

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF NORTH CAROLINA
File No. 1:07-CV-953

RYAN MCFADYEN; MATTHEW WILSON;)
and BRECK ARCHER,)
)
Plaintiffs,)

v.)

DUKE UNIVERSITY; DUKE UNIVERSITY)
POLICE DEPARTMENT; AARON GRAVES;)
ROBERT DEAN; LEILA HUMPHRIES;)
PHYLLIS COOPER; WILLIAM F. GARBER, II;)
JAMES SCHWAB; JOSEPH FLEMING;)
JEFFREY O. BEST; GARY N. SMITH; GREG)
STOTSENBERG; ROBERT K. STEEL;)
RICHARD H. BRODHEAD, Ph.D.; PETER)
LANGE, Ph.D.; TALLMAN TRASK, III, Ph.D.;)
JOHN BURNES; LARRY MONETA, Ed.D.;)
VICTOR J. DZAU, M.D.; ALLISON HALTON;)
KEMEL DAWKINS; SUZANNE WASIOLEK;)
STEPHEN BRYAN; MATTHEW DRUMMOND;)
DUKE UNIVERSITY HEALTH)
SYSTEMS, INC.; PRIVATE DIAGNOSTIC)
CLINIC, PLLC; JULIE MANLY, M.D.;)
THERESA ARICO, R.N.; TARA LEVICY, R.N.;)
THE CITY OF DURHAM, NORTH CAROLINA;)
MICHAEL B. NIFONG; PATRICK BAKER;)
STEVEN CHALMERS; RONALD HODGE;)
LEE RUSS; STEPHEN MIHAICH; BEVERLY)
COUNCIL; EDWARD SARVIS; JEFF LAMB;)
MICHAEL RIPBERGER; LAIRD EVANS;)
JAMES T. SOUKUP; KAMMIE MICHAEL;)
DAVID W. ADDISON; MARK D. GOTTLIEB;)
BENJAMIN W. HIMAN; LINWOOD WILSON;)
RICHARD D. CLAYTON; DNA)
SECURITY, INC.; RICHARD CLARK; and)

NOTICE OF APPEAL

BRIAN MEEHAN, Ph.D.,)
)
Defendants.)

Notice is hereby given that Patrick Baker, Steven Chalmers, Ronald Hodge, Lee Russ, Beverly Council, Jeff Lamb, and Michael Ripberger, defendants in the above named case, hereby appeal to the United States Court of Appeals for the Fourth Circuit from Chief Judge James A Beatty Jr.'s Order and Memorandum Opinion denying in part Defendants' motions to dismiss entered in this action on the thirty-first day of March, 2011.

Respectfully Submitted, this the 29th day of April, 2011.

TROUTMAN SANDERS LLP

By: /s/ Patricia P. Shields

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UNITED STATES DISTRICT COURT FOR THE
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RYAN MCFADYEN, <i>et al</i> ,)	
)	
Plaintiffs,)	
)	CERTIFICATE OF
v.)	SERVICE
)	
DUKE UNIVERSITY, <i>et al</i> ,)	
)	
Defendants.)	

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

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

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This the 29th day of April, 2011.

Respectfully submitted,

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