the remaining Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants are alleged to be included within “Duke and Durham officials,” an undefined term used in Paragraph 107, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of any remaining allegations and, therefore, deny any remaining allegations.

To the extent that the heading that precedes Paragraph 108 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

108. Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

109. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

110. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

111. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including subparagraphs A, B, and C, and, therefore, deny the allegations.

112. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, Associate Dean Bryan, PDC, Dr. Manly, and Nurse Arico were dismissed by the Court's Order of March 31, 2011.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations in the introductory paragraph and in subparagraphs A, B, C, D, and E.

To the extent that the heading that precedes Paragraph 113 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

113. Duke University specifically denies that it, or anyone acting on its behalf, "assured" the City of Durham that it would assist in the implementation of "the Policy"

described in this Second Amended Complaint. To the extent any of the remaining Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants are alleged to be included within “Duke University officers and administrators,” an undefined term used in Paragraph 113, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they, or anyone acting on their behalf, “assured” the City of Durham that they would assist in the implementation of “the Policy” described in this Second Amended Complaint.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations, including the allegations in subparagraphs A, B, C, and D, and those in subparts i, ii, iii, and iv of subparagraph D, and, therefore, deny the remaining allegations.

114. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

115. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, Associate Dean Bryan,

PDC, Dr. Manly, and Nurse Arico were dismissed by the Court's Order of March 31, 2011.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny "crafting" the "Policy" as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

To the extent that the headings that precede Paragraph 116 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

116. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

117. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they were a part of any type of "consortium" as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

118. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they were a part of any type of "consortium" as alleged within this Second Amended Complaint. The Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

119. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they were a part of any type of “consortium” as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

120. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they were a part of any type of “consortium” as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

121. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they were a part of any type of “consortium” as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants further specifically deny any involvement in conducting “unlawful entry, unlawful detention and unlawful interrogation” of any students at Duke University. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

122. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they were a part of any type of “consortium” as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations, including the allegations in subparagraphs A, B, C, and D and subsections i, ii, iii, and iv of subparagraph D.

To the extent that the heading that precedes Paragraph 123 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

123. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they were a part of any type of “consortium” as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

124. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they were a part of any type of “consortium” as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

125. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they were a part of any type of “consortium” as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants further specifically deny any involvement in conducting “warrantless raids of student homes and unlawful detention and interrogation” of any students at Duke University. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

126. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, Associate Dean Bryan, PDC, Dr. Manly, and Nurse Arico were dismissed by the Court’s Order of March 31, 2011.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

127. Duke University specifically denies that it, or anyone acting on its behalf, participated in or condoned in any way any sort of “war” on its own students. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants



specifically deny that they were a part of any type of “consortium” as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE deny the remaining allegations.

128. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, Associate Dean Bryan, PDC, Dr. Manly, and Nurse Arico were dismissed by the Court’s Order of March 31, 2011.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they were a part of any type of “consortium” as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants further specifically deny any participation in any sort of conspiracy as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

To the extent that the heading that precedes Paragraph 129 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

129. The claims against Vice President Moneta, Associate Dean Bryan, former Vice President Dawkins, Provost Lange, former Secretary Haltom, and Executive Vice President Trask were dismissed by the Court's Order of March 31, 2011.

Duke University, former Chairman Steel, President Brodhead, former Senior Vice President Burness, Chancellor Dzau, and former Director Drummond specifically deny that they, or anyone acting on their behalf, "publicly ratified and condoned the willful violations of their students' rights." Duke University, former Chairman Steel, President Brodhead, former Senior Vice President Burness, Chancellor Dzau, and former Director Drummond deny the remaining allegations in this introductory paragraph.

With respect to subparagraph A, Duke University admits that the statement in this paragraph attributed to Associate Dean Bryan was part of a quote that appeared in a Duke University public statement on August 29, 2005. To the extent that this subparagraph purports to characterize the statement, Duke University denies the characterization.

With respect to subparagraph B, Duke University admits that the statement in this paragraph attributed to Vice President Moneta was part of a quote that appeared in an article in *The Chronicle* on September 18, 2005. To the extent that the allegations suggest that the language quoted constitutes his entire statement, Duke University denies the allegations. To the extent that this subparagraph purports to characterize the statement, Duke University denies the characterization.

With respect to subparagraph C, President Brodhead admits that the statement in this paragraph attributed to him was part of a quote that appeared in *The Chronicle* on

October 26, 2005. To the extent that this subparagraph purports to characterize the statement, President Brodhead denies the characterization. President Brodhead denies the remaining allegations in subparagraphs A, B, C, and D.

With respect to subparagraph D, Duke University specifically denies ratifying or condoning abuse of Duke University students by law enforcement agencies. Duke University denies the remaining allegations in subparagraphs A, B, C, and D.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

130. The claims against Vice President Moneta and Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they were a part of any type of "consortium" as alleged within this Second Amended Complaint.

Duke University admits that Vice President Moneta serves as Vice President of Student Affairs for Duke University. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

131. The claims against Vice President Moneta and Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

132. The claims against Vice President Moneta and Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

133. The claims against Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 134 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

134. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

135. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they were a part of any type of “consortium” as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

136. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they were a part of any type of “consortium” as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

137. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they “abused” any Duke University students. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the headings that precede Paragraph 138 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

138. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they were a part of any type of “consortium” as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that there is a photograph that has been inserted into Plaintiffs’ Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

139. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the remaining allegations.

140. The claims against Vice President Moneta were dismissed by the Court’s Order of March 31, 2011.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they were a part of any type of “agreement” as alleged within this Second Amended Complaint. Duke University admits that the statement in this paragraph attributed to Vice President Moneta was part of a quote that appeared in an article in *The Chronicle* on September 18, 2005. To the extent that the

allegations suggest that the language quoted constitutes his entire statement, Duke University denies the allegations. To the extent that this allegation purports to characterize the statement, Duke University denies the characterization. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

141. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

142. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

143. The claims against Executive Vice President Trask, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Best, and former Vice President Dawkins were dismissed by the Court's Order of March 31, 2011.

President Brodhead, former Associate Vice President Graves, and former Director Dean specifically deny that they, or anyone acting on behalf of them, "condoned" or "ratified" abuse by the police of Duke University students. President Brodhead, former

Associate Vice President Graves, and former Director Dean specifically deny that they, or anyone acting on behalf of them, failed to “adequately supervise, correct, reprimand, or terminate the officers who abused their law enforcement authority in their dealings.” President Brodhead, former Associate Vice President Graves, and former Director Dean deny the remaining allegations.

To the extent any of the remaining Duke University Defendants, remaining Duke University Police Defendants or Duke SANE Defendants are alleged to be included within “Defendants,” an ambiguous term used in Paragraph 143, the remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of any remaining allegations and, therefore, deny any remaining allegations.

144. The claims against Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, and Lieutenant Best were dismissed by the Court’s Order of March 31, 2011.

President Brodhead, former Associate Vice President Graves, and former Director Dean, deny that they, or anyone acting on behalf of them, were aware of facts relating to a police raid or police misconduct at the Belmont pool. President Brodhead, former



Associate Vice President Graves, and former Director Dean further deny that they have any animus for students at Duke University. President Brodhead, former Associate Vice President Graves, and former Director Dean deny the remaining allegations.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the headings that precede Paragraph 145 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

145. Duke University admits that there was a Rolling Stones concert at Wallace Wade Stadium on October 8, 2005.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

146. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

147. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 148 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

148. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

149. Duke University admits that members of the Duke University Police Department provided photographs of occupants of 203 Watts Street who were students at Duke University to the Durham Police Department. Whether the photographs were “federally protected financial records” calls for a legal conclusion to which no response is required. To the extent that a response is required, Duke University denies the allegation. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

150. Duke University admits that members of the Duke University Police Department provided photographs of the students who were occupants of 203 Watts Street as requested by the Durham Police Department. Duke University admits that a document, referenced as Attachment 5 to Plaintiffs’ Second Amended Complaint, has been filed with the Court. Duke University is without knowledge or information

sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a document, referenced as Attachment 5 to Plaintiffs' Second Amended Complaint, has been filed with the Court. The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

151. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a document, referenced as Attachment 6 to Plaintiffs' Second Amended Complaint, has been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

152. Duke University admits that Officer Dyson observed a Duke flag when he went to 203 Watts Street on September 15, 2005, regarding a noise complaint. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 153 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

153. Duke University admits that at approximately 3:00 a.m., Officer Dyson and other members of the Duke University Police Department accompanied officers from the Durham Police Department to render assistance to the Durham Police Department in serving the search and arrest warrants. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

154. Duke University admits that some of the residents of 203 Watts Street were put in handcuffs and arrested by members of the Durham Police Department. Duke University admits that members of the Duke University Police Department remained outside the residence during the search of the residence. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 155 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

155. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

156. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 157 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

157. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

158. The claims against Executive Vice President Trask were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Executive Vice President Trask testified at the trial described in Paragraph 158. Duke University is without knowledge or information sufficient to form a belief about the truth of the allegations regarding former District

Attorney Nifong and, therefore, denies the allegations. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

159. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 160 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

160. The claims against Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Duke University admits that the Office of Student Affairs investigated the incident described in this Second Amended Complaint that took place at 203 Watts Street. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

161. The claims against Dean Wasiolek were dismissed by the Court's Order of March 31, 2011.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

162. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny that they were aware of any physical abuse of students during the arrests that are the subject of the allegations contained in Paragraph 162. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

163. Duke University admits that Officer Dyson and other members of the Duke University Police Department accompanied officers from the Durham Police Department to render assistance to the Durham Police Department in serving the search and arrest warrants. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

164. The claims against Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, and Lieutenant Best were dismissed by the Court's Order of March 31, 2011.

President Brodhead, former Associate Vice President Graves, and former Director Dean deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 165 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

165. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

166. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

167. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

168. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.



To the extent that the heading that precedes Paragraph 169 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

169. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

170. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the headings that precede Paragraph 171 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

171. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny that it was known by them that Officer Gottlieb was a “rogue officer.” The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

172. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 173 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

173. Duke University admits that some of its administrators were aware that there was a list of students who were arrested because of alcohol and noise violations by Officer Gottlieb. Duke University further admits that some of its administrators referred to this list as the “Gottlieb Dossier.” Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, including the allegations in subparagraphs A, B, and C, and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations, including the allegations in subparagraphs A, B, and C, and, therefore, deny the remaining allegations.

174. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

175. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

176. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 177 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

177. The claims against Executive Vice President Trask were dismissed by the Court's Order of March 31, 2011.

Former Senior Vice President Burness admits that he was provided with a list of students who were arrested because of alcohol and noise violations by Officer Gottlieb. Former Senior Vice President Burness denies the remaining allegations.

Duke University admits that some of its administrators were aware that Officer Gottlieb had arrested Duke University students because of alcohol and noise violations. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

178. Former Senior Vice President Burness admits that he was provided with a list of students who were arrested because of alcohol and noise violations by Officer Gottlieb. Former Senior Vice President Burness is without knowledge or information sufficient to form a belief about the truth of allegations in this paragraph regarding other

Defendants and, therefore, denies those allegations. Former Senior Vice President Burness denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 179 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

179. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 180 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

180. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

181. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

182. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

183. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

184. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 185 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

185. Former Senior Vice President Burness admits that he was provided with a list of students who were arrested because of alcohol and noise violations by Officer Gottlieb. Former Senior Vice President Burness further admits that personnel matters are to be addressed by an employee's employer. Former Senior Vice President Burness denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

186. President Brodhead denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

187. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 188 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

188. Duke University admits that it purchased the property located at 610 North Buchanan Boulevard on or about February 28, 2006. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

189. Duke University admits that it purchased properties located at 508 North Buchanan Boulevard, 702 North Buchanan Boulevard, 704 North Buchanan Boulevard, 708 North Buchanan Boulevard, 710 North Buchanan Boulevard, 814 Lancaster Street, 700 Maplewood Avenue, 1105 Urban Avenue, 1107 Urban Avenue, 1111 Urban Avenue,

203 Watts Street, 601 Watts Street, 913 Wilkerson Avenue, and 921 Wilkerson Avenue.

Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the remaining allegations.

190. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a document, referenced as Attachment 7 to Plaintiffs' Second Amended Complaint, has been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

191. The allegations in Paragraph 191 call for a legal conclusion to which no response is required. To the extent that a response is required, Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

192. The allegations in Paragraph 192 call for a legal conclusion to which no response is required. To the extent that responses are required, Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

193. The claims against the Duke University Police Department were dismissed by the Court's Order of March 31, 2011.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the headings that precede Paragraph 194 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

194. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that evidence has been presented in other legal proceedings arising from this same series of events, including the criminal proceedings and the State Bar's proceedings against Michael Nifong, that on March 13, 2006, members of the Duke University men's 2005-2006 lacrosse team attended a party at a house located in Durham at 610 North Buchanan Boulevard. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.



195. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that evidence has been presented in other legal proceedings arising from this same series of events, including the criminal proceedings and the State Bar's proceedings against Michael Nifong, that some of the members of the 2005-2006 Duke University men's lacrosse team chose to hire dancers for a party at 610 North Buchanan Boulevard. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

196. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

197. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

198. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

199. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

200. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

201. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

202. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

203. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

204. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

205. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

206. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

207. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

208. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

209. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

210. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

211. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

212. President Brodhead admits he did not meet with Robert Ekstrand to review evidence. President Brodhead denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

213. President Brodhead admits he did not meet with Robert Ekstrand to review evidence. President Brodhead is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of these allegations and, therefore, deny the allegations.

214. President Brodhead admits he did not meet with Robert Ekstrand to review evidence. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that on April 11, 2007, the North Carolina Attorney General dismissed all charges against David Evans, Colin Finnerty, and Reade Seligmann arising from the rape allegations that are the subject of this Second Amended Complaint. Other than reports of those findings, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 215 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

215. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

216. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

217. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

218. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations contained in subparagraphs A, B, C, and D and, therefore, deny the allegations.

To the extent that the headings that precede Paragraph 219 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

219. Duke University admits that on March 14, 2006, the dispatcher at the Duke University Police Department received a call from Durham 911 informing him that Durham 911 had received a call about racial slurs coming from a house at 610 North Buchanan Boulevard. Duke University is without knowledge or information sufficient to

form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

220. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

221. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

222. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a video, referenced as Attachment 8 to Plaintiffs' Second Amended Complaint, has been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the heading that precedes Paragraph 223 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

223. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

224. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 225 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

225. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

226. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that an audio recording, referenced as Attachment 9 to Plaintiffs' Second Amended Complaint, has been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

227. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

228. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

229. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

230. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

231. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

232. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

233. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

234. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.



To the extent that the heading that precedes Paragraph 235 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

235. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

236. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that an audio recording, referenced as Attachment 10 to Plaintiffs' Second Amended Complaint, has been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

237. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

238. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 239 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

239. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

240. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

241. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

242. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that an audio segment, referenced as Attachment 11 to Plaintiffs' Second Amended Complaint, has been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the headings that precede Paragraph 243 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

243. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

244. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 245 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

245. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

246. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 247 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

247. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

248. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

249. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

250. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

251. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

252. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

253. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

254. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 255 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

255. The Duke SANE Defendants admit that Ms. Mangum came to Duke University Medical Center on March 14, 2006. The Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

256. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, PDC, Dr. Manly, and Nurse Arico were dismissed by the Court's Order of March 31, 2011.

Duke University, former Chairman Steel, President Brodhead, former Senior Vice President Burness, Chancellor Dzau, former Associate Vice President Graves, former Director Dean, Sergeant Smith, DUHS and Nurse Levicy deny the allegations.

The remaining Duke University Defendant denies the allegations.

257. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they or anyone acting on behalf of them had any involvement in any sort of conspiracy as alleged within this Second Amended

Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

258. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, PDC, Dr. Manly, and Nurse Arico were dismissed by the Court's Order of March 31, 2011.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they or anyone acting on behalf of them had any involvement in any sort of conspiracy as alleged within this Second Amended Complaint. Duke University, former Chairman Steel, President Brodhead, former Senior Vice President Burness, Chancellor Dzau, former Associate Vice President Graves, former Director Dean, Sergeant Smith, DUHS and Nurse Levicy deny the allegations.

The remaining Duke University Defendant denies the remaining allegations.

259. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, PDC, Dr. Manly, and Nurse Arico were dismissed by the Court's Order of March 31, 2011.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they or anyone acting on behalf of them had any involvement in any sort of conspiracy as alleged within this Second Amended Complaint. Duke University, former Chairman Steel, President Brodhead, former Senior Vice President Burness, Chancellor Dzau, former Associate Vice President Graves, former Director Dean, Sergeant Smith, DUHS and Nurse Levicy deny the allegations.

The remaining Duke University Defendant denies the allegations.

260. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they or anyone acting on behalf of them had any involvement in any sort of conspiracy as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

261. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, and former Secretary Haltom were dismissed by the Court's Order of March 31, 2011.

Duke University, former Chairman Steel, President Brodhead, former Senior Vice President Burness, Chancellor Dzau, former Associate Vice President Graves, former Director Dean, and Sergeant Smith deny the allegations.

The remaining Duke University Defendants and the Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the headings that precede Paragraph 262 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

262. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the remaining allegations.

263. Duke University denies that the Duke University Police Department initiated an investigation of Ms. Mangum's claims. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

264. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.



265. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 266 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

266. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

267. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations in subparagraphs A, B, C, D, and E, and, therefore, deny the allegations.

268. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

269. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

270. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

271. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 272 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

272. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

273. The allegations in Paragraph 273 call for a legal conclusion to which no response is required. To the extent that a response is required, Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

274. The claims against Lieutenant Best were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Lieutenant Best went to Duke University Medical Center on March 14, 2006. Duke University denies that anyone acting on its behalf initiated an investigation of Ms. Mangum's allegations. Duke University denies the remaining allegations contained in the second sentence. Duke University is without knowledge or information sufficient to form a belief about the truth of the allegations contained in the first sentence and, therefore, denies the allegations contained in the first sentence.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

275. Duke University admits that members of the Duke University Police Department were present at the Emergency Department on March 14, 2006. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

276. Duke University admits that members of the Duke University Police Department were present at the Emergency Department on March 14, 2006. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

277. Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the headings that precede Paragraph 278 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

278. Duke University denies that any “transfer protocol” was initiated regarding the investigation of Ms. Mangum’s allegations. Duke University admits that former Duke University Police Officer Mazurek was at the Duke University Medical Center on or about March 14, 2006. Duke University admits that former Duke University Police Officer Mazurek telephoned Lieutenant Best. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

279. Duke University denies that any “transfer protocol” was initiated regarding the investigation of Ms. Mangum’s allegations. Duke University admits that former Duke University Police Officer Falcon was at the Duke University Medical Center on or about March 14, 2006. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

280. Duke University admits that former Duke University Police Officer Mazurek informed Lieutenant Best that a woman was brought to the Duke University Medical Center on March 14, 2006, claiming that she was sexually assaulted. Duke University is without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

281. The claims against former Major Schwab and Lieutenant Best were dismissed by the Court’s Order of March 31, 2011.

Duke University admits that former Major Schwab and Lieutenant Best were present at the Emergency Department on March 14, 2006. Duke University denies that

anyone acting on its behalf conducted or coordinated an investigation of Ms. Mangum's allegations. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

282. The claims against former Major Schwab and Lieutenant Best were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Lieutenant Best asked Duke University Police Officers Christopher Day, Larry Eason and Julius Robertson to go to 610 North Buchanan Boulevard. Duke University denies the remaining allegations.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

283. The claims against Lieutenant Best were dismissed by the Court's Order of March 31, 2011.

Duke University admits that after leaving 610 North Buchanan Boulevard, Officer Day went to the Emergency Department at Lieutenant Best's request. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

284. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

285. Duke University admits that Officer Day wrote a March 14, 2006 operations report. To the extent this paragraph, including subparagraphs A, B, C, D, and E, purports to characterize the contents of the March 14, 2006 report, Duke University denies the characterization. With respect to subparagraph E, Duke University admits that the Duke University Police Department did not file any charges based on Ms. Mangum's allegations. Duke University denies the remaining allegations, including the allegations contained in subparagraphs A, B, C, and D.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

286. The claims against Lieutenant Best were dismissed by the Court's Order of March 31, 2011.

Duke University specifically denies that Lieutenant Best was aware on March 14, 2006, that Ms. Roberts placed the 911 call referenced in the allegations of this paragraph. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

287. The claims against Lieutenant Best were dismissed by the Court's Order of March 31, 2011.

Duke University, former Director Dean, and Sergeant Smith admit that Officer Day prepared a March 14, 2006 operations report. To the extent this paragraph purports to characterize the contents of that report, Duke University, former Director Dean, and Sergeant Smith deny the characterization. Duke University, former Director Dean, and Sergeant Smith deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

288. The claims against Dean Wasiolek, Vice President Moneta, and Tallman Trask III were dismissed by the Court's Order of March 31, 2011.

Former Director Dean admits that on or about March 15, 2006, former Director Dean notified Dean Wasiolek that an unnamed woman had reported being raped at a party held at 610 North Buchanan Boulevard. Former Director Dean further admits that he told Dean Wasiolek that the accuser was not credible and that the allegations would likely go away. Former Director Dean is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, former Director Dean denies the remaining allegations.

Duke University admits that on or about March 15, 2006, Dean Wasiolek, upon learning of the accusations against the lacrosse team, contacted Coach Pressler, former



Director of Duke University Athletics Joe Alleva, and then Senior Associate Director of Athletics Chris Kennedy. Duke University further admits that on or about March 15, 2006, Dean Wasiolek contacted Executive Vice President Trask and Vice President Moneta after learning of the accusations against members of the lacrosse team. Duke University further admits that on or about March 15, 2006, its administrators believed that there were doubts about the accuser's credibility and that it was unlikely that charges would be brought. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

289. Duke University admits that Officer Day wrote a March 14, 2006 operations report. To the extent this paragraph purports to characterize the contents of the operations report, Duke University denies the characterization. Duke University and President Brodhead admit that William Bowen and Julius Chambers chaired a committee that reviewed the performance of the Duke University administration in responding to the allegations involving the Duke University men's lacrosse team in association with a party held on March 13-14, 2006, at 610 North Buchanan Boulevard. Duke University and President Brodhead admit that the Bowen and Chamber Committee issued its report on May 8, 2006. To the extent this paragraph purports to characterize the contents of the Bowen and Chamber Committee's report, Duke University and President Brodhead deny

the characterization. Duke University and President Brodhead deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

290. Duke University, former Director Dean and former Associate Vice President Graves deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 291 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

291. Duke University specifically denies that the Duke University Police Department dispatched Investigator Jones to Duke University Medical Center's Emergency Department to interview Ms. Mangum. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

292. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the headings that precede Paragraph 293 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

293. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants deny the remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 294 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

294. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act

for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants deny the remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 295 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

295. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants deny the remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 296 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

296. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants deny the remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 297 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

297. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the

allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants deny the remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 298 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

298. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants deny the remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

299. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health

information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information.

Nurse Levicy specifically denies that she created a false or misleading medical record or that she made "unfounded observations" as alleged in the Second Amended Complaint.

DUHS and Nurse Levicy deny the remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

300. The claims against Nurse Arico were dismissed by the Court's Order of March 31, 2011.

DUHS specifically denies that Nurse Arico described the medical examination of Ms. Mangum in any respect and denies that she made any statements that were false.

DUHS denies the remaining allegations.

Nurse Levicy denies that she made any "false claims" regarding Ms. Mangum. Nurse Levicy is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations

The Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

301. DUHS and Nurse Levicy deny the allegations in the first sentence of this paragraph. DUHS and Nurse Levicy admit that Nurse Levicy had successfully completed her SANE training and was waiting for her certificate of completion to arrive in the mail. DUHS and Nurse Levicy deny the remaining allegations.

The Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 302 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

302. The claims against Dr. Manley were dismissed by the Court's Order of March 31, 2011.

To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants deny any remaining allegations.



The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

303. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants deny any remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

304. The claims against Dr. Manley were dismissed by the Court's Order of March 31, 2011.

To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the

allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants deny any remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

305. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants deny any remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

306. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the

allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants deny any remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 307 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

307. To the extent that this paragraph, including subparagraphs A through B, relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants deny any remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

308. To the extent that this paragraph, including subparagraphs A, B, C, and D, seek information relating to Ms. Mangum's protected health information, it is a violation

of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants deny any remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

309. The claims against Dr. Manley were dismissed by the Court's Order of March 31, 2011.

To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants deny any remaining allegations.

The Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

310. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, DUHS and Nurse Levicy are unable to respond. Therefore, DUHS and Nurse Levicy deny the allegations seeking information relating to Ms. Mangum's protected health information. DUHS and Nurse Levicy admit that the evidence collection samples were delivered to the custody of Officer J. Sale. DUHS and Nurse Levicy deny any remaining allegations.

Duke University denies that Joyce Sale was employed by the Duke University Police Department. Duke University, the remaining Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

The remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

311. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the

allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants deny any remaining allegations.

The Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the headings that precede Paragraph 312 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

312. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

313. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

314. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants are without knowledge or information sufficient to form a

belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

The Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 315 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

315. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations in subparagraphs A, B, C, and D, and, therefore, deny the allegations.

316. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 317 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

317. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

318. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

319. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

320. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 321 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.



321. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations, including the allegations contained in subparagraphs A, B, C, D, E, F, G, H, I, J, K, L, and M, subparts i, ii, and iii of subparagraph I, subparts i, ii, iii, iv, and v of subparagraph K, and subparts i and ii of subparagraph M, and, therefore, deny the allegations.

The Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations in subparagraphs A, B, C, D, E, F, G, H, I, J, K, L, and M, subparts i, ii, and iii of subparagraph I, subparts i, ii, iii, iv, and v of subparagraph K, and subparts i and ii of subparagraph M, and, therefore, deny the allegations.

322. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

323. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

324. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants deny any remaining allegations.

The Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

325. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants deny any remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

326. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

327. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information.

The Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

328. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

329. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

330. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

331. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

332. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, and Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Duke University, former Chairman Steel, President Brodhead, former Senior Vice President Burness, former Director Drummond, Chancellor Dzau, former Associate Vice President Graves, former Director Dean, Sergeant Smith, DUHS and Nurse Levicy deny the allegations.

To the extent that the headings that precede Paragraph 333 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

333. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

334. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

335. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

336. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

337. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

338. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

339. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

340. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

341. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 342 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

342. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

343. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

344. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

345. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 346 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

346. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

347. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

348. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations contained in subparagraphs A, B, C, and D, and, therefore, deny the allegations.

349. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 350 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

350. The claims against Dean Wasiolek were dismissed by the Court's Order of March 31, 2011.



Duke University admits that on or about March 15, 2006, Dean Wasiolek spoke with one or two of the co-captains of the men's 2005-2006 lacrosse team by telephone. Duke University admits that Dean Wasiolek told the co-captain with whom she was speaking that the police were investigating allegations of a sexual assault that was alleged to have occurred at 610 North Buchanan Boulevard. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

351. The claims against Dean Wasiolek were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Dean Wasiolek told the co-captain with whom she was speaking that the members of the team should cooperate with the police. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

352. Duke University admits that, on or about March 15, 2006, members of the Duke University Police Department provided the names of the students on the lease of 610 North Buchanan Boulevard to the Durham Police Department. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

353. Duke University and Sergeant Smith admit that Sergeant Smith provided photos of the 2005-2006 Duke University men's lacrosse team that were downloaded from a website available to the general public to the Durham Police Department. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

354. The claims against Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, and Lieutenant Best were dismissed by the Court's Order of March 31, 2011.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they had any "supervisory" or "policymaking authority" over any investigation being conducted by the Durham Police Department. Duke University, President Brodhead, former Associate Vice President Graves, and former Director Dean deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a

belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

355. The claims against Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, and Lieutenant Best were dismissed by the Court's Order of March 31, 2011.

President Brodhead, former Associate Vice President Graves, and former Director Dean specifically deny that they had any "policymaking authority" or "supervisory authority" over any investigation being conducted by the Durham Police Department. President Brodhead, former Associate Vice President Graves, and former Director Dean deny the remaining allegations.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

356. The claims against Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, and Lieutenant Best were dismissed by the Court's Order of March 31, 2011.

President Brodhead, former Associate Vice President Graves, and former Director Dean specifically deny that they had any "authority" over any investigation being

conducted by the Durham Police Department. President Brodhead, former Associate Vice President Graves, and former Director Dean deny the remaining allegations.

Duke University denies the existence of any such “policy” or “custom” as alleged in Paragraph 356. Duke University denies the remaining allegations.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

357. The claims against Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, and Lieutenant Best were dismissed by the Court’s Order of March 31, 2011.

President Brodhead, former Associate Vice President Graves, and former Director Dean specifically deny that they had any “authority” over any investigation being conducted by the Durham Police Department. President Brodhead, former Associate Vice President Graves, and former Director Dean deny the remaining allegations.

Duke University denies the existence of any such “policy” or “custom” as alleged in Paragraph 357. Duke University denies the remaining allegations.

The remaining Duke University Defendants and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 358 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

358. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

359. Duke University denies the allegations in the second sentence of this paragraph. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

360. Sergeant Smith admits that he provided a compact disc containing photographs of the 2005-2006 Duke University men's lacrosse team that were downloaded from a website available to the general public to Officer Gottlieb. Sergeant Smith is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

361. Duke University is without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 362 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

362. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the headings that precede Paragraph 363 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

363. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 364 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

364. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

365. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 366 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

366. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

367. Duke University admits that the 2005-2006 Duke University men's lacrosse team's members included one Adam, one Brett, one Breck and three Matts. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

368. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

369. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

370. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

371. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 372 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

372. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

373. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.



374. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

375. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations contained in subparagraphs A, B, and C, and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 376 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

376. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

377. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

378. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

379. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

380. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

381. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the headings that precede Paragraph 382 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

382. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations, including the allegations contained in subparagraphs A, B, C, D, E, F, and G, and, therefore, deny the remaining allegations.

The Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations contained in subparagraphs A, B, C, D, E, F, and G, and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 383 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

383. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations contained in subparagraphs A, B, C, D, and E, and, therefore, deny the allegations.

384. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 385 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

385. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

386. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the headings that precede Paragraph 387 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

387. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

388. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

389. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

390. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 391 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

391. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

392. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 393 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

393. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

394. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 395 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

395. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

396. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

397. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

398. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

399. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

400. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

401. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 402 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

402. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, and Dean Wasiolek were dismissed by the Court's Order of March 31, 2011.

President Brodhead, former Associate Vice President Graves, Sergeant Smith, and former Director Dean are without knowledge or information sufficient to form a belief about the truth of the allegations in the first and second sentences of this paragraph and, therefore, deny the allegations. President Brodhead, former Associate Vice President Graves, Sergeant Smith, and former Director Dean specifically deny any "custom" or policy" as alleged in Paragraph 402. President Brodhead, former Associate Vice President Graves, Sergeant Smith, and former Director Dean deny the remaining allegations.

To the extent any of the remaining Duke University Defendants, Duke University Police Defendants, or remaining Duke SANE Defendants are alleged to be included within "Duke Police" as alleged in Paragraph 402, the remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants deny the allegations.

Duke University specifically denies any "custom" or "policy" as alleged in Paragraph 402. Duke University denies the remaining allegations.

The remaining Duke University Defendants and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 403 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

403. Duke University denies the allegations, including the allegations contained in subparagraphs A, B, C, D, E, and F.

To the extent any of the remaining Duke University Defendants, Duke University Police Defendants or Duke SANE Defendants are alleged to be included within “Duke Police” or “Duke Officials” as alleged in Paragraph 403, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations, including the allegations contained in subparagraphs A, B, C, D, E, and F.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of any remaining allegations and, therefore, deny any remaining allegations.

To the extent that the heading that precedes Paragraph 404 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.



404. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny that they or anyone acting on their behalf entered into any agreement with the Durham Police Department regarding the Durham Police Department's interrogation of lacrosse players. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations, including the allegations contained in subparagraphs A, B, and C.

To the extent that the heading that precedes Paragraph 405 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

405. Duke University denies the allegations in the first sentence. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

To the extent any of the remaining Duke University Defendants, Duke University Police Defendants or Duke SANE Defendants are alleged to be included within "Duke Police" or "Duke Officials" as alleged in Paragraph 405, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations in the first sentence. The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

406. The claims against Dean Wasiolek were dismissed by the Court's Order of March 31, 2011.

Duke University denies that Dean Wasiolek advised the co-captain with whom she spoke that the members of the lacrosse team should not consult with, or retain, an attorney. Duke University further denies that Dean Wasiolek advised the co-captain with whom she spoke that the members of the lacrosse team should not tell their parents about the rape allegations. Duke University admits that Dean Wasiolek told the co-captain with whom she spoke that the police were investigating allegations of a sexual assault at 610 North Buchanan Boulevard. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 407 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

407. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

408. The claims against Dean Wasiolek were dismissed by the Court's Order of March 31, 2011.

Duke University denies the allegations in the first and second sentences of this paragraph. Duke University denies that the Duke University Police Department was conducting any sort of investigation as alleged within this Paragraph. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

409. The allegations in Paragraph 409 call for a legal conclusion to which no response is required. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

410. Duke University denies that Duke University or anyone acting on its behalf agreed to a "scheme" with the Durham Police Department regarding questioning of lacrosse players by the Durham Police Department. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

411. Duke University denies the allegations in the first sentence of this paragraph. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

412. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

413. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the headings that precede Paragraph 414 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

414. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief

about the truth of the allegations, including the allegations contained in subparagraphs A, B, and C, and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 415 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

415. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

416. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

417. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

418. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 419 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

419. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

420. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

421. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

422. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 423 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

423. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

424. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

425. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

426. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

427. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that the document, which appears to be a photograph, has been attached to Plaintiffs' Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

428. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

429. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny any participation in any sort of conspiracy as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

430. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that photographs have been attached to Plaintiffs' Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the heading that precedes Paragraph 431 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

431. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

432. Duke University denies that any member of the Duke University Police Department questioned Mr. Flannery on March 16, 2006. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.



433. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

434. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 435 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

435. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

436. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

437. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a photograph has been attached to Plaintiffs' Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

438. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a photograph has been attached to Plaintiffs' Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the heading that precedes Paragraph 439 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

439. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 440 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

440. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 441 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

441. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

442. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

443. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

444. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny any participation in any sort of conspiracy as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the heading that precedes Paragraph 445 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

445. Former Chairman Steel denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

446. Former Chairman Steel denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

447. Former Chairman Steel denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

448. Former Chairman Steel denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

449. Former Chairman Steel denies that the investigation of Ms. Mangum's allegations "belonged" to the Duke University Police Department. Former Chairman Steel denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

450. Former Chairman Steel denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

451. Former Chairman Steel denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

452. Former Chairman Steel denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

453. Former Chairman Steel denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

454. Former Chairman Steel denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

455. Former Chairman Steel specifically denies issuing any sort of “Directive” as alleged within this Second Amended Complaint. Former Chairman Steel denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 456 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

456. The claims against Executive Vice President Trask were dismissed by the Court’s Order of March 31, 2011.

Former Chairman Steel, President Brodhead, former Senior Vice President Burness and former Associate Vice President Graves deny the allegations, including the allegations contained in subparagraphs A, B, C, D, and E.

Duke University specifically denies that the Duke University Police Department had any “jurisdictional authority” over, or “power to intervene” with, the Durham Police Department’s criminal investigation of Ms. Mangum’s allegations. Duke denies the remaining allegations, including the allegations contained in subparagraphs A, B, C, D, and E.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information

sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

457. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny any participation in any sort of conspiracy as alleged within this Second Amended Complaint. Former Chairman Steel specifically denies any sort of “Directive” to force a trial and convictions.

Duke University specifically denies that the Duke University Police Department had any “authority” over, or “power to intervene” with, the Durham Police Department’s criminal investigation of Ms. Mangum’s allegations.

Former Chairman Steel and Duke University deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

458. The claims against Provost Lange, Vice President Moneta, former Secretary Haltom, and Executive Vice President Trask were dismissed by the Court’s Order of March 31, 2011.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny any participation in any sort of conspiracy as alleged within this Second Amended Complaint.

Former Chairman Steel specifically denies issuing any sort of “Directive” as alleged within this Second Amended Complaint. Former Chairman Steel denies the remaining allegations.

President Brodhead, former Senior Vice President Burness, and Chancellor Dzau deny the allegations.

Duke University specifically denies that the Duke University Police Department had any power to “intervene” with the Durham Police Department’s criminal investigation of Ms. Mangum’s allegations. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

To the extent that the heading that precedes Paragraph 459 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

459. The claims against Executive Vice President Trask, Vice President Moneta, Provost Lange, and former University Secretary Haltom were dismissed by the Court’s Order of March 31, 2011.

Former Chairman Steel denies the allegations in the first sentence of this paragraph. Former Chairman Steel is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the allegations.



Duke University admits that President Brodhead, Executive Vice President Trask, Vice President Moneta, Provost Lange, former Senior Vice President Burness, and former University Secretary Haltom attended meetings to respond to the situation created by the accusations against the lacrosse players. Duke University denies the remaining allegations.

President Brodhead and former Senior Vice President Burness admit that they attended meetings to respond to the situation created by the accusations against the lacrosse players. President Brodhead and former Senior Vice President Burness deny the remaining allegations.

Chancellor Dzau denies that he participated in meetings or communications to respond to the situation created by the accusations against the lacrosse players.

Chancellor Dzau is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

460. The claims against Executive Vice President Trask, Provost Lange, Vice President Moneta, and former Secretary Haltom were dismissed by the Court's Order of March 31, 2011.

Former Senior Vice President Burness admits that he was aware that Officer Gottlieb had arrested Duke University students because of alcohol and noise violations. Former Senior Vice President Burness denies the remaining allegations.

Former Chairman Steel, President Brodhead, and Chancellor Dzau deny the allegations.

Duke University admits that some of its administrators were aware that Officer Gottlieb had arrested Duke University students because of alcohol and noise violations. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 461 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

461. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, Associate Dean Bryan, PDC, Dr. Manly, and Nurse Arico were dismissed by the Court's Order of March 31, 2011.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

462. Duke University and President Brodhead admit that President Brodhead held a news conference on March 28, 2006. Duke University and President Brodhead further admit that President Brodhead made statements that include the language quoted in Paragraph 462. To the extent the allegations suggest that the language quoted therein constituted the entirety of President Brodhead's statement, Duke University and President Brodhead deny the allegations. To the extent that the allegation characterizes the statements, Duke University and President Brodhead deny the characterization. Duke University and President Brodhead deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

463. Duke University and President Brodhead specifically deny that the statements quoted in Paragraph 462 were false and misleading. Duke University and President Brodhead admit that the Duke University Police Department did not have the power or authority to "intervene" with the Durham Police Department's criminal investigation of Ms. Mangum's allegations. Duke University and President Brodhead deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

464. The claims against Peter Lange were dismissed by the Court's Order of March 31, 2011.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they or anyone acting on behalf of them had any involvement in any sort of conspiracy as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations contained in the introductory paragraph.

With respect to subparagraph A, Duke University admits that Provost Lange made statements that aired on ABC News that include the language quoted in subparagraph A. To the extent subparagraph A suggests that the language quoted therein constituted the entirety of Provost Lange's statement, Duke University denies the allegations. To the extent subparagraph A purports to characterize a statement made by Provost Lange, Duke University denies the characterization. Duke University denies the remaining allegations in subparagraph A.

With respect to subparagraph B, Duke University admits that the statement in this paragraph attributed to Provost Lange was part of a quote that appeared in an article in *The Chronicle* on March 27, 2006. To the extent subparagraph B suggests that the language quoted therein constituted the entirety of Provost Lange's statement, Duke

University denies the allegations. To the extent subparagraph B purports to characterize a statement made by Provost Lange, Duke University denies the characterization. Duke University denies the remaining allegations in subparagraph B.

With respect to subparagraph C, former Senior Vice President Burness admits that during the time of his employment at Duke University he made many statements about the rape allegations. Former Senior Vice President Burness is without knowledge or information sufficient to form a belief about the truth of the allegations in subparagraph C and, therefore, denies the allegations.

With respect to subparagraphs D and E, President Brodhead admits that on or about April 3, 2006 he spoke to the Intercommunity Council and Graduate and Professional Council. President Brodhead admits that the statements in this paragraph attributed to him were part of quotes that appeared in *The Chronicle* on April 3, 2006. To the extent subparagraphs D and E purport to characterize statements made by President Brodhead, President Brodhead denies the characterization. To the extent subparagraph D and E suggest that the language quoted therein constituted the entirety of President Brodhead's statements, President Brodhead denies the allegations. President Brodhead denies the remaining allegations in subparagraphs D and E.

With respect to subparagraph F, President Brodhead admits that on April 5, 2006, President Brodhead wrote a "Letter to the Community" and made the statements quoted in subparagraph F. To the extent subparagraph F suggests that the language quoted therein constituted the entirety of President Brodhead's statement, President Brodhead

denies the allegations. To the extent subparagraph F purports to characterize a statement made by President Brodhead, President Brodhead denies the characterization. President Brodhead denies the remaining allegations in subparagraph F.

With respect to subparagraph G, former Senior Vice President Burness admits that the statement in this paragraph attributed to him was part of a quote that appeared in *The Daily Progress* on April 8, 2007. To the extent subparagraph G suggests that the language quoted therein constituted the entirety of his statement, former Senior Vice President Burness denies the allegations. To the extent subparagraph G purports to characterize a statement made by former Senior Vice President Burness, former Senior Vice President Burness denies the characterization. Former Senior Vice President Burness denies the remaining allegations in subparagraph G.

With respect to subparagraph H, President Brodhead admits that the statement in this paragraph attributed to him was part of a speech that was reprinted in *The Herald-Sun* on October 1, 2007. To the extent the subparagraph purports to characterize the statement by President Brodhead, President Brodhead denies the characterization. President Brodhead denies the remaining allegations in subparagraph H.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations in subparagraphs A, B, C, D, E, F, G, and H and, therefore, deny the allegations.

465. The claims against Provost Lange were dismissed by the Court's Order of March 31, 2011.

Duke University, President Brodhead, and former Senior Vice President Burness specifically deny that the Duke University Police Department had the power or authority to "intervene" with the Durham Police Department's criminal investigation of Ms. Mangum's allegations. Duke University, President Brodhead, and former Senior Vice President Burness deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 466 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

466. The claims against Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, and Lieutenant Best were dismissed by the Court's Order of March 31, 2011.

Duke University admits that on or about March 27, 2006, the Duke University Police Department received a request from Ms. Sheila Eason of the District Attorney's office for information related to allegations of rape made by Ms. Mangum. Duke University further admits that members of the Duke University Police Department

provided written statements to the District Attorney's Office. Duke University denies the remaining allegations.

President Brodhead, former Associate Vice President Graves, and former Director Dean deny the allegations.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

467. The claims against Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, and Lieutenant Best were dismissed by the Court's Order of March 31, 2011.

Duke University admits that the Duke University Police Officers who were at the Duke University Medical Center on March 13-14, 2006, were asked to prepare written statements regarding any information they might have about the night of March 13-14 relating to Ms. Mangum's allegations in order to comply with the request for information made by the District Attorney's Office. Duke University admits that the statements were memoranda addressed to the Office of Durham County District Attorney. To the extent this paragraph purports to characterize the statements made by the Duke University Police officers, Duke University denies the characterizations.



With respect to subparagraph E, Duke University admits that two of the officers who completed written statements are no longer employed with the Duke University Police Department. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations in subparagraph E and, therefore, denies the allegations in subparagraph E. Duke University denies the remaining allegations, including the allegations contained in subparagraphs A, B, C, and D.

President Brodhead, former Associate Vice President Graves, and former Director Dean are without knowledge or information sufficient to form a belief about the truth of the allegations in subparagraph E and, therefore, deny the allegations in subparagraph E. President Brodhead, former Associate Vice President Graves, and former Director Dean deny the remaining allegations, including the allegations contained in subparagraphs A, B, C, and D.

The remaining Duke University Defendants, remaining Duke University Police Defendants and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations contained in subparagraphs A, B, C, D and E, and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 468 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

468. Duke University admits that former Duke University Police Officer Mazurek wrote a statement on or about March 29, 2006, that included the words quoted in this paragraph. To the extent the paragraph suggests that the language quoted therein constituted the entirety of Officer Mazurek's written statement, Duke University denies the allegations. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

469. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 470 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

470. Duke University admits that former Duke University Police Officer Sarah Falcon wrote a statement on or about March 28, 2006, that included the words quoted in this paragraph. To the extent the paragraph suggests that the language quoted therein constituted the entirety of Officer Falcon's written statement, Duke University denies the allegations. To the extent the subparagraph purports to characterize the statement by Officer Falcon, Duke University denies the characterization. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

471. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

472. The claims against Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, and Lieutenant Best were dismissed by the Court's Order of March 31, 2011.

President Brodhead, former Associate Vice President Graves, and former Director Dean are without knowledge or information sufficient to form a belief about the truth of the allegations regarding statements made by a Durham Police Sergeant and, therefore, deny these allegations. President Brodhead, former Associate Vice President Graves, and former Director Dean deny the remaining allegations.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 473 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

473. Duke University admits that Officer Day prepared an Operations Report on March 14, 2006. Duke University further admits that the Operations Report prepared by Officer Day was a standard informational report like all operations reports prepared by members of the Duke University Police Department. To the extent the allegations characterize the contents of the Operations Report, Duke University denies the characterization. Duke University denies the remaining allegations.

Former Chairman Steel specifically denies issuing any sort of “Directive” as alleged within this Second Amended Complaint. Former Chairman Steel is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

474. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny that there was any “directive” to conceal exculpatory material. Duke University admits that Officer Day completed a continuation page that was a continuation of the Operations Report prepared on March 14. Duke University admits that the continuation page included the words quoted in this paragraph. To the

extent the allegations characterize the contents of the continuation page, Duke University denies the characterization. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

475. Duke University denies that there was any “transition briefing” in the early morning hours of March 14, 2006. Duke University admits that Officer Day completed a continuation page that was a continuation of the Operations Report that he had prepared on March 14, 2006. To the extent this paragraph purports to characterize the contents of the operations report and its continuation page, Duke University denies that characterization. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the heading that precedes Paragraph 476 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

476. The claims against Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center

Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, and Lieutenant Best were dismissed by the Court's Order of March 31, 2011.

President Brodhead and former Director Dean deny the allegations in the introductory paragraph. President Brodhead and former Director Dean are without knowledge or information sufficient to form a belief about the truth of the allegations in subparagraphs A and B and, therefore, deny the allegations in subparagraphs A and B.

Duke University denies that it had any "responsibility" to investigate the allegations made by Ms. Mangum. Duke University admits that it did not have the power or authority to intervene in or halt an investigation by the Durham Police Department of Ms. Mangum's allegations. Duke University denies the remaining allegations, including the allegations contained in subparagraphs A and B.

Former Associate Vice President Graves denies the allegations in the introductory paragraph. With respect to subparagraph A, former Associate Vice President Graves admits that the statement in this paragraph attributed to him was part of a quote that appeared in an article in *The Charlotte Observer* on May 11, 2006. To the extent the allegations purport to characterize the statements made by former Associate Vice President Graves, former Associate Vice President Graves denies the characterization.

With respect to subparagraph B, former Associate Vice President Graves admits that he made statements that include the language quoted in subparagraph B. To the extent the allegations purport to characterize the statements made by former Associate Vice President Graves, former Associate Vice President Graves denies the

characterization. To the extent this paragraph suggests that the language quoted therein constituted the entirety of his statement, former Associate Vice President Graves denies that suggestion. Former Associate Vice President Graves denies the remaining allegations, including the remaining allegations contained in subparagraphs A and B.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations contained in subparagraphs A and B, and, therefore, deny the allegations.

477. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny any participation in any sort of conspiracy as alleged within this Second Amended Complaint. Duke University admits that it did not have the responsibility or authority to intervene in or halt an investigation by the Durham Police Department of Ms. Mangum's allegations. Duke University denies the remaining allegations.

To the extent any of the Duke University Defendants, Duke University Police Defendants or Duke SANE Defendants are alleged to be included within "Duke Police Defendants." which is an undefined term used in Paragraph 477, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a

belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the headings that precede Paragraph 478 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

478. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

479. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 480 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

480. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

481. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.



482. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

483. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 484 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

484. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

485. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

486. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

487. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

488. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

489. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

490. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

491. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that former District Attorney Nifong generated significant media coverage regarding the investigation into Ms. Mangum's allegations. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

492. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

493. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that former District Attorney Nifong generated significant media coverage regarding the investigation into Ms. Mangum's allegations. The Duke

University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

494. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that former District Attorney Nifong generated significant media coverage regarding the investigation into Ms. Mangum's allegations. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

495. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 496 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

496. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, Associate Dean Bryan,

PDC, Dr. Manly, and Nurse Arico were dismissed by the Court's Order of March 31, 2011.

Duke University denies that members of the Duke University Police Department "orchestrated" any "mass interrogations" of any members of the men's lacrosse team. Duke University denies the remaining allegations.

Duke University, former Chairman Steel, President Brodhead, former Senior Vice President Burness, former Director Drummond, Chancellor Dzau, former Associate Vice President Graves, former Director Dean, Sergeant Smith, DUHS and Nurse Levicy deny the allegations.

497. The claims against Executive Vice President Trask were dismissed by the Court's Order of March 31, 2011.

Duke University specifically denies that Executive Vice President Trask knew the things alleged in Paragraph 496. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

498. Duke University admits that on March 24, 2006, Executive Vice President Trask met with Coach Pressler, the four co-captains of the men's lacrosse team, Joe Alleva, and Chris Kennedy. Duke University further admits that at this meeting Executive Vice President Trask asked the lacrosse co-captains to explain what had happened at the party. Duke University further admits that the lacrosse co-captains

initially told Executive Vice President Trask that their lawyer had advised them not to speak of the events at issue. Duke University admits that at the meeting the lacrosse co-captains gave Executive Vice President Trask an account of what happened at the party. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

499. The claims against Executive Vice President Trask, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, Associate Dean Bryan, and former Vice President Dawkins were dismissed by the Court's Order of March 31, 2011.

Duke University, former Chairman Steel, President Brodhead, former Senior Vice President Burness, Chancellor Dzau, and former Director Drummond deny that they or anyone acting on behalf of Duke University "attempted to coerce" the Plaintiffs into waiving their constitutional rights. Duke University, former Chairman Steel, President Brodhead, former Senior Vice President Burness, Chancellor Dzau, and former Director Drummond deny that they ever claimed the existence of a "privilege" and further deny that they "insisted" the plaintiffs "speak" in the absence of their attorney. Duke University denies that Executive Vice President Trask ever disclosed to members of the Durham Police Department what happened at the meeting on March 24, 2006. Duke University, former Chairman Steel, President Brodhead, former Senior Vice President Burness, Chancellor Dzau, and former Director Drummond deny that they attended the

meeting on March 24, 2006. Duke University, former Chairman Steel, President Brodhead, former Senior Vice President Burness, Chancellor Dzau, and former Director Drummond deny the remaining allegations.

To the extent any of the remaining Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants are alleged to be included within “Duke Administrators”, an undefined term used in Paragraph 499, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 500 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

500. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

501. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny any participation in any sort of conspiracy as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

To the extent that the heading that precedes Paragraph 502 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

502. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny any participation in any sort of conspiracy as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that former District Attorney Nifong generated significant media coverage regarding the investigation into Ms. Mangum's allegations. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations, including the allegations contained in subparagraphs A, B, C, D, E, F, G, H, I, J, K, L, M, N, and O, and, therefore, deny the remaining allegations.

503. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a video, referenced as Attachment 12 to Plaintiffs' Second Amended Complaint, has been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the heading that precedes Paragraph 504 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

504. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

505. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations contained in subparagraphs A, B, C, D, E, F, G, and H, and, therefore, deny the allegations.

506. Former Senior Vice President Burness denies that he made any statements “to stir up the outrage of the media” whether “on condition of anonymity”, “not-for-attribution”, or otherwise. Former Senior Vice President Burness denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 507 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.



507. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

508. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

509. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

510. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

511. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a document, referenced as Attachment 13 to Plaintiffs' Second Amended Complaint, has been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

512. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

513. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

514. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

515. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

516. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

517. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 518 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

518. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

519. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a document, referenced as Attachment 14 to Plaintiffs' Second Amended Complaint, has been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

520. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, Associate Dean Bryan, PDC, Dr. Manly, and Nurse Arico were dismissed by the Court's Order of March 31, 2011.

To the extent any of the Duke University Defendants, Duke University Police Defendants or Duke SANE Defendants are alleged to be included within "Duke University personnel" or "University officials," undefined terms used in Paragraph 520, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

521. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, Associate Dean Bryan, PDC, Dr. Manly, and Nurse Arico were dismissed by the Court's Order of March 31, 2011.

Duke University admits that it owns and operates the John Hope Franklin Center for Human Rights. Duke University denies the remaining allegations.

To the extent any of the remaining Duke University Defendants, Duke University Police Defendants or Duke SANE Defendants are alleged to be included within "Duke University officials," an undefined term used in Paragraph 521, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of any remaining allegations and, therefore, deny any remaining allegations.

522. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, Associate Dean Bryan, PDC, Dr. Manly, and Nurse Arico were dismissed by the Court's Order of March 31, 2011.

To the extent any of the Duke University Defendants, Duke University Police Defendants or Duke SANE Defendants are alleged to be included within "Duke University personnel" or "Duke University officials," undefined terms used in Paragraph 522, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

523. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, Associate Dean Bryan,

PDC, Dr. Manly, and Nurse Arico were dismissed by the Court's Order of March 31, 2011.

To the extent any of the Duke University Defendants, Duke University Police Defendants or Duke SANE Defendants are alleged to be included within "Duke University officials," an undefined term used in Paragraph 523, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth any remaining allegations and, therefore, deny the remaining allegations.

524. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, Associate Dean Bryan, PDC, Dr. Manly, and Nurse Arico were dismissed by the Court's Order of March 31, 2011.

To the extent any of the Duke University Defendants, Duke University Police Defendants or Duke SANE Defendants are alleged to be included within "Duke

University officials,” an undefined term used in Paragraph 524, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

Duke University denies that it, or anyone acting on its behalf, has the “authority to institute corrective measures on behalf of the City of Durham” or the ability to “correct the conduct” of any action taken on behalf of the City of Durham. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 525 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

525. Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

526. Duke University admits that when the Duke Police Department needed information to help solve a crime, the investigator in charge of the case would contact David Addison to have the request for assistance distributed through CrimeStoppers. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

527. The claims against Lieutenant Stotsenberg and Major Cooper were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Lieutenant Stotsenberg and Major Cooper served as liaisons to CrimeStoppers. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 528 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

528. The claims against Executive Vice President Trask, Provost Lange, and Vice President Moneta were dismissed by the Court's Order of March 31, 2011.

Former Chairman Steel specifically denies any "objective to force a trial and convictions." Former Chairman Steel further specifically denies that he had any "Crisis Management Team." Former Chairman Steel denies the remaining allegations.

Duke University, President Brodhead, and former Senior Vice President Burness deny the allegations.



The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 529 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

529. Duke University and John Burness admit that John Burness served as Senior Vice President for Public Affairs and Government Relations at Duke University until June 30, 2008. Duke University and former Senior Vice President Burness admit that former Senior Vice President Burness was frequently called upon to speak on behalf of Duke University. Duke University and former Senior Vice President Burness deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

530. Former Senior Vice President Burness denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

531. Former Senior Vice President Burness denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

532. Former Senior Vice President Burness denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

533. Former Vice President Burness denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 534 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

534. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, Associate Dean Bryan, PDC, Dr. Manly, and Nurse Arico were dismissed by the Court's Order of March 31, 2011.

Duke University denies the allegations.

To the extent any of the Duke University Defendants, Duke University Police Defendants or Duke SANE Defendants are alleged to be included within “Duke University officials with final policymaking authority for Duke University’s media relations, Faculty, and Administrators,” an undefined term used in Paragraph 534, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 535 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

535. The claims against the Duke University Police Department, Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, Lieutenant Stotsenberg, Lieutenant Best, Provost Lange, Vice President Moneta, former Secretary Haltom, Dean Wasiolek, Associate Dean Bryan, PDC, Dr. Manly, and Nurse Arico were dismissed by the Court’s Order of March 31, 2011.

Duke University denies the allegations in the introductory paragraph.

With respect to subparagraph A, Duke University is without knowledge or information sufficient to form a belief about whether Provost Lange said the exact words that are quoted in subparagraph A and, therefore, denies the allegations. To the extent that the allegations purport to characterize a statement made by Provost Lange, Duke University denies the characterization.

With respect to subparagraph B including subparts i, ii, iii, and iv, President Brodhead admits that on March 28, 2006, he issued a public statement that announced the suspension of the lacrosse season. President Brodhead admits that he made statements that included the language quoted in subparagraph B, including subparts i, ii, iii, and iv. To the extent this subparagraph, including subparts i, ii, iii, and iv, purports to characterize portions of these statements, President Brodhead denies that characterization. President Brodhead denies the remaining allegations in subparagraph B. President Brodhead is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, including the allegations contained in the introductory paragraph and in subparagraphs A and C, and, therefore, denies the remaining allegations.

With respect to subparagraph C, former Senior Vice President Burness admits that the statement in this paragraph attributed to him was part of a quote that appeared in an article in *The Chronicle* on March 26, 2006. To the extent this subparagraph purports to characterize portions of this statement, former Senior Vice President Burness denies that characterization. Former Senior Vice President Burness denies the remaining allegations

in subparagraph C. Former Senior Vice President Burness is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, including the allegations contained the introductory paragraph and in subparagraphs A and B, and, therefore, denies the remaining allegations.

Except to the extent that the allegations have been admitted, Duke University denies the allegations, including the allegations contained in the introductory paragraph and in subparagraphs A and B.

To the extent any of the remaining Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants are alleged to be included within “Duke Officials,” an undefined term used in Paragraph 535, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations, including the allegations contained in the introductory paragraph and in subparagraphs A, B, and C.

The remaining Duke University Defendants, Duke University Police Defendants, and the Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations, including the allegations contained in the introductory paragraph and in subparagraphs A, B, and C, and, therefore, deny the remaining allegations.

To the extent that the heading that precedes Paragraph 536 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

536. President Brodhead and the remaining Duke University Defendants deny the allegations.

The Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

537. President Brodhead denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

538. President Brodhead denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

539. President Brodhead denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

540. Duke University denies that there was a “massive public stigmatization” of the Plaintiffs by the faculty members of Duke University. Duke University denies the remaining allegations.

President Brodhead deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 541 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

541. Duke University admits that on March 25, 2006, former Athletic Director Alleva and President Brodhead made public statements about the forfeiture of two lacrosse games. To the extent this paragraph purports to characterize portions of former Athletic Director Alleva and President Brodhead's statements, Duke University denies that characterization. Duke University denies the remaining allegations.

President Brodhead admits that on March 25, 2006, he made public statements about the forfeiture of two lacrosse games. To the extent this paragraph purports to characterize portions of those statements, President Brodhead denies the characterization. President Brodhead denies the remaining allegations.

Former Chairman Steel denies that he directed President Brodhead and former Athletic Director Alleva to make any announcements or to forfeit any lacrosse games. Former Chairman Steel denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

542. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

543. Former Chairman Steel specifically denies issuing any sort of “Directive” as alleged within this Second Amended Complaint. Former Chairman Steel denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the headings that precede Paragraph 544 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

544. Duke University admits that it follows a practice of academic freedom and that faculty and students are free to exercise their individual First Amendment right to free speech. Duke University further admits that some of its employees, including Faulkner Fox, engaged in their constitutional right of free speech by participating in gatherings. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.



545. Duke University admits that it follows a practice of academic freedom and that faculty and students are free to exercise their individual First Amendment right to free speech. Duke University admits that some individuals who were employed by Duke University engaged in their constitutional right of free speech by participating in gatherings such as the one that occurred on Sunday, March 26, 2006. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

546. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a video recording, referenced as Attachment 15 to Plaintiffs' Second Amended Complaint, has been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

547. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

548. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

549. Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

550. Duke University admits that it follows a practice of academic freedom and that faculty and students are free to exercise their individual First Amendment right to free speech. Duke University admits that some individuals who were employed by Duke University engaged in their constitutional right of free speech by participating in gatherings such as the one that occurred on Sunday, March 26. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, including the allegations contained in subparagraphs A, B, C, and D, and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations contained in subparagraphs A, B, C, and D, and, therefore, deny the allegations.

551. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 552 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

552. Duke University admits that Professor John Reeve Huston is an Associate Professor in its History Department. Duke University is without knowledge or information sufficient to form a belief about the truth of the allegations about statements made by Professor Huston in his class, and, therefore, denies those allegations. Duke University denies the remaining allegations, including the allegations contained in subparagraphs A, B, and C.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations contained in subparagraphs A, B, and C, and, therefore, deny the allegations.

553. Duke University admits that Plaintiffs McFadyen and Archer, and other members of the men's lacrosse team, were enrolled in Professor Huston's course during the Spring 2006 semester. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 554 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

554. Duke University admits that it follows a practice of academic freedom and that faculty and students are free to exercise their individual First Amendment right to free speech. Duke University admits that some individuals who were employed by Duke University, including Father Vetter, engaged in their constitutional right of free speech. Duke University admits that on March 26, 2006, Father Vetter gave a homily at Duke Chapel, which included the language quoted in this paragraph. To the extent this paragraph purports to characterize Father Vetter's homily, Duke University denies the characterization. Duke University denies that Father Vetter "presumed the guilt of the Plaintiffs and their teammates." Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 555 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

555. Duke University specifically denies that it, or anyone acting on its behalf, was aware of all of the public acts or statements of its employees. Duke University admits that it follows a practice of academic freedom and that faculty and students are

free to exercise their individual First Amendment right to free speech. Duke University admits that some individuals who were employed by Duke University, including faculty members, engaged in their constitutional right of free speech by assembling and participating in gatherings of various sorts. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

556. Duke University specifically denies that it, or anyone acting on its behalf, was aware of all of the public acts or statements of its employees alleged by Plaintiffs. Duke University specifically denies that anyone acting on behalf of Duke University publicly presumed the teams' guilt or publicly condemned the members of the Duke University men's lacrosse team. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

557. Duke University specifically denies that it, or anyone acting on its behalf, participated in "stigmatizing conduct." Duke University is without knowledge or information sufficient to form a belief about the truth of the allegations regarding the conduct of employees of the City of Durham and, therefore, denies these allegations. Duke University denies the remaining allegations.

The remaining Duke University Defendants, the Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

558. To the extent any of the Duke University Defendants, Duke University Police Defendants or Duke SANE Defendants are alleged to be included within “Duke University officials” or “University Officials Defendants,” undefined terms used in Paragraph 558, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that some individuals who were employed by Duke University engaged in their constitutional right of free speech by expressing their personal opinions about Ms. Mangum’s allegations and the ongoing investigation of those allegations. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny that they, or anyone acting on their behalf, “publicly proclaimed Plaintiffs’ guilt, called for their castration, or otherwise publicly condemned them.” The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they or anyone acting on their behalf “adopted”, “ratified”, or “condoned” any stigmatization of Plaintiffs. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

To the extent that the headings that precede Paragraph 559 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

559. Duke University denies that it, or anyone acting on its behalf, scheduled any “interrogations” of the Plaintiffs. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

560. Duke University denies that any home was “vandalized” in the presence of members of the Duke University Police Department. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

561. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

562. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 563 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

563. Duke University admits that the co-captains of the Duke University men's lacrosse team made a public statement on or about March 28, 2006, that included the words quoted in this paragraph. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

564. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 565 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

565. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.



To the extent that the heading that precedes Paragraph 566 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

566. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

567. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny any participation in any sort of conspiracy as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the heading that precedes Paragraph 568 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

568. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

569. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 570 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

570. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

571. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

572. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

573. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

574. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations contained in subparagraphs A, B, C, and D, and, therefore, deny the allegations.

575. Duke University denies the allegations.

To the extent any of the Duke University Defendants, Duke University Police Defendants or Duke SANE Defendants are alleged to be included within “Duke University agents,” an undefined term used in Paragraph 575, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of any remaining allegations in this paragraph and, therefore, deny any remaining allegations.

576. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 577 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

577. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that former District Attorney Nifong generated significant media coverage regarding the investigation into Ms. Mangum’s allegations. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the

remaining allegations, including the allegations contained in subparagraphs A, B, C, D, E, F, G, and H, and, therefore, deny the remaining allegations.

578. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that former District Attorney Nifong generated significant media coverage regarding the investigation into Ms. Mangum's allegations. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

579. The claims against Executive Vice President Trask, former Vice President Dawkins, former Assistant Chief Humphries, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, and Lieutenant Best were dismissed by the Court's Order of March 31, 2011.

President Brodhead, former Associate Vice President Graves, and former Director Dean deny the allegations.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

580. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 581 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

581. Duke University and President Brodhead admit that Duke University issued a statement from President Brodhead on March 29, 2006. Duke University and President Brodhead deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

582. Duke University and President Brodhead admit that on March 29, 2006, President Brodhead made the public statement quoted in Paragraph 582. To the extent Paragraph 582 suggests that the language quoted therein constituted the entirety of President Brodhead's statement, Duke University and President Brodhead deny that suggestion. President Brodhead and Duke University deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

583. The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the headings that precede Paragraph 584 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

584. Duke University admits that the language quoted in Paragraph 584 was part of an editorial written by Professor William Chafe that appeared in *The Chronicle* on March 31, 2006. Duke University admits that Duke University follows a practice of academic freedom and that faculty, like Professor William Chafe, are free to exercise their individual First Amendment rights to free speech. To the extent that Paragraph 584 suggests that language contained therein constituted the entirety of Professor Chafe's editorial on March 31, 2006, Duke University denies the suggestion. To the extent this paragraph purports to characterize Professor Chafe's editorial, Duke University denies the characterization. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 585 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

585. Duke University admits that the language quoted in Paragraph 585 was part of a letter dated March 29, 2006, and written by Houston Baker, a former professor at Duke University, to Provost Peter Lange and that was released publicly. Duke University

further admits that it follows a practice of academic freedom and that professors, like Professor Baker, are free to exercise their individual rights to free speech guaranteed by the First Amendment. To the extent this paragraph purports to characterize Professor Baker's letter, Duke University denies the characterization. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

586. The claims against Provost Lange were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Provost Lange, Duke University's top academic officer, publicly responded to Dr. Baker's letter and chastised him for his prejudgment. To the extent this paragraph purports to characterize Provost Lange's response, Duke University denies the characterization. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 587 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

587. Duke University admits that Duke University follows a practice of academic freedom and that faculty, like Dean Sam Wells, are free to exercise their individual First Amendment rights to free speech. To the extent that the paragraph suggests that language contained therein constituted the entirety of Dean Wells's remarks on April 2, 2006, Duke University denies the allegations. To the extent this paragraph purports to characterize a portion of Dean Wells's remarks, Duke University denies the characterization. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

588. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

589. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny any participation in any sort of conspiracy as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny any "agreement" as alleged within Paragraph 589. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.



590. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations regarding the actions of Mr. Nifong and, therefore, deny these allegations. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

To the extent that the headings that precede Paragraph 591 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

591. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

592. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

593. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 594 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

594. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

595. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 596 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

596. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

597. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

598. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

599. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

600. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny that they “aided” in obtaining the email authored by Plaintiff McFadyen. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

601. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

602. Former Chairman Steel specifically denies directing Duke University Police Department’s “official policymaking authority” during the Durham Police Department’s criminal investigation of Ms. Mangum’s allegations. Former Chairman Steel denies the remaining allegations.

Duke University denies the allegations.

To the extent any of the remaining Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants are alleged to be included within the “Duke University officials with policymaking authority,” an undefined term used in Paragraph 602, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a

belief about the truth of any remaining allegations in this paragraph and, therefore, deny any remaining allegations.

603. Duke University is without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

604. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

605. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

606. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

607. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a photograph has been attached to Plaintiffs' Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information

sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

608. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

609. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

610. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 611 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

611. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

612. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

613. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

614. Sergeant Smith admits that he accompanied Officer Himan and Officer Gottlieb to Plaintiff McFadyen's room and that he stood outside of the room while Officer Himan and Officer Gottlieb searched the room. Sergeant Smith denies the remaining allegations.

The Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

615. Sergeant Smith specifically denies that he had knowledge of any falsification of "material allegations" in any Warrant Affidavit. Sergeant Smith further specifically denies that he was aware of any violations of Plaintiff McFadyen's constitutional rights. Sergeant Smith denies the remaining allegations.

The Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

616. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the headings that precede Paragraph 617 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

617. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

618. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

619. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

620. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 621 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

621. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

622. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

623. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

624. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

625. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

626. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that former District Attorney Nifong generated significant media coverage. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations, including the allegations contained in subparagraphs A, B, C, D, and E, and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 627 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.



627. Duke University, former Associate Vice President Graves and former Director Dean admit that on or about March 29, 2006, former Associate Vice President Graves and former Director Dean met with members of the Durham Police Department and employees of the City of Durham, including Mark Gottlieb, Benjamin Himan, and Ronald Hodge and City Manager Patrick Baker. Duke University, former Associate Vice President Graves, and former Director Dean deny the remaining allegations.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

628. Duke University denies that it, or anyone acting on its behalf, was part of any “Joint Command” as alleged within this Second Amended Complaint. Duke University denies the remaining allegations.

The remaining Duke University Defendants, the Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

629. The claims against Nurse Arico were dismissed by the Court’s Order of March 31, 2011.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants, including Nurse Levicy, specifically deny any participation in any

sort of conspiracy as alleged within this Second Amended Complaint. Duke University denies that it, or anyone acting on its behalf, was part of any “Joint Command” as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

630. Duke University denies that it, or anyone acting on its behalf, was part of any “Joint Command” as alleged within this Second Amended Complaint. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

The remaining Duke University Defendants, the Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

631. Duke University, former Associate Vice President Graves and former Director Dean admit that on or about March 29, 2006, former Associate Vice President Graves and former Director Dean met with members of the Durham Police Department and employees of the City of Durham. Duke University, former Associate Vice President Graves and former Director Dean deny that they, or anyone acting on their behalf, was part of any “Joint Command” as alleged within this Second Amended Complaint. Duke University, former Associate Vice President Graves and former Director Dean deny the

remaining allegations, including the allegations contained in subparagraphs A, B, C, D, E, F, and G.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations contained in subparagraphs A, B, C, D, E, F, and G, and, therefore, deny the allegations.

632. Duke University, former Associate Vice President Graves and former Director Dean admit that on or about March 29, 2006, former Associate Vice President Graves and former Director Dean met with members of the Durham Police Department and employees of the City of Durham. Duke University, former Associate Vice President Graves and former Director Dean deny the remaining allegations.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

633. The claims against Executive Vice President Trask, Provost Lange, former Vice President Dawkins, former Assistant Chief Humphries, Vice President Moneta, former Secretary Haltom, Major Cooper, former Medical Center Affairs Manager Garber, former Major Schwab, former Lieutenant Fleming, and Lieutenant Best were dismissed by the Court's Order of March 31, 2011.

Former Chairman Steel, President Brodhead, former Associate Vice President Graves, former Senior Vice President Burness, Chancellor Dzau and former Director Dean deny the allegations.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

634. Former Chairman Steel specifically denies issuing any sort of “Directive” as alleged within this Second Amended Complaint. Former Chairman Steel denies the remaining allegations.

Duke University denies that it, or anyone acting on its behalf, was part of any “Joint Command” as alleged within this Second Amended Complaint. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

635. Duke University denies the allegations.

To the extent any of the remaining Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants are alleged to be included within “these Duke University . . . officials with policymaking authority,” an undefined term used in

Paragraph 635, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth any remaining allegations and, therefore, deny any remaining allegations.

636. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny that they, or anyone acting on their behalf, was part of any “Joint Command” as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

637. Duke University denies that it, or anyone acting on its behalf, was part of any “Joint Command” as alleged within this Second Amended Complaint. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

638. Duke University admits that a “Community of One” announcement was published in local newspapers and endorsed by Mayor Bill Bell, Chancellor James Ammons and President Brodhead. To the extent Paragraph 638 purports to characterize this announcement, Duke University denies the characterization. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

639. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny any participation in any sort of conspiracy as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

640. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny any participation in any sort of conspiracy as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

To the extent that the headings that precede Paragraph 641 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

641. The allegation in Paragraph 641 calls for a legal conclusion to which no response is required. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

642. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations contained in subparagraphs A, B, and C, and, therefore, deny the allegations.

643. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 644 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

644. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 645 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

645. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

646. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the headings that precede Paragraph 647 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

647. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information.

DUHS and Nurse Levicy admit that Nurse Levicy had successfully completed her SANE training on March 14, 2006, and was awaiting her certificate of completion to arrive in the mail. DUHS and Nurse Levicy are without knowledge or information sufficient to form a belief about the truth of the remaining allegations, including the allegations contained in subparagraphs A, B, C, D, and E, and, therefore, deny the remaining allegations.

The Duke University Defendants, Duke University Police Defendants and remaining Duke SANE Defendants are without knowledge or information sufficient to



form a belief about the truth of the allegations, including the allegations contained in subparagraphs A, B, C, D, and E, and, therefore, deny the allegations.

648. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that former District Attorney Nifong generated significant media coverage regarding the investigation into Ms. Mangum's allegations. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

649. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

650. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a video, referenced as Attachment 16 to Plaintiffs' Second Amended Complaint, has been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

651. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

652. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

653. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

654. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 655 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

655. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

656. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

657. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

658. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

659. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 660 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

660. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

661. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

662. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

663. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

664. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

665. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the headings that precede Paragraph 666 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

666. Former Associate Vice President Graves specifically denies that he had any involvement with the photo identification procedure that the Durham Police Department arranged with Ms. Mangum. Former Associate Vice President Graves is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the allegations.

The Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

667. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

668. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations contained in subparagraphs A, B, C, D, E, F, and G, and, therefore, deny the allegations.

669. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 670 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

670. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

671. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

672. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

673. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

674. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

675. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 676 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

676. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

677. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

678. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief

about the truth of the allegations, including the allegations contained in subparagraphs A, B, and C, and, therefore, deny the allegations.

679. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

680. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

681. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

682. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

683. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

684. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

685. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

686. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

687. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the headings that precede Paragraph 688 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

688. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

689. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

690. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.



691. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

692. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 693 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

693. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

694. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

695. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

696. The claims against Vice President Moneta, Associate Dean Bryan, and Dean Wasiolek were dismissed by the Court's Order of March 31, 2011.

Duke University admits that on April 5, 2006, Vice President Moneta issued an interim suspension for Plaintiff McFadyen. Duke University further admits that Plaintiff McFadyen, Plaintiff McFadyen's lawyer, and personnel in the English Department were not consulted before the interim suspension was imposed. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

697. The claims against Dean Wasiolek, Provost Lange, Vice President Moneta, former Secretary Haltom, and Executive Vice President Trask were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Dean Wasiolek attempted to locate Plaintiff McFadyen because of concerns about his safety after the public release of his email and to discuss the interim suspension. Duke University admits that Dean Wasiolek received a telephone call from Plaintiff McFadyen's attorney and that Dean Wasiolek invited Plaintiff McFadyen and his attorney to the Student Affairs Office to discuss the situation. Duke University further admits that Plaintiff McFadyen authorized the public release of his interim suspension from his disciplinary records maintained in the Office of Judicial Affairs. Duke University denies the remaining allegations.

Former Chairman Steel, President Trask, former Senior Vice President Burness, and Chancellor Dzau deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

698. Duke University and President Brodhead admit that on April 5, 2006, President Brodhead talked with reporters and stated that Ryan McFadyen had been issued an interim suspension. Duke University and President Brodhead deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

699. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a video file, referenced as Attachment 17 to Plaintiffs' Second Amended Complaint, has been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

700. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

701. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

702. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 703 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

703. Upon information and belief, Duke University admits that on or about March 27, 2006, Chauncey Nartey, a student at Duke University, sent an email to Coach Pressler. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

704. The claims against Vice President Moneta were dismissed by the Court's Order of March 31, 2011.

Duke University admits that on March 31, 2006, Sue Pressler spoke to members of the Duke University Police Department regarding email correspondence from Chauncey Nartey to Coach Pressler. Duke University admits that Vice President Moneta met with

Coach Pressler on April 25, 2006, and Coach Pressler brought copies of Mr. Narthey's email correspondence. Duke University admits that Vice President Moneta consulted with members of Duke University's Office of Judicial Affairs regarding Mr. Narthey's email correspondence. Duke University further admits that the matter was not submitted to the Undergraduate Judicial Board. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

705. The claims against Vice President Moneta were dismissed by the Court's Order of March 31, 2011.

Duke University and President Brodhead admit that President Brodhead appointed Mr. Narthey to the Campus Culture Initiative. Duke University and President Brodhead admit that Mr. Narthey was one of five Duke University students to serve on the Campus Culture Initiative.

Duke University admits that Vice President Moneta was appointed as Vice Chair of the Campus Culture Initiative. Duke University and President Brodhead admit that the language quoted in the second sentence is a quote from President Brodhead's April 5, 2006, Letter to the Duke Community. To the extent the paragraph suggests that the language quoted therein constituted the entirety of President Brodhead's letter, Duke University and President Brodhead deny that suggestion.

Duke University and President Brodhead admit that Mr. Nartey participated in “A Duke Conversation-Making A Difference” event in Charlotte. Duke University admits that in April 2007, Mr. Nartey was named one of the recipients of the 2007 William J. Griffith University Service Award at the Student Affairs Distinguished Leadership and Service Awards program. Duke University admits that the William J. Griffith University Service Award is presented annually to a select number of graduating students whose service and contributions to Duke University and larger communities have significantly impacted University life. Duke University and President Brodhead deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the headings that precede Paragraph 706 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

706. Duke University admits that Plaintiff Wilson was arrested in Chapel Hill for misdemeanor possession of marijuana, drug paraphernalia and Driving While Impaired. Duke University admits that, at the time of Plaintiff Wilson’s arrest, Plaintiff Wilson was an undergraduate at Duke University and a member of the Duke University men’s lacrosse team. Duke University admits that Plaintiff Wilson was not in Durham

County and was not taking summer classes at Duke University when he was arrested.

Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

707. Upon information and belief, Duke University admits that Plaintiff Wilson pleaded guilty to Driving While Impaired. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

708. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

709. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

710. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

711. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

712. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

713. Duke University admits that the Undergraduate Judicial Board suspended Plaintiff Wilson for two semesters applied retroactively to include 2006 summer and fall semesters, placed him on disciplinary probation for the remainder of the academic year, and ordered that he perform twenty hours of community service. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

714. Duke University admits that the Undergraduate Judicial Board suspended Plaintiff Wilson for two semesters applied retroactively to include 2006 summer and fall semesters, placed him on disciplinary probation for the remainder of the academic year, and ordered that he perform twenty hours of community service. Duke University denies the remaining allegations.



The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

715. The claims against Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Plaintiff Wilson was referred to the Duke University Undergraduate Judicial Board because of Plaintiff Wilson's citation for driving while intoxicated, misdemeanor possession of marijuana, and misdemeanor possession of drug paraphernalia. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

716. The claims against Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

717. Duke University and President Brodhead deny the allegations.

To the extent any of the remaining Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants are alleged to be included within

“University officials,” an undefined term used in Paragraph 717, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of any remaining allegations in this paragraph and, therefore, deny any remaining allegations.

718. The claims against Vice President Moneta and Associate Dean Bryan were dismissed by the Court’s Order of March 31, 2011.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

719. The claims against Associate Dean Bryan were dismissed by the Court’s Order of March 31, 2011.

Duke University admits that Associate Dean Bryan selected the Undergraduate Judicial Board Panel. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

720. Duke University admits that the Undergraduate Judicial Board had the authority to discipline students at Duke University for off-campus conduct, while the students were not enrolled in classes. Duke University further admits that the panel of the Undergraduate Judicial Board suspended Plaintiff Wilson for two semesters applied retroactively to include 2006 summer and fall semesters, placed him on disciplinary probation for the remainder of the academic year, and ordered that he perform twenty hours of community service. Duke University further admits that Plaintiff Wilson appealed this decision and the Appellate Board noted that Plaintiff Wilson had undergone intensive counseling over the summer and reduced his suspension to one semester (summer 2006). Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

721. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 722 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

722. The claims against Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Associate Dean Bryan scheduled meetings with Plaintiff Archer several times to discuss Plaintiff Archer's various violations of Duke University policies. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

723. The claims against Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Duke University admits that, as a result of the August 27, 2004, violation of Duke University's Alcohol Policy, the Office of Judicial Affairs assigned Breck Archer to 15 hours of independent community service that was required to be completed and appropriately verified by November 19, 2004. Duke University further admits that Plaintiff Archer failed to complete and verify the independent community service he was required to do. Duke University further admits that Plaintiff Archer was mandated to complete an additional five hours of service and assigned a revised deadline of February 25, 2005. Duke University denies that Plaintiff Archer completed the required community service hours. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

724. The claims against Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Plaintiff Archer failed to complete and verify the mandated community service requirements. Duke University admits that Associate Dean Bryan referred the matter to the Undergraduate Judicial Board. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

725. Duke University admits that the Undergraduate Judicial Board panel found that over six months past the original due date, Plaintiff Archer had not completed and verified his total assigned community service as required. Duke University admits that the panel learned Plaintiff Archer had been previously found responsible for Failure to Comply and had not submitted verification for mandated community service. Duke University admits that Plaintiff Archer was suspended for the 2005 fall semester. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

726. Duke University specifically denies that Plaintiff Archer was suspended for failing to submit a form. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

727. The claims against Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Breck Archer was suspended. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 728 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

728. Duke University specifically denies that the Duke University Student Bulletin is a contract. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

729. Duke University specifically denies that the Bulletin of Duke University 2005-2006 is a contract between Duke University and Plaintiffs McFadyen, Wilson and Archer. Duke University further denies that any of the policies outlined in the Bulletin of

Duke University 2005-2006 comprise a contract between Duke University and Plaintiffs McFadyen, Wilson and Archer. To the extent that the paragraph purports to characterize the content of the Bulletin of Duke University 2005-2006, Duke University denies the characterization. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

730. Duke University specifically denies that the Bulletin of Duke University 2005-2006 is a contract between Duke University and Plaintiffs. Duke University further denies any of the policies outlined in the Bulletin of Duke University 2005-2006 comprise a contract between Duke University and Plaintiffs. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 731 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

731. The claims against Vice President Moneta and Provost Lange were dismissed by the Court's Order of March 31, 2011.

Duke University specifically denies that the Bulletin of Duke University 2005-2006 is a contract between Duke University and Plaintiffs. Duke University admits that Vice President Moneta issued the interim suspension for Plaintiff McFadyen. Duke University denies the remaining allegations.

President Brodhead denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

732. Duke University specifically denies that the Bulletin of Duke University 2005-2006 is a contract. Duke University further denies any of the policies outlined in the Bulletin of Duke University 2005-2006 comprise a contract between Duke University and Plaintiffs. To the extent that Paragraph 732 purports to characterize the content of the Bulletin of Duke University 2005-2006, Duke University denies the characterization. Duke University admits that the Bulletin provides that “An interim suspension from the university may be imposed by the dean of the school or college or the vice president for student affairs, or designee, and shall become effective immediately without prior notice whenever there is evidence that the continued presence of the student poses a substantial and immediate threat to him/herself, to others, or to the university community. A prompt investigation and resolution shall follow the interim suspension.” Duke University denies the remaining allegations.



The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

733. Duke University specifically denies that the Bulletin of Duke University 2005-2006 is a contract. Duke University further denies that any of the policies outlined in the Bulletin of Duke University 2005-2006 comprise a contract between Duke University and Plaintiffs. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

734. Duke University specifically denies that the Bulletin of Duke University 2005-2006 is a contract. Duke University further denies that any of the policies outlined in the Bulletin of Duke University 2005-2006 comprise a contract between Duke University and Plaintiffs. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

735. Duke University specifically denies that the Bulletin of Duke University 2005-2006 is a contract. Duke University further denies that any of the policies outlined in the Bulletin of Duke University 2005-2006 comprise a contract between Duke University and Plaintiffs. To the extent that the paragraph purports to characterize the

content of the Bulletin of Duke University 2005-2006, Duke University denies the characterization. Duke University admits that at the time the email was publicly released that Duke University was concerned about Plaintiff McFadyen's safety and well-being. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

736. The claims against Provost Lange were dismissed by the Court's Order of March 31, 2011.

Duke University specifically denies that the Bulletin of Duke University 2005-2006 is a contract. Duke University further denies that any of the policies outlined in the Bulletin of Duke University 2005-2006 comprise a contract between Duke University and Plaintiffs. To the extent that Paragraph 736 purports to characterize the contents of the Bulletin of Duke University 2005-2006, Duke University denies the characterization. Duke University denies that President Brodhead and Provost Lange issued an interim suspension for Plaintiff McFadyen. Duke University admits that Associate Dean Bryan heard Plaintiff McFadyen's case and that Plaintiff McFadyen accepted full responsibility for what he did. Duke University denies the remaining allegations.

President Brodhead denies that he issued an interim suspension for Plaintiff McFadyen. President Brodhead denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

737. Duke University specifically denies that the Bulletin of Duke University 2005-2006 is a contract. Duke University further denies that any of the policies outlined in the Bulletin of Duke University 2005-2006 comprise a contract between Duke University and Plaintiffs. To the extent that Paragraph 737 purports to characterize the contents of the Bulletin of Duke University 2005-2006, Duke University denies the characterization. Duke University admits that Plaintiff McFadyen was placed on interim suspension. Duke University admits that Associate Dean Bryan heard Plaintiff McFadyen's case and that Plaintiff McFadyen accepted full responsibility for what he did. Duke University further admits that Associate Dean Bryan did not find him responsible for any violation and reinstated his status as a student. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

738. Duke University specifically denies that the Bulletin of Duke University 2005-2006 is a contract. Duke University further denies that any of the policies outlined in the Bulletin of Duke University 2005-2006 comprise a contract between Duke

University and Plaintiffs. Duke University admits that Plaintiff McFadyen was placed on interim suspension. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

739. The claims against Provost Lange and Vice President Moneta were dismissed by the Court's Order of March 31, 2011.

Duke University specifically denies that the Bulletin of Duke University 2005-2006 is a contract. Duke University further denies that any of the policies outlined in the Bulletin of Duke University 2005-2006 comprise a contract between Duke University and Plaintiffs. To the extent that Paragraph 739 purports to characterize the contents of the Bulletin of Duke University 2005-2006, Duke University denies the characterization. Duke University denies the remaining allegations.

President Brodhead denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 740 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

740. The claims against Vice President Moneta and Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Duke University specifically denies that the Bulletin of Duke University 2005-2006 is a contract. Duke University further denies that any of the policies outlined in the Bulletin of Duke University 2005-2006 comprise a contract between Duke University and Plaintiffs. To the extent that Paragraph 740 purports to characterize the content of the Bulletin of Duke University 2005-2006, Duke University denies the characterization. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

741. The claims against Vice President Moneta and Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Duke University specifically denies that the Bulletin of Duke University 2005-2006 is a contract. Duke University further denies that any of the policies outlined in the Bulletin of Duke University 2005-2006 comprise a contract between Duke University and Plaintiffs. To the extent that Paragraph 741 purports to characterize the content of the Bulletin of Duke University 2005-2006, Duke University denies the characterization. Duke University denies the remaining allegations.

President Brodhead denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

742. The claims against Vice President Moneta were dismissed by the Court's Order of March 31, 2011.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

743. The claims against Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Duke University admits that the Undergraduate Judicial Board suspended Plaintiff Wilson for two semesters. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 744 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

744. Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

745. The claims against Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 746 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

746. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

747. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

748. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

749. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

750. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

751. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

752. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

753. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a video, referenced as Attachment 18 to Plaintiffs' Second Amended Complaint, has been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

754. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.



755. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

756. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

757. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 758 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

758. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

759. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a chart accompanies the allegations in Paragraph 759. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

760. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

761. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a document, referenced as Attachment 19, has been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

762. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations contained in subparagraphs A, B, C, and D, and, therefore, deny the allegations.

763. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

764. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 765 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

765. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

766. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

767. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

768. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 769 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

769. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

770. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

771. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

772. Upon information and belief, Duke University admits that the Attorney General's office issued a report of its review of the evidence arising from the rape allegations that are the subject of this Second Amended Complaint. Other than from reading the report of those findings, Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 773 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

773. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

774. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a video, referenced as Attachment 20 to Plaintiffs' Second Amended Complaint, has been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

775. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

776. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

777. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

778. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 779 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

779. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information.

Nurse Levicy specifically denies "colluding" with former District Attorney Nifong, Officer Himan, Officer Gottlieb, or anyone else as alleged in the Second Amended Complaint. Nurse Levicy also specifically denies that she was involved in any effort to "fabricate proof" as alleged in the Second Amended Complaint. Nurse Levicy is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The Duke University Defendants, Duke University Police Defendants and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 780 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

780. Nurse Levicy specifically denies that she made any statements to members of the Durham Police Department that were false or misleading or inconsistent with the examination of Ms. Mangum. Nurse Levicy is without knowledge or information

sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The Duke University Defendants, Duke University Police Defendants and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

781. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information. The Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

782. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE

Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information.

DUHS and Nurse Levicy admit that on March 14, 2006, Nurse Levicy had completed her SANE training and that she participated in the sexual assault examination of Ms. Mangum.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that Michael Nifong was the District Attorney for Durham County. With respect to subparagraphs B and D, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that videos, referenced as Attachments 21 and 22 to Plaintiffs' Second Amended Complaint, have been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations, including the allegations contained in subparagraphs A, B, C, D, and E, and, therefore, deny the remaining allegations, including the allegations contained in subparagraphs A, B, C, D, and E.

783. Nurse Levicy denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.



To the extent that the heading that precedes Paragraph 784 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

784. The claims against Nurse Arico were dismissed by the Court's Order of March 31, 2011.

DUHS and Duke University admit that Nurse Arico participated in an interview and an article about that interview appeared in *The Herald-Sun* on April 1, 2006. To the extent Paragraph 784 characterizes statements made by Ms. Arico, DUHS and Duke University deny that characterization. DUHS and Duke University deny that Nurse Arico described the medical examination of Ms. Mangum in any respect. Duke University and DUHS admit that in Nurse Arico's interview with *The Herald-Sun* reporter she answered general questions about sexual assault examinations and described the examination as a combination of interviews and examinations of the person making the complaint, without any reference to Ms. Mangum's examination. Duke University and DUHS deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 785 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

785. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information.

DUHS and Nurse Levicy deny that the sexual assault examination was "abandoned" as alleged in the Second Amended Complaint. DUHS and Nurse Levicy also specifically deny that Nurse Levicy failed to produce the sexual assault examination report on March 21, 2006. Nurse Levicy also specifically denies that she "re-created," "falsified," "fabricated," "revised," "annotated," or "conformed" any part of the medical record for the examination of Ms. Mangum as alleged in the Second Amended Complaint. DUHS and Nurse Levicy admit that Duke University Hospital was served with a subpoena for Ms. Mangum's medical records on March 21, 2006. DUHS and Nurse Levicy further admit that DUHS complied with the subpoena as it was legally required to do. DUHS and Nurse Levicy further admit that computer generated WellSoft medical records were provided to Officer Himan on or about April 5, 2006, after it was discovered that they had not been produced on March 21. DUHS and Nurse Levicy deny the remaining allegations, including the allegations contained in subparagraphs A, B, and C.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations contained in subparagraphs A, B, and C, and, therefore, deny the remaining allegations, including the allegations contained in subparagraphs A, B, and C.

786. Nurse Levicy specifically denies that she falsified or fabricated any part of the medical record for the examination of Ms. Mangum. Nurse Levicy denies the remaining allegations.

DUHS denies the allegations.

The Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

787. DUHS and Nurse Levicy deny the allegations.

The Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

788. Nurse Levicy admits that she had a limited number of conversations with Officer Himan, Officer Gottlieb, former District Attorney Nifong, and Investigator Wilson and responded to their questions regarding the sexual assault examination. Nurse Levicy specifically denies making any false statements or statements that were

inconsistent with the examination of Ms. Mangum. Nurse Levicy denies the remaining allegations.

The Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

789. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information.

Nurse Levicy specifically denies that she made any false statements or statements that were inconsistent with the examination of Ms. Mangum. Nurse Levicy denies the remaining allegations.

The remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

The Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

790. The claims against Nurse Arico were dismissed by the Court's Order of March 31, 2011.

To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information.

DUHS specifically denies that Nurse Arico made statements describing the examination of Ms. Mangum in any respect. DUHS denies the remaining allegations.

Nurse Levicy specifically denies that she "fabricated forensic medical evidence" as alleged in the Second Amended Complaint. Nurse Levicy also specifically denies making any statements that were inconsistent with the examination of Ms. Mangum. Nurse Levicy denies the remaining allegations.

The Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

791. The claims against Nurse Arico were dismissed by the Court's Order of March 31, 2011.

To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act

for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information.

DUHS specifically denies that Nurse Arico made statements describing the examination of Ms. Mangum in any respect. Nurse Levicy and DUHS specifically deny condoning or ratifying any statements made by former District Attorney Nifong. Nurse Levicy and DUHS deny the remaining allegations.

The remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

792. The claims against Dr. Manly were dismissed by this Court's Order of March 31, 2011.

To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the

allegations seeking information relating to Ms. Mangum's protected health information. Nurse Levicy specifically denies making any statements that were inconsistent with the examination of Ms. Mangum. The Duke SANE Defendants deny the remaining allegations.

The Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

793. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information.

Nurse Levicy specifically denies that she made any statements that were inconsistent with the examination of Ms. Mangum. Nurse Levicy further specifically denies that she tailored statements to conform to the District Attorney's evidentiary needs or his desires to pursue the case. Nurse Levicy denies the remaining allegations.

The remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

794. Nurse Levicy specifically denies that she proffered fraudulent testimony at any time. Nurse Levicy also specifically denies making any statements that were inconsistent with the examination of Ms. Mangum. Nurse Levicy is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

795. To the extent that this paragraph relates to Ms. Mangum's protected health information, it is a violation of the Health Insurance Portability and Accountability Act for the Duke SANE Defendants to disclose any of Ms. Mangum's protected health information. Absent a court order authorizing such disclosure, the Duke SANE Defendants are unable to respond. Therefore, the Duke SANE Defendants deny the allegations seeking information relating to Ms. Mangum's protected health information.



Nurse Levicy admits that she responded to multiple questions about condoms during her interview with Investigator Wilson on January 10, 2007. To the extent Paragraph 795 characterizes statements made by Nurse Levicy, Nurse Levicy denies that characterization. Nurse Levicy specifically denies that she proffered fabricated testimony at any time and Nurse Levicy specifically denies making any statements that were inconsistent with the examination of Ms. Mangum. Nurse Levicy denies the remaining allegations.

The Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

The Duke University Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

796. To the extent Paragraph 796 characterizes statements made by Nurse Levicy, Nurse Levicy denies that characterization. Nurse Levicy denies the remaining allegations.

The Duke University Defendants, Duke University Police Defendants and the remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

797. Nurse Levicy specifically denies that she made statements that were inconsistent with the examination of Ms. Mangum. Nurse Levicy also specifically denies

proffering any “new testimony” or testimony that was “calculated” to “rebut” evidence. To the extent Paragraph 797 characterizes statements made by Nurse Levicy, Nurse Levicy denies the characterization. Nurse Levicy denies the remaining allegations.

The Duke University Defendants, Duke University Police Defendants and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

798. Nurse Levicy admits that she met with Investigator Wilson and Officer Himan on the evening of January 10, 2007. Nurse Levicy specifically denies that she ever proffered “fabricated” testimony or made statements inconsistent with the examination of Ms. Mangum. Nurse Levicy is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The Duke University Defendants, Duke University Police Defendants and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

799. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny any participation in any sort of conspiracy as alleged within this Second Amended Complaint.

To the extent that Paragraph 799 characterizes any statements made by Nurse Levicy, Nurse Levicy denies the characterization. Nurse Levicy specifically denies

making any statements that were inconsistent with the examination of Ms. Mangum. Nurse Levicy denies the remaining allegations.

The Duke University Defendants, Duke University Police Defendants and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the headings that precede Paragraph 800 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

800. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

801. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

802. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

803. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations contained in subparagraphs A,

B, C, D, E, F, and G, and, therefore, deny the allegations, including the allegations contained in subparagraphs A, B, C, D, E, F, and G

804. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 805 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

805. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

806. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

807. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that two videos, referenced as Attachment 23 to Plaintiffs' Second Amended Complaint, have been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

808. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

809. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

810. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

811. Duke University denies any sort of participation in any sort of “Duke-Durham Joint Command” as alleged within this Second Amended Complaint. Duke University is without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 812 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

812. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that documents, referenced as Attachment 24 to Plaintiffs’

Second Amended Complaint, have been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

813. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

814. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny that they took any actions that violated “Plaintiffs’ federally protected rights.” The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

815. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a video file, referenced as Attachment 25, has been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the heading that precedes Paragraph 816 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

816. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

817. Duke University denies that any member of the Duke Police Department “colluded” with Officer Himan and Officer Gottlieb as alleged within this Second Amended Complaint.

To the extent any of the remaining Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants are alleged to be included within “Duke Police officers,” as used in Paragraph 817, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 818 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

818. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny any participation in any sort of conspiracy as

alleged within this Second Amended Complaint. To the extent that Paragraph 818 alleges any actions by the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

819. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 820 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

820. Duke University and Sergeant Smith admit that the Durham Police Department notified members of the Duke University Police Department before visiting a Duke University Residence Hall on April 13. Duke University and Sergeant Smith deny the remaining allegations.

To the extent the allegations in Paragraph 820 are construed to include any of the remaining Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations. The remaining Duke



University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

821. To the extent the allegations in Paragraph 821 are construed to include any of the Duke University Defendants, Duke University Police Defendants or Duke SANE Defendants, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

822. To the extent the allegations in Paragraph 822 are construed to include any of the Duke University Defendants, Duke University Police Defendants or Duke SANE Defendants, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the heading that precedes Paragraph 823 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

823. Duke University and Sergeant Smith admit that members of the Durham Police Department notified the Duke University Police Department before members of the Durham Police Department visited a Duke University Residence Hall. Duke University and Sergeant Smith deny the remaining allegations.

To the extent “Duke Police” is construed to include any of the remaining Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations. The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

824. To the extent “police misconduct” is alleged against any of the Duke University Defendants, Duke University Police Defendants or Duke SANE Defendants, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations. Duke University and former Associate Vice President Graves admit that former Associate Vice President Graves issued a statement on April 14, 2006, that contained the language quoted in Paragraph 825. To the extent that the paragraph purports to characterize a public statement made by former Associate Vice President Graves, Duke University and former Associate Vice President Graves deny the characterization. To the extent that the allegations suggest that the language quoted constitutes the entire statement, Duke University and former Associate Vice President

Graves deny the allegations. Duke University and former Associate Vice President Graves deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

825. Duke University and former Associate Vice President Graves admit that former Associate Vice President Graves issued a statement on April 14, 2006 that contained the language quoted in Paragraph 825. To the extent that the paragraph purports to characterize a public statement made by former Associate Vice President Graves, Duke University and former Associate Vice President Graves deny the characterization. To the extent that the allegations suggest that the language quoted constitutes the entire statement, Duke University and former Associate Vice President Graves deny the allegations. Duke University and former Associate Vice President Graves deny the remaining allegations.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

826. To the extent that Paragraph 826 purports to characterize any statements made by any of the Duke University Defendants, the Duke University Police Defendants,

or the Duke SANE Defendants, the Duke University Defendants, the Duke University Police Defendants, and Duke SANE Defendants deny the characterizations. The Duke University Defendants, the Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the heading that precedes Paragraph 827 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

827. Former Chairman Steel denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

828. President Brodhead and Duke University admit that President Brodhead announced the formation of an Ad Hoc Committee on April 5, 2006. President Brodhead and Duke University further admit that on April 5, 2006, the remainder of the 2005-2006 lacrosse season was cancelled and Coach Pressler resigned. President Brodhead and Duke University deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

829. President Brodhead admits that he was interviewed by Kelcey Carlson of WRAL. To the extent this paragraph purports to characterize a public statement by President Brodhead, Duke University and President Brodhead deny the characterization. President Brodhead and Duke University deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

830. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a video, referenced as Attachment 26 to Plaintiffs' Second Amended Complaint, has been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

831. Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

832. Duke University admits that President Brodhead appointed a committee headed by Professor James Coleman to examine the disciplinary records of the lacrosse players, as well as that of students on several other Duke University sports teams, over

the previous five years. Duke University and President Brodhead deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

833. Former Chairman Steel denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

834. Duke University admits that Professor Coleman was interviewed by National Public Radio on April 7, 2006, and May 2, 2006. To the extent this paragraph characterizes the interviews of Professor Coleman, Duke University denies the characterization. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

835. Duke University admits that the Lacrosse Ad Hoc Review Committee that was chaired by Professor Coleman conducted numerous interviews of people that had knowledge of the conduct of the members of the lacrosse team, which included, among others, members of the athletic department, a representative group of parents of lacrosse

player, generations of Duke University alumni, and parents and friends of Duke University lacrosse players. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

836. Duke University admits that the Lacrosse Ad Hoc Review Committee conducted numerous interviews which included, among others, interviews with members of the athletic department, a representative group of parents of lacrosse players, generations of Duke University alumni, and parents and friends of Duke University lacrosse players. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

837. Former Chairman Steel denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

838. The claims against Vice President Moneta and Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Duke University denies that Vice President Moneta and Associate Dean Bryan provided any "false" or "misleading" information as alleged within the Second Amended

Complaint. To the extent this paragraph characterizes the Report of the Lacrosse Ad Hoc Review Committee, Duke University denies the characterization. Duke University admits that the Report of the Lacrosse Ad Hoc Review Committee noted that “Duke Lacrosse has been described as having a ‘clannish’ or ‘pack’ culture that is distinct from other Duke athletic teams and organized groups on campus.” Duke University further admits that the Report of the Lacrosse Ad Hoc Review Committee noted that “. . .the alcohol related misconduct by members of the lacrosse team is deplorable . . .” Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

839. To the extent this paragraph characterizes the Report of the Lacrosse Ad Hoc Review Committee, Duke University denies the characterization. Duke University admits that the committee examined the disciplinary records of Duke University’s lacrosse players, as well as the disciplinary records of members of other sports teams at Duke University. Duke University denies that the Committee “lacked a body of data relating to Duke students generally.” Duke University admits that the Lacrosse Ad Hoc Review Committee found that the lacrosse players “repeatedly violated the law against underage drinking” and that they had “drunk alcohol excessively.” Duke University further admits that, in addition to reviewing statistics, Professor Coleman and his committee based their review on numerous interviews which included, among others,



members of the athletic department, a representative group of parents of lacrosse players, generations of Duke University alumni, and parents and friends of Duke University lacrosse players. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

840. Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

841. Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

842. The claims against Vice President Moneta and Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Duke University denies that Vice President Moneta and Associate Dean Bryan provided any "unreliable" information or in any way led the Committee "to false and misleading conclusions" as alleged within the Second Amended Complaint. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

843. The claims against Vice President Moneta and Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

844. The claims against Vice President Moneta and Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

Duke University admits that Eddie Hull, Dean of Residence Life and Housing and Executive Director of Housing Services, was interviewed by the Lacrosse Ad Hoc Review Committee. To the extent this paragraph characterizes statements made by Dean Hull to the Lacrosse Ad Hoc Review Committee, Duke University denies that characterization. Duke University admits that Dean Hull discussed the role of the Residential Coordinators and the ongoing problems the Residential Coordinators had with disciplinary issues in the residential dorms. Duke University specifically denies that the Lacrosse Ad Hoc Review Committee Report is "rife with false premises and facially implausible conclusions." Duke University denies the remaining allegations in the introductory paragraph.

To the extent that the allegations in subparagraphs A, B, C, D, and E purport to characterize the Report of the Lacrosse Ad Hoc Review Committee, Duke University denies the characterizations.

With respect to the allegations in subparagraph A, Duke University admits that data was broken down to identify off-campus incidents that involved lacrosse players and that 50% of the noise ordinance cases involved lacrosse players. Duke University denies the remaining allegations in subparagraph A.

With respect to the allegations in subparagraph B, Duke University admits that 33% of the open container cases involved lacrosse players. Duke University denies the remaining allegations in subparagraph B.

With respect to subparagraph C, Duke University denies the allegations in subparagraph C.

With respect to subparagraph D, Duke University is without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, denies the allegations.

With respect to subparagraph E, to the extent this paragraph characterizes any communications between the Chair of the Student Judicial Processes Committee and Captain Sarvis, Duke University denies the characterization. Duke University admits that the Chairman of the Student Judicial Processes Committee sent an email asking District 2 Captain Sarvis if it was possible to get “annual totals of the number of complaints received, number of citations issued, and any breakdown (e.g., noise, property damaged)

related to off-campus Duke students.” Duke University admits that Captain Sarvis responded to the email that he found approximately 53 individuals with either citations or arrests in the resident areas since September 2003. Duke University admits that Captain Sarvis explained that “All of these were forwarded to Duke Campus Police who I believe forwarded to the Judicial Affairs Office.” Duke University further admits that in his email, Captain Sarvis explained that the “majority of citations I have are to actual residents who live in the area. Most of them were noise ordinance violations.” Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

845. To the extent this paragraph characterizes the Lacrosse Ad Hoc Review Committee Report, Duke University denies the characterization. Duke University admits that the Lacrosse Ad Hoc Review Committee Report noted that “in contrast to their exemplary academic and athletic performance, a large number of the members of the [lacrosse] team have been socially irresponsible when under the influence of alcohol. They have repeatedly violated the law against underage drinking. They have drunk alcohol excessively. They have disturbed their neighbors with loud music and noise, both on-campus and off-campus. They have publicly urinated both on-campus and off. They have shown disrespect for property. Both the number of team members implicated in this behavior and the number of alcohol-related incidents involving them have been

excessive compared to other Duke athletic teams. Nevertheless, their conduct has not been different in character than the conduct of the typical Duke student who abuses alcohol. Their reported conduct has not involved fighting, sexual harassment, or racist behavior. Moreover, even the people who have complained about their alcohol-related misconduct often add that the students are respectful and appear genuinely remorseful when they are not drinking.” Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

846. The claims against Provost Lange, Vice President Moneta, former Secretary Haltom, and Executive Vice President Trask were dismissed by the Court’s Order of March 31, 2011.

Duke University admits that the Report of the Lacrosse Ad Hoc Review Committee was released on May 1, 2006. Duke University further admits that Reade Seligmann and Colin Finnerty had been indicted prior to the release of the Report of the Lacrosse Ad Hoc Review Committee. Duke University and President Brodhead admit that President Brodhead did not meet with the lacrosse players’ lawyers to review “evidence.” Duke University and President Brodhead deny the remaining allegations.

Former Chairman Steel, former Senior Vice President Burness, and Chancellor Dzau deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

847. The claims against Provost Lange, Vice President Moneta, former Secretary Haltom, and Executive Vice President Trask were dismissed by the Court's Order of March 31, 2011.

Duke University, former Chairman Steel, President Brodhead, former Senior Vice President Burness, and Chancellor Dzau specifically deny that they "forced the conclusion" of the Ad Hoc Committee's investigation. Duke University admits that the Lacrosse Ad Hoc Review Committee report was released on May 1, 2006, accompanied by a press conference. Duke University further admits that at the time the Ad Hoc Review Committee Report was issued two lacrosse players had been indicted. Duke University is without knowledge or information to form a belief as to the truth of whether the press conference was "attended by virtually every national and local media outlet." To the extent this paragraph characterizes a statement made by Professor Coleman at the press conference, Duke University denies the characterization. Duke University admits that the Report of the Lacrosse Ad Hoc Review Committee noted that "the Committee believes [the] disciplinary record of lacrosse players over the last five years has been problematic, especially since the fall of 2003," but the Committee also reported that the lacrosse team's conduct was not different in character from the conduct of "the typical Duke student who abuses alcohol." Duke University, former Chairman Steel, President

Brodhead, former Senior Vice President Burness, and Chancellor Dzau deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

848. To the extent this paragraph characterizes the Lacrosse Ad Hoc Review Committee report and remarks made by Professor Coleman, Duke University denies the characterizations. Duke University is without knowledge or information sufficient to form a belief about the truth of the allegations in the first and second sentences of Paragraph 848 and, therefore, denies the allegations in the first and second sentences of Paragraph 848. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

849. To the extent this paragraph characterizes the Lacrosse Ad Hoc Review Committee report, Duke University denies the characterization. President Brodhead admits that he spoke at a meeting of the Durham Chamber of Commerce on April 20, 2006. To the extent this paragraph characterizes a statement made by President Brodhead at the Chamber meeting, President Brodhead denies the characterization. Duke University and President Brodhead deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

850. Duke University admits that the report prepared by the Lacrosse Ad Hoc Review Committee was released on May 1, 2006, accompanied by a press conference. Duke University denies that the report was “grossly misleading”. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, including the allegations contained in subparagraphs A, B, C, and D, and, therefore, deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations, including the allegations contained in subparagraphs A, B, C, and D, and, therefore, deny the remaining allegations.

851. Former Senior Vice President Burness admits that he did not send a copy of the Ad Hoc Committee’s report to the Plaintiffs, their teammates, or their legal counsel before the report was released publicly. Former Senior Vice President Burness is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.



852. With respect to the allegations in subparagraph A, Duke University admits that in Spring 2007, Grant Farred was a visiting professor at Williams College. Duke University admits that a document, referenced as Attachment 27, has been filed with the Court.

With respect to subparagraph B, Duke University is without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, denies the allegations.

Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations, including the remaining allegations in subparagraphs A and B and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a document, referenced as Attachment 27, has been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations in Paragraph 853, including the allegations in subparagraphs A through B, and, therefore, deny the remaining allegations.

To the extent that the heading that precedes Paragraph 853 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

853. Former Chairman Steel specifically denies issuing any sort of “Directive” as alleged within this Second Amended Complaint. Former Chairman Steel denies the remaining allegations.

Duke University and Sergeant Smith admit that on or about March 31, Sergeant Smith provided DukeCard information to the Durham Police Department for March 13-14, 2006, for some of the members of the 2005-2006 Duke University men’s lacrosse team. Duke University and Sergeant Smith admit that the DukeCard reports provided information on when and where some of the members of the Duke University men’s lacrosse team swiped their Duke University identification cards on Duke University’s campus on March 13-14, 2006. Duke University and Sergeant Smith deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

854. The allegations in Paragraph 854 call for a legal conclusion to which no response is required. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

855. Duke University admits that the DukeCard data reports contained publicly-observable information about the students’ comings and goings and their purchases. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

856. Duke University admits that the DukeCard reports contained publicly-observable information about the students' comings and goings and their purchases. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

857. The claims against Officer Stotsenberg were dismissed by the Court's Order of March 31, 2011.

Duke University and Sergeant Smith admit that Sergeant Smith provided DukeCard reports to the Durham Police Department. Duke University and Sergeant Smith are without knowledge or information sufficient to form a belief about the truth of the allegations contained in the second sentence of Paragraph 857 and, therefore, deny the allegations contained in the second sentence of Paragraph 857. Duke University and Sergeant Smith deny the remaining allegations.

Former Chairman Steel specifically denies issuing any sort of "Directive" as alleged within this Second Amended Complaint. Former Chairman Steel is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

858. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

859. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

860. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants cannot admit or deny this allegation because it refers to unnamed “others” in the context of a complicated fact pattern and in the context of a complex organization with many employees. To the extent that an answer is required on behalf of these unnamed “others”, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

The claims against Executive Vice President Trask, Vice President Moneta, and former Vice President Dawkins were dismissed by the Court’s Order of March 31, 2011.

Former Chairman Steel, President Brodhead, former Associate Vice President Graves and former Director Dean deny the allegations.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny these remaining allegations.

861. The claims against Officer Stotsenberg and former Vice President Dawkins were dismissed by the Court's Order of March 31, 2011.

Former Chairman Steel specifically denies issuing any sort of "Directive" as alleged within this Second Amended Complaint. Former Chairman Steel is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

Sergeant Smith admits that he provided DukeCard reports to the Durham Police Department. Sergeant Smith denies the remaining allegations.

Duke University and former Director Drummond deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

862. Former Chairman Steel specifically denies issuing any sort of "Directive" as alleged within this Second Amended Complaint. Former Chairman Steel denies the remaining allegations.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

863. The allegation in the last sentence calls for a legal conclusion to which no response is required. To the extent that a response is required, Duke University denies the allegation.

Duke University admits that on May 31, 2006, it was served with two subpoenas by the District Attorney, one for the home addresses of the lacrosse players and the other one for DukeCard information. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

864. Duke University admits that representatives of Duke University sent letters to the forty-seven members of the men's lacrosse team and their criminal defense attorneys representing lacrosse players. To the extent this paragraph characterizes the letters sent by representatives of Duke University, Duke University denies that characterization. Duke University admits that it had no knowledge at the time that the

letters were sent that the DukeCard information had been previously provided to the Durham Police Department. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

865. The claims against Lieutenant Stotsenberg and former Vice President Dawkins were dismissed by the Court's Order of March 31, 2011.

Sergeant Smith admits that he provided DukeCard reports to the Durham Police Department. Sergeant Smith denies knowing that the "subpoena was a fraud." Sergeant Smith is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

Duke University, former Director Drummond, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny that they had any knowledge that the DukeCard information had been provided to the Durham Police Department. Duke University, former Director Drummond, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants further deny any knowledge that the "subpoena was a fraud." Duke University, former Director Drummond, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

866. The claims against Lieutenant Stotsenberg and former Vice President Dawkins were dismissed by the Court's Order of March 31, 2011.

Sergeant Smith admits that he provided DukeCard reports to the Durham Police Department. Sergeant Smith denies the remaining allegations.

Duke University, former Director Drummond, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny that they had any knowledge that the DukeCard information was provided to the Durham Police Department. Duke University, former Director Drummond, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

867. The claims against Lieutenant Stotsenberg and former Vice President Dawkins were dismissed by the Court's Order of March 31, 2011.

Sergeant Smith admits that he provided DukeCard reports to the Durham Police Department. Sergeant Smith is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

Duke University, former Director Drummond, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny they had any knowledge that the DukeCard information was provided to the Durham Police Department. Duke University, former Director Drummond, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants



admit that there was a hearing on a motion to quash the subpoena for the DukeCard information. Other than court records, Duke University, former Director Drummond, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

868. The Duke University Defendants, Duke University Police Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

869. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that the court granted the motion to quash the subpoena for the DukeCard information. Other than court records, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

870. The claims against Lieutenant Stotsenberg and former Vice President Dawkins were dismissed by the Court's Order of March 31, 2011.

Sergeant Smith admits that he provided DukeCard reports to the Durham Police Department. Sergeant Smith is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

Duke University admits that in 2007, Robert Ekstrand, counsel for Plaintiffs in this action, contacted Duke University about a release of the DukeCard information. Duke University further admits that, upon investigation, Duke University learned that Sergeant Smith had released the information to the Durham Police Department. Duke University denies that it knew that the information had been released to the Durham Police Department before 2007. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

Former Director Drummond, the remaining Duke University Defendants, the remaining Duke University Police Defendants, and Duke SANE Defendants deny that they had any knowledge that the DukeCard information was provided to the Durham Police Department. Former Director Drummond, the remaining Duke University Defendants, the remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

871. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that a video file, referenced as Attachment 28, has been filed with the Court. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

872. The Duke University Defendants, Duke University Police Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

873. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny any participation in any sort of conspiracy as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants and the Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the heading that precedes Paragraph 874 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

874. Upon information and belief, Duke University admits that members of the men's lacrosse team were involved with Duke Students for an Ethical Durham, a Political Action Committee that engaged in voter registration efforts. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

875. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

876. The claims against Provost Lange, Vice President Moneta, former Secretary Haltom, and Executive Vice President Trask were dismissed by the Court's Order of March 31, 2011.

Former Chairman Steel, President Brodhead, former Senior Vice President Burness, and Chancellor Dzau specifically deny any "objective" as alleged within this Second Amended Complaint "to force a trial on Mangum's allegations." Former Chairman Steel, President Brodhead, former Senior Vice President Burness, and Chancellor Dzau deny the remaining allegations.

Duke University admits that on September 30, 2006, an official from the Athletic Department requested members of the Duke Students for an Ethical Durham, which was not a registered Duke student organization, not to hold a voter registration drive in the Wallace Wade stadium area. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

877. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

878. Duke University admits that it supports voting and non-partisan voter registration efforts. Duke University admits that there are voter registration activities underway at Duke University that are sponsored by students and in conformity with federal mandates. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

879. Duke University admits that there are voter registration activities underway at Duke University that are sponsored by students and in conformity with federal mandates. Duke University is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

880. Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

881. Duke University denies that a Political Action Committee, Duke Students for an Ethical Durham, sought prior permission to conduct a voter registration drive. Duke University denies the remaining allegations.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

882. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

883. Duke University admits that on September 30, 2006, an employee from the Athletic Department asked members of the Duke Students for an Ethical Durham not to continue the voter registration drive in the parking lot adjacent to Wallace Wade Stadium. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

884. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they were a part of any type of “consortium” as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

885. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they were a part of any type of “consortium” as alleged within this Second Amended Complaint. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

886. The claims against Provost Lange, Vice President Moneta, former Secretary Haltom, and Executive Vice President Trask were dismissed by the Court’s Order of March 31, 2011.

Former Chairman Steel, President Brodhead, former Senior Vice President Burness, and Chancellor Dzau deny that they made a “decision to shut down the registration effort” as alleged within this Second Amended Complaint. Former Chairman Steel, President Brodhead, former Senior Vice President Burness, and Chancellor Dzau are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

887. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 888 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

888. Former Senior Vice President Burness admits that he wrote a guest column that was published in *The Chronicle* on October 6, 2006. To the extent Paragraph 888 purports to characterize the contents of the publication, former Senior Vice President Burness denies the characterization. Former Senior Vice President Burness denies the remaining allegations.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

889. The claims against Executive Vice President Trask, Provost Lange, Vice President Moneta, and former Secretary Haltom were dismissed by the Court's Order of March 31, 2011.

To the extent any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants are alleged to be included within "the University's CMT," an undefined term used in Paragraph 889, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny "quash[ing] Plaintiffs' voter registration efforts." The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge



or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

To the extent that the heading that precedes Paragraph 890 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

890. Duke University admits that President Brodhead asked William G. Bowen and Julius Chambers to review the handling by the administration of Duke University, including the Athletic Department, of the allegations against lacrosse team members associated with the party held on March 13-14 at 610 North Buchanan Boulevard. Duke University admits that William G. Bowen and Julius Chambers prepared a report that included findings and conclusions. To the extent this paragraph purports to characterize the contents of the Bowen Committee's report, Duke University denies the characterization. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

891. Duke University admits that the Bowen Committee issued a report. Duke University denies that the Bowen report "concluded that defense attorneys were to blame." To the extent this paragraph purports to characterize the contents of the Bowen Committee's report, Duke University denies the characterization. Duke University is without knowledge or information sufficient to form a belief about the truth of the

allegations regarding a City of Durham investigation and, therefore, denies these allegations. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

892. Duke University denies the allegations.

To the extent the allegations in Paragraph 892 are alleged against any of the remaining Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

893. Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

894. To the extent this paragraph purports to characterize a statement made by former Senior Vice President Burness, former Senior Vice President Burness denies the characterization. Former Senior Vice President Burness denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

895. Former Senior Vice President Burness denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

896. Former Chairman Steel specifically denies issuing any sort of “Directive” as alleged within this Second Amended Complaint. Former Chairman Steel denies the remaining allegations.

Former Senior Vice President Burness, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the headings that precede Paragraph 897 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

897. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that the North Carolina Attorney General’s office conducted an independent investigation of the evidence. Other than reports of those findings, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

898. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that the North Carolina

Attorney General's office conducted an independent investigation of the evidence. Other than reports of those findings, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

899. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that the North Carolina Attorney General's office conducted an independent investigation of the evidence. Other than reports of those findings, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

900. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 901 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

901. Upon information and belief, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants admit that former District

Attorney Nifong was disbarred by the North Carolina State Bar for his actions relating to the prosecution of David Evans, Colin Finnerty, and Reade Seligmann.

Former Chairman Steel specifically denies issuing any sort of “Directive” as alleged within this Second Amended Complaint. Former Chairman Steel denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny that they participated in any “public vilification” of the Plaintiffs. The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

To the extent that the heading that precedes Paragraph 902 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

902. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

903. To the extent the Duke University Defendants, Duke University Police Defendants or Duke SANE Defendants are alleged to have “done” anything in Paragraph 903, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations. The Duke University Defendants, Duke

University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

To the extent that the heading that precedes Paragraph 904 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

904. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants incorporate by reference and restate their responses to paragraphs 1 through 903 as if fully set forth herein. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

905. The claims against Nurse Arico were dismissed by the Court's Order of March 31, 2011.

The cause of action alleged in Count 1 against DUHS and Duke University was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, DUHS and Duke University deny the allegations.

Nurse Levicy denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

906. The claims against Nurse Arico were dismissed by the Court's Order of March 31, 2011.

The cause of action alleged in Count 1 against DUHS and Duke University was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, DUHS and Duke University deny the allegations.

To the extent that Paragraph 906 contained in Count 1 of this Second Amended Complaint attempts to allege a cause of action against Chancellor Dzau, who is not listed as being a named defendant to Count 1, Chancellor Dzau denies the allegations.

To the extent that Paragraph 906 contained in Count 1 of this Second Amended Complaint attempts to allege a cause of action against Dr. Manly, who is not listed as being a named defendant to Count 1, the claims against Dr. Manly were dismissed by the Court's Order of March 31, 2011.

DUHS and Duke University deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

907. The claims against Nurse Arico were dismissed by the Court's Order of March 31, 2011.

The cause of action alleged in Count 1 against DUHS and Duke University was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, DUHS and Duke University deny the allegations.

Nurse Levicy denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

908. The claims against Nurse Arico were dismissed by the Court's Order of March 31, 2011.

The cause of action alleged in Count 1 against DUHS and Duke University was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, DUHS and Duke University deny the allegations.

Nurse Levicy denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

909. The claims against Nurse Arico were dismissed by the Court's Order of March 31, 2011.

The cause of action alleged in Count 1 against DUHS and Duke University was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, DUHS and Duke University deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.



910. The claims against Nurse Arico were dismissed by the Court's Order of March 31, 2011.

The cause of action alleged in Count 1 against DUHS and Duke University was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, DUHS and Duke University deny the allegations.

To the extent that Nurse Levicy is alleged to have been part of any sort of conspiracy, Nurse Levicy denies the allegations. Nurse Levicy is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

911. The claims against Nurse Arico were dismissed by the Court's Order of March 31, 2011.

The cause of action alleged in Count 1 against DUHS and Duke University was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, DUHS and Duke University deny the allegations.

To the extent that Paragraph 911 alleges that Nurse Levicy made any fabricated statements, Nurse Levicy denies the allegations. Nurse Levicy is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

912. The cause of action alleged in Count 1 against DUHS and Duke University was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, DUHS and Duke University deny the allegations.

To the extent that Paragraph 912 alleges that Nurse Levicy made any statements that were inconsistent with the examination of Ms. Mangum, Nurse Levicy denies the allegations. Nurse Levicy is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

913. The claims against Nurse Arico were dismissed by the Court's Order of March 31, 2011.

The cause of action alleged in Count 1 against DUHS and Duke University was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, DUHS and Duke University deny the allegations.

Nurse Levicy specifically denies that she "falsified" any medical record for the forensic examination of Ms. Mangum. Nurse Levicy further denies that she "agreed to

act in concert” with former District Attorney Nifong, Officer Gottlieb, and Officer Himan as alleged in the Second Amended Complaint. Nurse Levicy also denies any action to “harmonize” the sexual assault examination report with the NTID Affidavit. Nurse Levicy denies the remaining allegations.

To the extent that Paragraph 913 contained in Count 1 of this Second Amended Complaint attempts to allege a cause of action against Chancellor Dzau, who is not listed as being a named defendant to Count 1, Chancellor Dzau denies the allegations.

To the extent that Paragraph 913 contained in Count 1 of this Second Amended Complaint attempts to allege a cause of action against Dr. Manly, who is not listed as being a named defendant to Count 1, the claims against Dr. Manly were dismissed by the Court’s Order of March 31, 2011.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

914. The claims against Nurse Arico were dismissed by the Court’s Order of March 31, 2011.

The cause of action alleged in Count 1 against DUHS and Duke University was dismissed by the Court’s Order of March 31, 2011. To the extent a response is required, DUHS and Duke University deny the allegations.

To the extent that Paragraph 914 alleges that Nurse Levicy fabricated any part of the medical record or that she acted “in concert” with the Durham Police Department,

former District Attorney Nifong, or any other person or persons, Nurse Levicy denies the allegations. Nurse Levicy denies the remaining allegations.

To the extent any of the remaining Duke University Defendants, Duke University Police Defendants, or remaining Duke SANE Defendants are alleged to be included within “these Defendants” as alleged in Paragraph 914 of Count 1, the remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of any remaining allegations and, therefore, deny any remaining allegations.

915. The claims against Nurse Arico were dismissed by the Court’s Order of March 31, 2011.

The cause of action alleged in Count 1 against DUHS and Duke University was dismissed by the Court’s Order of March 31, 2011. To the extent a response is required, DUHS and Duke University deny the allegations.

To the extent that Paragraph 915 contained in Count 1 of this Second Amended Complaint attempts to allege a cause of action against Sergeant Smith, former Associate Vice President Graves or former Director Dean, who are not listed as being named defendants to Count 1, Sergeant Smith, former Associate Vice President Graves and former Director Dean deny the allegations.

To the extent that Paragraph 915 contained in Count 1 of this Second Amended Complaint attempts to allege a cause of action against Officer Stotsenberg, who is not listed as being a named defendant to Count 1, all of the claims against Officer Stotsenberg were dismissed by the Court's Order of March 31, 2011.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

916. The claims against Nurse Arico were dismissed by the Court's Order of March 31, 2011.

The cause of action alleged in Count 1 against DUHS and Duke University was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, DUHS and Duke University deny the allegations.

Nurse Levicy denies the allegations.

To the extent any of the remaining Duke University Defendants, Duke University Police Defendants, or remaining Duke SANE Defendants are alleged to be included within "the Defendants" as alleged in Paragraph 916 of Count 1, the remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient

to form a belief about the truth of any remaining allegations and, therefore, deny any remaining allegations.

917. The claims against Nurse Arico were dismissed by the Court's Order of March 31, 2011.

The cause of action alleged in Count 1 against DUHS and Duke University was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, DUHS and Duke University deny the allegations.

Nurse Levicy denies the allegations.

To the extent any of the remaining Duke University Defendants, Duke University Police Defendants, or remaining Duke SANE Defendants are alleged to be included within "the Defendants" as alleged in Paragraph 916 of Count 1, the remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of any remaining allegations and, therefore, deny any remaining allegations.

To the extent that the heading that precedes Paragraph 918 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

918. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants incorporate by reference and restate their responses to paragraphs 1 through 917 as if fully set forth herein. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

919. The claims against Nurse Arico were dismissed by the Court's Order of March 31, 2011.

This allegation calls for a legal conclusion to which no response is required. To the extent that a response is required, Nurse Levicy denies the allegations.

To the extent that Paragraph 919 contained in Count 2 of this Second Amended Complaint attempts to allege a cause of action against DUHS, which is not listed as being a named defendant to Count 2, DUHS denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

920. The claims against Nurse Arico were dismissed by the Court's Order of March 31, 2011.

Nurse Levicy specifically denies acting "in concert" with Officer Gottlieb, Officer Himan, or former District Attorney Nifong. Nurse Levicy denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

921. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

922. Sergeant Smith denies the allegations.

The Duke University Defendants, remaining Duke University Police Defendants and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

923. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

924. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

925. The claims against Nurse Arico were dismissed by the Court's Order of March 31, 2011.

DUHS specifically denies that Nurse Arico acted in "furtherance" of any "conspiracy" or acted "in concert" with former District Attorney Nifong, Officer Gottlieb, or Officer Himan as alleged in the Second Amended Complaint. DUHS also



specifically denies that Nurse Arico provided or ratified any “false claims.” DUHS further specifically denies that Nurse Arico made statements describing the examination of Ms. Mangum in any respect or that she made any statements that were false.

Nurse Levicy specifically denies that she acted in “furtherance” of any “conspiracy” or acted “in concert” with former District Attorney Nifong, Officer Gottlieb, or Officer Himan as alleged in the Second Amended Complaint. Nurse Levicy also specifically denies providing or ratifying any “false claims.” Nurse Levicy specifically denies making any false statements or statements that were inconsistent with the examination of Ms. Mangum. Nurse Levicy denies the remaining allegations.

The remaining Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

926. The claims against Nurse Arico, Officer Stotsenberg, Officer Best, former Lieutenant Fleming, Major Cooper, former Assistant Chief Humphries, Executive Vice President Trask, and former Vice President Dawkins were dismissed by the Court’s Order of March 31, 2011.

The cause of action alleged in Count 2 against former Director Dean, former Associate Vice President Graves, President Brodhead, and former Chairman Steel was dismissed by the Court’s Order of March 31, 2011. To the extent a response is required, former Director Dean, former Associate Vice President Graves, President Brodhead, and former Chairman Steel deny the allegations.

Sergeant Smith denies the allegations.

To the extent that Paragraph 926 alleges that Nurse Levicy acted in “concert” with the Durham Police Department or former District Attorney Nifong or that she participated in fabricating any facts, Nurse Levicy specifically denies the allegations. Nurse Levicy is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, denies the remaining allegations.

To the extent any of the remaining Duke University Defendants or remaining Duke SANE Defendants are alleged to be included within “these Defendants” as alleged in Paragraph 926 of Count 2, the remaining Duke University Defendants and remaining Duke SANE Defendants deny the allegations.

The remaining Duke University Defendants and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of any remaining allegations and, therefore, deny any remaining allegations.

927. The claims against Nurse Arico, Officer Stotsenberg, Lieutenant Best, former Lieutenant Fleming, Cooper, former Assistant Chief Humphries, Executive Vice President Trask and former Vice President Dawkins were dismissed by the Court’s Order of March 31, 2011.

The cause of action alleged in Count 2 against former Director Dean, former Associate Vice President Graves, President Brodhead, and former Chairman Steel was dismissed by the Court’s Order of March 31, 2011. To the extent a response is required,

former Director Dean, former Associate Vice President Graves, President Brodhead, and former Chairman Steel deny the allegations.

Sergeant Smith and Nurse Levicy deny the allegations.

To the extent any of the remaining Duke University Defendants or remaining Duke SANE Defendants are alleged to be included within “the Defendants” as alleged in Paragraph 927 of Count 2, the remaining Duke University Defendants and remaining Duke SANE Defendants deny the allegations.

The remaining Duke University Defendants and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of any remaining allegations and, therefore, deny any remaining allegations.

928. The claims against Nurse Arico, Officer Stotsenberg, Officer Best, former Lieutenant Fleming, Major Cooper, former Assistant Chief Humphries, Executive Vice President Trask, and former Vice President Dawkins were dismissed by the Court’s Order of March 31, 2011.

The cause of action alleged in Count 2 against former Director Dean, former Associate Vice President Graves, President Brodhead, and former Chairman Steel was dismissed by the Court’s Order of March 31, 2011. To the extent a response is required, former Director Dean, former Associate Vice President Graves, President Brodhead, and former Chairman Steel deny the allegations.

Sergeant Smith and Nurse Levicy deny the allegations.

To the extent any of the remaining Duke University Defendants or remaining Duke SANE Defendants are alleged to be included within “the Defendants” as alleged in Paragraph 927 of Count 2, the remaining Duke University Defendants and remaining Duke SANE Defendants deny the allegations.

The remaining Duke University Defendants and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of any remaining allegations and, therefore, deny any remaining allegations.

To the extent that the heading that precedes Paragraph 929 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

929. The cause of action alleged in Count 3 was dismissed by the Court’s Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

930. The cause of action alleged in Count 3 was dismissed by the Court’s Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

931. The cause of action alleged in Count 3 was dismissed by the Court’s Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

932. The cause of action alleged in Count 3 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

933. The cause of action alleged in Count 3 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

934. The cause of action alleged in Count 3 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

935. The cause of action alleged in Count 3 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

936. The cause of action alleged in Count 3 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

937. The cause of action alleged in Count 3 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

938. The cause of action alleged in Count 3 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

939. The cause of action alleged in Count 3 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

940. The cause of action alleged in Count 3 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 941 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

941. The cause of action alleged in Count 4 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

942. The cause of action alleged in Count 4 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

943. The cause of action alleged in Count 4 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

944. The cause of action alleged in Count 4 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

945. The cause of action alleged in Count 4 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

946. The cause of action alleged in Count 4 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

947. The cause of action alleged in Count 4 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

948. The cause of action alleged in Count 4 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

949. The cause of action alleged in Count 4 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

950. The cause of action alleged in Count 4 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.



951. The cause of action alleged in Count 4 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

952. The cause of action alleged in Count 4 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

953. The cause of action alleged in Count 4 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 954 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

954. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants incorporate by reference and restate their responses to paragraphs 1 through 953 as if fully set forth herein. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

955. The cause of action alleged in Count 5 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

956. The cause of action alleged in Count 5 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

957. The cause of action alleged in Count 5 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

958. The cause of action alleged in Count 5 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

959. The cause of action alleged in Count 5 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

960. The cause of action alleged in Count 5 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

961. The cause of action alleged in Count 5 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

962. The cause of action alleged in Count 5 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

963. The cause of action alleged in Count 5 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

964. The cause of action alleged in Count 5 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

965. The cause of action alleged in Count 5 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

966. The cause of action alleged in Count 5 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

967. The cause of action alleged in Count 5 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

968. The cause of action alleged in Count 5 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

969. The cause of action alleged in Count 6 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

970. The cause of action alleged in Count 6 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

971. The cause of action alleged in Count 6 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

972. The cause of action alleged in Count 6 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

973. The cause of action alleged in Count 6 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

974. The cause of action alleged in Count 6 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

975. The cause of action alleged in Count 6 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

976. The cause of action alleged in Count 6 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

977. The cause of action alleged in Count 6 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 978 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

978. The cause of action alleged in Count 7 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

979. The cause of action alleged in Count 7 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

980. The cause of action alleged in Count 7 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

981. The cause of action alleged in Count 7 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

982. The cause of action alleged in Count 7 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

983. The cause of action alleged in Count 7 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

984. The cause of action alleged in Count 7 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

985. The cause of action alleged in Count 7 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.



To the extent that the heading that precedes Paragraph 986 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

986. The cause of action alleged in Count 8 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

987. The cause of action alleged in Count 8 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

988. The cause of action alleged in Count 8 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

989. The cause of action alleged in Count 8 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

990. The cause of action alleged in Count 8 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

991. The cause of action alleged in Count 8 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 992 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

992. The cause of action alleged in Count 9 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

993. The cause of action alleged in Count 9 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

994. The cause of action alleged in Count 9 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

995. The cause of action alleged in Count 9 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

996. The cause of action alleged in Count 9 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

997. The cause of action alleged in Count 9 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

998. The cause of action alleged in Count 9 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

999. The cause of action alleged in Count 9 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1000. The cause of action alleged in Count 9 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1001. The cause of action alleged in Count 9 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1002 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1002. The cause of action alleged in Count 10 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1003. The cause of action alleged in Count 10 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1004. The cause of action alleged in Count 10 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1005. The cause of action alleged in Count 10 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1006. The cause of action alleged in Count 10 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1007. The cause of action alleged in Count 10 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1008 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1008. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1009 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1009. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1010. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1011. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1012. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1013. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1014. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1015. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1016. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1017. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1018. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1019. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1020. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1021 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1021. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1022. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.



1023. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1024. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1025 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1025. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1026. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1027. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1028. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1029. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1030. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1031. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1032 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1032. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1033. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1034. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1035. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1036. The cause of action alleged in Count 11 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1037 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1037. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants incorporate by reference and restate their responses to paragraphs 1 through 1036 as if fully set forth herein. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

1038. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the headings that precede Paragraph 1039 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1039. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1040. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1041. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1042. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1043. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1044. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1045. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1046 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1046. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1047. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the

Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1048. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1049. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1050. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1051. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the

Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1052. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1053. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1054. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1055 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.



1055. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1056. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1057. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1058. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1059. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1060. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1061 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1061. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1062. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the

Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1063. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1064. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1065. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the headings that precede Paragraph 1066 are construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1066. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1067. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1068. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1069. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1070. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1071. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1072. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1073. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1074 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1074. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1075. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1076. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1077. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the

Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1078 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1078. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1079. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1080. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1081. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1082. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1083. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1084. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.



1085. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1086. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1087. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1088 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1088. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the

Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1089. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1090. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1091. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1092. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the

Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1093. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1094. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1095. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1096. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the

Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1097. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1098. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1099. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1100. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the

Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1101. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1102. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1103. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1104. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the

Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1105. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1106. The cause of action alleged in Count 12 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1107 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1107. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants incorporate by reference and restate their responses to paragraphs 1 through 1106 as if fully set forth herein. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

1108. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1109. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1110. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1111. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1112. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1113. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1114. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1115. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.



1116. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1117. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1118. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1119. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1120. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1121. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1122. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1123. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1124 The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1125 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1125. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1126. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1127. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the

Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1128. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1129. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1130. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1131. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the

Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1132. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1133. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1134 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1134. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1135. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1136. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1137. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1138. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1139. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1140. The cause of action alleged in Count 13 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1141 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1141. The cause of action alleged in Count 14 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1142. The cause of action alleged in Count 14 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the

Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1143. The cause of action alleged in Count 14 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1144. The cause of action alleged in Count 14 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1145. The cause of action alleged in Count 14 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1146. The cause of action alleged in Count 14 was dismissed to the extent that it was asserted against any of the Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants. To the extent that a response is required, the



Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1147 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1147. The cause of action alleged in Count 15 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1148. The cause of action alleged in Count 15 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1149. The cause of action alleged in Count 15 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1150. The cause of action alleged in Count 15 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1151. The cause of action alleged in Count 15 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1152. The cause of action alleged in Count 15 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1153. The cause of action alleged in Count 15 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1154. The cause of action alleged in Count 15 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1155. The cause of action alleged in Count 15 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1156 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1156. The cause of action alleged in Count 16 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1157. The cause of action alleged in Count 16 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1158. The cause of action alleged in Count 16 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1159. The cause of action alleged in Count 16 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1160. The cause of action alleged in Count 16 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1161. The cause of action alleged in Count 16 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1162. The cause of action alleged in Count 16 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1163. The cause of action alleged in Count 16 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1164. The cause of action alleged in Count 16 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1165. The cause of action alleged in Count 16 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1166. The cause of action alleged in Count 16 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1167. The cause of action alleged in Count 16 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1168. The cause of action alleged in Count 16 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1169. The cause of action alleged in Count 16 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1170 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1170. The cause of action alleged in Count 17 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1171. The cause of action alleged in Count 17 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1172. The cause of action alleged in Count 17 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1173. The cause of action alleged in Count 17 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1174. The cause of action alleged in Count 17 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1175. The cause of action alleged in Count 17 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1176. The cause of action alleged in Count 17 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1177. The cause of action alleged in Count 17 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1178. The cause of action alleged in Count 17 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1179. The cause of action alleged in Count 17 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1180. The cause of action alleged in Count 17 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1181. The cause of action alleged in Count 17 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1182. The cause of action alleged in Count 17 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1183. The cause of action alleged in Count 17 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1184. The cause of action alleged in Count 17 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.



1185. The cause of action alleged in Count 17 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1186. The cause of action alleged in Count 17 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1187. The cause of action alleged in Count 17 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1188. The cause of action alleged in Count 17 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1189 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1189. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants incorporate by reference and restate their responses to

paragraphs 1 through 1188 as if fully set forth herein. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

1190. The claims against Nurse Arico, Dr. Manly, and PDC were dismissed by the Court's Order of March 31, 2011.

Nurse Levicy, former Chairman Steel, President Brodhead, former Senior Vice President Burness, Chancellor Dzau, DUHS, and Duke University deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1191. The claims against Nurse Arico, Dr. Manly, and PDC were dismissed by the Court's Order of March 31, 2011.

Nurse Levicy, former Chairman Steel, President Brodhead, former Senior Vice President Burness, Chancellor Dzau, DUHS, and Duke University deny the allegations.

To the extent any of the remaining Duke University Defendants or Duke University Police Defendants are alleged to be included within "Defendants" as alleged in Paragraph 1191 of Count 18, the remaining Duke University Defendants and Duke University Police Defendants deny the allegations.

The remaining Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of any remaining allegations and, therefore, deny any remaining allegations.

1192. The claims against Nurse Arico, Dr. Manly, and PDC were dismissed by the Court's Order of March 31, 2011.

To the extent that Paragraph 1192 contained in Count 18 of this Second Amended Complaint attempts to allege a cause of action against Lieutenant Best, who is not listed as being a named defendant to Count 18, the claims against Lieutenant Best were dismissed by the Court's Order of March 31, 2011.

Nurse Levicy, former Chairman Steel, President Brodhead, former Senior Vice President Burness, Chancellor Dzau, DUHS, and Duke University deny the allegations.

To the extent that Paragraph 1192 contained in Count 18 of this Second Amended Complaint attempts to allege a cause of action against former Associate Vice President Graves and former Director Dean, who are not listed as being named defendants to Count 18, former Associate Vice President Graves and former Director Dean deny the allegations.

To the extent any of the remaining Duke University Defendants or remaining Duke University Police Defendants are alleged to be included within "Defendants" as alleged in Paragraph 1192 of Count 18, the remaining Duke University Defendants and Duke University Police Defendants deny the allegations.

The remaining Duke University Defendants and remaining Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of any remaining allegations and, therefore, deny any remaining allegations.

1193. The claims against Nurse Arico, Dr. Manly, and PDC were dismissed by the Court's Order of March 31, 2011.

Nurse Levicy, former Chairman Steel, Chancellor Dzau, DUHS, and Duke University deny the allegations.

To the extent any of the remaining Duke University Defendants or Duke University Police Defendants are alleged to be included within "Defendants" as alleged in Paragraph 1191 of Count 18, the remaining Duke University Defendants and Duke University Police Defendants deny the allegations.

The remaining Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of any remaining allegations and, therefore, deny any remaining allegations.

1194. The claims against Nurse Arico, Dr. Manly, and PDC were dismissed by the Court's Order of March 31, 2011.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1195. The claims against Nurse Arico, Dr. Manly, and PDC were dismissed by the Court's Order of March 31, 2011.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1196. The claims against Nurse Arico, Dr. Manly, and PDC were dismissed by the Court's Order of March 31, 2011.

To the extent any of the Duke University Defendants, Duke University Police Defendants or Duke SANE Defendants are alleged to be included within "Defendants" as alleged in Paragraph 1196 of Count 18, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of any remaining allegations and, therefore, deny any remaining allegations.

1197. The claims against Nurse Arico, Dr. Manly, and PDC were dismissed by the Court's Order of March 31, 2011.

Former Chairman Steel, President Brodhead, former Senior Vice President Burness, Chancellor Dzau, DUHS, and Duke University deny the allegations.

To the extent that Paragraph 1197 contained in Count 18 of this Second Amended Complaint attempts to allege a cause of action against Executive Vice President Trask, Provost Lange, Vice President Moneta, or former Secretary Haltom, who are not listed as being named defendants to Count 18, all of the claims against Executive Vice President Trask, Provost Lange, Vice President Moneta, and former Secretary Haltom were dismissed by the Court's Order of March 31, 2011.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1198. The claims against Nurse Arico, Dr. Manly, and PDC were dismissed by the Court's Order of March 31, 2011.

Former Chairman Steel, President Brodhead, former Senior Vice President Burness, and Chancellor Dzau deny the allegations.

To the extent that Paragraph 1198 contained in Count 18 of this Second Amended Complaint attempts to allege a cause of action against Provost Lange, Vice President Moneta, or Dean Wasiolek, who are not listed as being named defendants to Count 18, all of the claims against Provost Lange, Vice President Moneta, and Dean Wasiolek were dismissed by the Court's Order of March 31, 2011.

To the extent that Paragraph 1198 contained in Count 18 of this Second Amended Complaint attempts to allege a cause of action against former Associate Vice President Graves or former Director Dean, who are not listed as being named defendants to Count 18, former Associate Vice President Graves and former Director Dean deny the allegations.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1199. The claims against Nurse Arico, Dr. Manly, and PDC were dismissed by the Court's Order of March 31, 2011.

Nurse Levicy, former Chairman Steel, President Brodhead, former Senior Vice President Burness, Chancellor Dzau, DUHS, and Duke University deny the allegations.

To the extent any of the remaining Duke University Defendants or Duke University Police Defendants are alleged to be included within "these Defendants" as alleged in Paragraph 1199 of Count 18, the remaining Duke University Defendants and Duke University Police Defendants deny the allegations.

The remaining Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1200. The claims against Nurse Arico, Dr. Manly, and PDC were dismissed by the Court's Order of March 31, 2011.

Nurse Levicy, former Chairman Steel, President Brodhead, former Senior Vice President Burness, Chancellor Dzau, DUHS, and Duke University deny the allegations.

To the extent any of the remaining Duke University Defendants or Duke University Police Defendants are alleged to be included within "Defendants" as alleged in Paragraph 1200 of Count 18, the remaining Duke University Defendants and Duke University Police Defendants deny the allegations.

The remaining Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1201. The claims against Nurse Arico, Dr. Manly, and PDC were dismissed by the Court's Order of March 31, 2011.

Nurse Levicy, former Chairman Steel, President Brodhead, former Senior Vice President Burness, Chancellor Dzau, DUHS, and Duke University deny the allegations.

To the extent any of the remaining Duke University Defendants or Duke University Police Defendants are alleged to be included within "Defendants" as alleged in Paragraph 1201 of Count 18, the remaining Duke University Defendants and Duke University Police Defendants deny the allegations.

The remaining Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1202. The claims against Nurse Arico, Dr. Manly, and PDC were dismissed by the Court's Order of March 31, 2011.

Nurse Levicy, former Chairman Steel, President Brodhead, former Senior Vice President Burness, Chancellor Dzau, DUHS, and Duke University deny the allegations.

To the extent any of the remaining Duke University Defendants or Duke University Police Defendants are alleged to be included within "Defendants" as alleged



in Paragraph 1201 of Count 18, the remaining Duke University Defendants and Duke University Police Defendants deny the allegations.

The remaining Duke University Defendants and Duke University Police Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 1203 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1203. The cause of action alleged in Count 19 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1204. The cause of action alleged in Count 19 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1205. The cause of action alleged in Count 19 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1206. The cause of action alleged in Count 19 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1207. The cause of action alleged in Count 19 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1208. The cause of action alleged in Count 19 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1209. The cause of action alleged in Count 19 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1210. The cause of action alleged in Count 19 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1211. The cause of action alleged in Count 19 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1212. The cause of action alleged in Count 19 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1213 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1213. The cause of action alleged in Count 20 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1214. The cause of action alleged in Count 20 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1215. The cause of action alleged in Count 20 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1216. The cause of action alleged in Count 20 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1217. The cause of action alleged in Count 20 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1218. The cause of action alleged in Count 20 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1219. The cause of action alleged in Count 20 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1220. The cause of action alleged in Count 20 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1221. The cause of action alleged in Count 20 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1222. The cause of action alleged in Count 20 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1223 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1223. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants incorporate by reference and restate their responses to paragraphs 1 through 1222 as if fully set forth herein. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

1224. The claims against Provost Lange, Vice President Moneta, and Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

The cause of action alleged in Count 21 against former Chairman Steel and President Brodhead was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, former Chairman Steel and President Brodhead deny the allegations.

To the extent the allegations in Paragraph 1224 survive the Court's Order of March 31, 2011, Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1225. The claims against Provost Lange, Vice President Moneta, and Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

The cause of action alleged in Count 21 against former Chairman Steel and President Brodhead was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, former Chairman Steel and President Brodhead deny the allegations.

To the extent the allegations in Paragraph 1225 survive the Court's Order of March 31, 2011, Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1226. The claims against Provost Lange, Vice President Moneta, and Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

The cause of action alleged in Count 21 against former Chairman Steel and President Brodhead was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, former Chairman Steel and President Brodhead deny the allegations.

To the extent that Paragraph 1226 contained in Count 21 of this Second Amended Complaint attempts to allege a cause of action against Dean Wasiolek, who is not listed as being a named defendant to Count 21, the claims against Dean Wasiolek were dismissed by the Court's Order of March 31, 2011.

To the extent that Paragraph 1226 contained in Count 21 of this Second Amended Complaint attempts to allege a cause of action against former Senior Vice President Burness, who is not listed as being a named defendant to Count 21, former Senior Vice President Burness denies the allegations.

To the extent the allegations in Paragraph 1226 survive the Court's Order of March 31, 2011, Duke University denies the allegations.

To the extent any of the remaining Duke University Defendants, Duke University Police Defendants, or Duke SANE Defendants are alleged to be included within "the University's officials" as alleged in Paragraph 1226 of Count 21, the remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of any remaining allegations and, therefore, deny any remaining allegations.

1227. The claims against Provost Lange, Vice President Moneta, and Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

The cause of action alleged in Count 21 against former Chairman Steel and President Brodhead was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, former Chairman Steel and President Brodhead deny the allegations.

To the extent the allegations in Paragraph 1227 survive the Court's Order of March 31, 2011, Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1228. The claims against Provost Lange, Vice President Moneta, and Associate Dean Bryan were dismissed by the Court's Order of March 31, 2011.

The cause of action alleged in Count 21 against former Chairman Steel and President Brodhead was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, former Chairman Steel and President Brodhead deny the allegations.



To the extent the allegations in Paragraph 1228 survive the Court's Order of March 31, 2011, Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 1229 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1229. The cause of action alleged in Count 22 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1230. The cause of action alleged in Count 22 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1231. The cause of action alleged in Count 22 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1232. The cause of action alleged in Count 22 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1233. The cause of action alleged in Count 22 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1234. The cause of action alleged in Count 22 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1235 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1235. The cause of action alleged in Count 23 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1236. The cause of action alleged in Count 23 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1237. The cause of action alleged in Count 23 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1238. The cause of action alleged in Count 23 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1239. The cause of action alleged in Count 23 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1240. The cause of action alleged in Count 23 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1241. The cause of action alleged in Count 23 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1242. The cause of action alleged in Count 23 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1243. The cause of action alleged in Count 23 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1244. The cause of action alleged in Count 23 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1245. The cause of action alleged in Count 23 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1246. The cause of action alleged in Count 23 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1247. The cause of action alleged in Count 23 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1248. The cause of action alleged in Count 23 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1249 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1249. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants incorporate by reference and restate their responses to paragraphs 1 through 1248 as if fully set forth herein. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

1250. Former Director Drummond admits that he sent letters to certain Duke University students, including the Plaintiffs, explaining that a subpoena had been served that sought production of certain information regarding DukeCard use for the period

between March 13, 2006 and March 14, 2006. To the extent this paragraph characterizes the letters sent by former Director Drummond, former Director Drummond denies that characterization. Former Director Drummond denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1251. Former Director Drummond admits that he sent letters to certain Duke University students, including the Plaintiffs, explaining that a subpoena had been served that sought production of certain information regarding DukeCard use for the period between March 13, 2006 and March 14, 2006. To the extent this paragraph characterizes the letters sent by former Director Drummond, former Director Drummond denies that characterization. Former Director Drummond denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1252. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants specifically deny any participation in any sort of conspiracy as alleged within this Second Amended Complaint.

Duke University denies the remaining allegations.

Former Director Drummond admits that the letters sent to members of the men's lacrosse team, including the Plaintiffs, did not state that the DukeCard records had been

provided to members of the Durham Police Department. To the extent this paragraph characterizes the letters sent by former Director Drummond, former Director Drummond denies that characterization. Former Director Drummond specifically denies that he knew that the Durham Police Department already had the records. Former Director Drummond denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the remaining allegations and, therefore, deny the remaining allegations.

1253. This allegation calls for a legal conclusion to which no response is required. To the extent that a response is required, Duke University and former Director Drummond deny the allegation.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1254. Former Director Drummond denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1255. Former Director Drummond specifically denies that he disclosed any DukeCard information as alleged within this Second Amended Complaint. Former Director Drummond denies the remaining allegations.

Duke University specifically denies that it “illegally” disclosed any DukeCard information as alleged within this Second Amended Complaint. Duke University denies the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1256. Former Director Drummond denies the allegations.

Duke University denies the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1257. To the extent that Paragraph 1257 contained in Count 24 of this Second Amended Complaint attempts to allege a cause of action against Officer Stotsenberg, who is not listed as being a named defendant to Count 24, all of the claims against Officer Stotsenberg were dismissed by the Court’s Order of March 31, 2011.

Sergeant Smith admits that he provided DukeCard reports to the Durham Police Department. Sergeant Smith denies the remaining allegations.



Former Associate Vice President Graves and former Director Dean deny the allegations.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1258. To the extent that Paragraph 1258 contained in Count 24 of this Second Amended Complaint attempts to allege a cause of action against Officer Stotsenberg, who is not listed as being a named defendant to Count 24, all of the claims against Officer Stotsenberg were dismissed by the Court's Order of March 31, 2011.

Duke University admits that one of its employees received a telephone call from Robert Ekstrand asking about a notation in a file. Duke University further admits that that employee then conducted an investigation and learned that Sergeant Smith had provided DukeCard information to Officer Gottlieb on or about March 31, 2006. Duke University denies the remaining allegations.

Sergeant Smith admits that he provided DukeCard reports to the Durham Police Department. Sergeant Smith denies the remaining allegations.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1259. To the extent that Paragraph 1259 contained in Count 24 of this Second Amended Complaint attempts to allege a cause of action against Officer Stotsenberg, who is not listed as being a named defendant to Count 24, all of the claims against Officer Stotsenberg were dismissed by the Court's Order of March 31, 2011.

This allegation calls for a legal conclusion to which no response is required. To the extent that a response is required, Duke University, former Director Drummond, Sergeant Smith, former Director Dean, and former Associate Vice President Graves deny the allegation.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1260. To the extent that Paragraph 1260 contained in Count 24 of this Second Amended Complaint attempts to allege a cause of action against Officer Stotsenberg, who is not listed as being a named defendant to Count 24, all of the claims against Officer Stotsenberg were dismissed by the Court's Order of March 31, 2011.

Duke University, former Director Drummond, Sergeant Smith, former Director Dean, and former Associate Vice President Graves deny the allegation.

The remaining Duke University Defendants, remaining Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information

sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 1261 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1261. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants incorporate by reference and restate their responses to paragraphs 1 through 1260 as if fully set forth herein. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

1262. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1263. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1264. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1265. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1266. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1267. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 1268 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1268. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants incorporate by reference and restate their responses to paragraphs 1 through 1267 as if fully set forth herein. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

1269. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1270. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1271. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1272. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1273. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1274. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1275. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1276. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 1277 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1277. The cause of action alleged in Count 27 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1278. The cause of action alleged in Count 27 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1279. The cause of action alleged in Count 27 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1280. The cause of action alleged in Count 27 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1281. The cause of action alleged in Count 27 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1282. The cause of action alleged in Count 27 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1283 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1283. The cause of action alleged in Count 28 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1284. The cause of action alleged in Count 28 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1285. The cause of action alleged in Count 28 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1286. The cause of action alleged in Count 28 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1287. The cause of action alleged in Count 28 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1288. The cause of action alleged in Count 28 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1289 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1289. The cause of action alleged in Count 29 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1290. The cause of action alleged in Count 29 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University



Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1291. The cause of action alleged in Count 29 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1292. The cause of action alleged in Count 29 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1293. The cause of action alleged in Count 29 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1294. The cause of action alleged in Count 29 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1295. The cause of action alleged in Count 29 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1296. The cause of action alleged in Count 29 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1297. The cause of action alleged in Count 29 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1298. The cause of action alleged in Count 29 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1299. The cause of action alleged in Count 29 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1300. The cause of action alleged in Count 29 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1301 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1301. The cause of action alleged in Count 30 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1302. The cause of action alleged in Count 30 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1303. The cause of action alleged in Count 30 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1304. The cause of action alleged in Count 30 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1305. The cause of action alleged in Count 30 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1306. The cause of action alleged in Count 30 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1307. The cause of action alleged in Count 30 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1308. The cause of action alleged in Count 30 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1309 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1309. The cause of action alleged in Count 31 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1310. The cause of action alleged in Count 31 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1311. The cause of action alleged in Count 31 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1312. The cause of action alleged in Count 31 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1313. The cause of action alleged in Count 31 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1314. The cause of action alleged in Count 31 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1315. The cause of action alleged in Count 31 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1316. The cause of action alleged in Count 31 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1317. The cause of action alleged in Count 31 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1318 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1318. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants incorporate by reference and restate their responses to paragraphs 1 through 1317 as if fully set forth herein. The Duke University Defendants,

Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

1319. The claims against Nurse Arico, Dr. Manly, and the PDC were dismissed by the Court's Order of March 31, 2011.

To the extent the allegations in Paragraph 1319 survive the Court's Order of March 31, 2011, Duke University and DUHS deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1320. The claims against Nurse Arico, Dr. Manly, and the PDC were dismissed by the Court's Order of March 31, 2011.

Duke University and DUHS specifically deny that Nurse Levicy had any "propensity to abuse her status as a forensic nurse examiner to prop up or fabricate evidence to support plainly false claims of sexual assault, fabricate forensic medical records, and otherwise engage in misconduct in the performance of her duties." To the extent the allegations in Paragraph 1320 survive the Court's Order of March 31, 2011, Duke University and DUHS deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1321. The claims against Nurse Arico, Dr. Manly, and the PDC were dismissed by the Court's Order of March 31, 2011.

To the extent the allegations in Paragraph 1321 survive the Court's Order of March 31, 2011, Duke University and DUHS deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1322. The claims against Nurse Arico, Dr. Manly, and the PDC were dismissed by the Court's Order of March 31, 2011.

Duke University and DUHS specifically deny any "misconduct" by Nurse Levicy or Nurse Arico as alleged within this Second Amended Complaint. To the extent the allegations in Paragraph 1322 survive the Court's Order of March 31, 2011, Duke University and DUHS deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1323. The claims against Nurse Arico, Dr. Manly, and the PDC were dismissed by the Court's Order of March 31, 2011.

Duke University and DUHS specifically deny that Nurse Levicy or Nurse Arico made any "false", "unsupportable", "reckless" or "inflammatory" statements as alleged within the Second Amended Complaint. To the extent the allegations in Paragraph 1323



survive the Court's Order of March 31, 2011, Duke University and DUHS deny the remaining allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1324. The claims against Nurse Arico, Dr. Manly, and the PDC were dismissed by the Court's Order of March 31, 2011.

To the extent the allegations in Paragraph 1324 survive the Court's Order of March 31, 2011, Duke University and DUHS deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1325. The claims against Nurse Arico, Dr. Manly, and the PDC were dismissed by the Court's Order of March 31, 2011.

To the extent the allegations in Paragraph 1325 survive the Court's Order of March 31, 2011, Duke University and DUHS deny the allegations.

The remaining Duke University Defendants, Duke University Police Defendants, and remaining Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 1326 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1326. The cause of action alleged in Count 33 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1327. The cause of action alleged in Count 33 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1328. The cause of action alleged in Count 33 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1329. The cause of action alleged in Count 33 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1330. The cause of action alleged in Count 33 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1331. The cause of action alleged in Count 33 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1332 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1332. The cause of action alleged in Count 34 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1333. The cause of action alleged in Count 34 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1334. The cause of action alleged in Count 34 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1335. The cause of action alleged in Count 34 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1336. The cause of action alleged in Count 34 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1337. The cause of action alleged in Count 34 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1338. The cause of action alleged in Count 34 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1339. The cause of action alleged in Count 34 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1340 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1340. To the extent that the contents of Paragraph 1340 are allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1341. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants incorporate by reference and restate their responses to paragraphs 1 through 1340 as if fully set forth herein. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

1342. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1343. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1344. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1345. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1346. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1347. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

To the extent that the heading that precedes Paragraph 1348 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1348. The cause of action alleged in Count 36 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1349. The cause of action alleged in Count 36 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1350. The cause of action alleged in Count 36 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1351. The cause of action alleged in Count 36 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1352. The cause of action alleged in Count 36 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1353. The cause of action alleged in Count 36 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1354 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1354. The cause of action alleged in Count 37 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1355. The cause of action alleged in Count 37 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1356. The cause of action alleged in Count 37 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1357. The cause of action alleged in Count 37 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1358. The cause of action alleged in Count 37 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1359. The cause of action alleged in Count 37 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University



Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1360 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1360. The cause of action alleged in Count 38 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1361. The cause of action alleged in Count 38 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1362. The cause of action alleged in Count 38 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1363. The cause of action alleged in Count 38 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1364. The cause of action alleged in Count 38 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1365. The cause of action alleged in Count 38 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1366 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1366. The cause of action alleged in Count 39 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1367. The cause of action alleged in Count 39 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1368. The cause of action alleged in Count 39 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University

Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1369. The cause of action alleged in Count 39 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1370. The cause of action alleged in Count 39 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1371. The cause of action alleged in Count 39 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1372 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1372. The cause of action alleged in Count 40 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1373. The cause of action alleged in Count 40 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1374. The cause of action alleged in Count 40 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1375. The cause of action alleged in Count 40 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1376. The cause of action alleged in Count 40 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1377. The cause of action alleged in Count 40 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1378. The cause of action alleged in Count 40 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1379. The cause of action alleged in Count 40 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1380. The cause of action alleged in Count 40 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1381. The cause of action alleged in Count 40 was dismissed by the Court's Order of March 31, 2011. To the extent a response is required, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

To the extent that the heading that precedes Paragraph 1382 is construed as allegations, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations.

1382. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants incorporate by reference and restate their responses to

paragraphs 1 through 1381 as if fully set forth herein. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the remaining allegations.

1383. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1384. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1385. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1386. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1387. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants are without knowledge or information sufficient to form a belief about the truth of the allegations and, therefore, deny the allegations.

1388. The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants deny the allegations, including the allegations contained in subparagraphs A, B, C, D, and E.

### **FIRST AFFIRMATIVE DEFENSE**

To the extent Plaintiffs seek to hold the Duke University Defendants, the Duke University Police Defendants, and the Duke SANE Defendants responsible for the action or inaction of the City of Durham or the Durham Defendants, the Duke University Defendants, the Duke University Police Defendants, and the Duke SANE Defendants incorporate any defenses asserted by, or available to, the City of Durham and the Durham Defendants.

### **SECOND AFFIRMATIVE DEFENSE**

To the extent any of the Duke University Defendants, the Duke University Policy Defendants, or the Duke SANE Defendants, or anyone responsible for their actions are determined to be state actors, the Duke University Defendants, the Duke University Police Defendants, and the Duke SANE Defendants are entitled to the same privileges and immunities as any other state actor.

### **THIRD AFFIRMATIVE DEFENSE**

Plaintiffs' contract-based claims are barred because Plaintiffs breached any contract with Duke University prior to the alleged breaches by Duke University described in this Second Amended Complaint.

### **FOURTH AFFIRMATIVE DEFENSE**

Plaintiffs' contract-based claims are barred because there was no independent consideration sufficient to establish an enforceable contract between Plaintiffs and Duke University arising out of the Duke Student Bulletin or Duke Student Code of Conduct.

#### **FIFTH AFFIRMATIVE DEFENSE**

Plaintiffs have waived and/or are estopped from asserting any and all claims they may have or have had against the Duke University Defendants, the Duke University Police Defendants, and the Duke SANE Defendants.

#### **SIXTH AFFIRMATIVE DEFENSE**

The damages sustained by Plaintiffs, if any, were proximately caused by the intervening and superseding acts of other persons or parties over whom the Duke University Defendants, the Duke University Police Defendants, and the Duke SANE Defendants had no control and for whose conduct the Duke University Defendants, the Duke University Police Defendants, and the Duke SANE Defendants are not reasonably responsible. These intervening and superseding acts were not reasonably foreseeable to the Duke University Defendants, the Duke University Police Defendants, or the Duke SANE Defendants. These acts bar and/or diminish Plaintiffs' recovery, if any, against the Duke University Defendants, the Duke University Police Defendants, and the Duke SANE Defendants.

By way of example, these intervening and superseding acts include, but are not limited to, the false rape allegations made by Crystal Mangum and the actions of former District Attorney Michael Nifong in directing the investigation of those allegations.

#### **SEVENTH AFFIRMATIVE DEFENSE**

Plaintiffs failed to mitigate their damages.



### **EIGHTH AFFIRMATIVE DEFENSE**

Plaintiffs' claims are barred by the applicable statutes of limitations and periods of limitations and repose. To the extent that any of Plaintiffs' claims are equitable in nature, they are barred by the doctrine of laches.

### **NINTH AFFIRMATIVE DEFENSE**

Any award of punitive damages violates the United States Constitution, the Constitution of the State of North Carolina, and other applicable state and federal laws, in that an award of punitive damages is impermissible in this case because it would (1) constitute an excessive fine and forfeiture in contravention of the Eighth Amendment of the United States Constitution and corresponding state constitution provisions, (2) violate the Duke University Defendants', the Duke University Police Defendants', and the Duke SANE Defendants' right to due process and equal protection of the laws in contravention of the Fourteenth Amendment to the United States Constitution and corresponding state constitution provisions, (3) violate the Duke University Defendants', the Duke University Police Defendants' and Duke SANE Defendants' right to procedural safeguards provided by the Sixth Amendment to the United States Constitution for alleged penal conduct, including but not limited to permitting imposition of punitive damages with a burden of proof less than "beyond a reasonable doubt", and (4) bear no proportional or rational relationship to any actual damages or to the type of conduct involved and violates the United States Constitution the Constitution of the State of North Carolina, and other

applicable laws, including but not limited to the provisions of Chapter 1D of the North Carolina General Statutes.

The Duke University Defendants, the Duke University Police Defendants, and the Duke SANE Defendants reserve the right to assert any additional and further defenses as may be revealed during discovery or upon receipt of additional information.

**JURY TRIAL DEMAND**

The Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants respectfully demand trial by jury on all issues so triable in this action.

**PRAYER FOR RELIEF**

WHEREFORE, the Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants request that this Court:

1. Dismiss this action with prejudice;
2. Deny any relief to Plaintiffs; and
3. For such other and further relief as the Court deems just and proper.

This the 14th day of April, 2011.

/s/ J. Donald Cowan, Jr.  
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*Counsel for Duke SANE Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 14, 2011, I electronically filed the foregoing Answer of Duke University Defendants, Duke University Police Defendants, and Duke SANE Defendants with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record and to Mr. Linwood Wilson, who is also registered to use the CM/ECF system.

This 14th day of April, 2011.

/s/ J. Donald Cowan, Jr.

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