

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
CIVIL ACTION NUMBER 1:07-CV-00953

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 BRIAN MEEHAN, Ph.D.,

Defendants.

NOTICE OF SPECIAL  
APPEARANCE

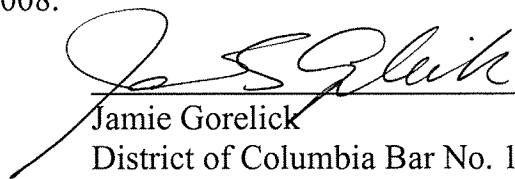
Pursuant to Local Rule 83.1, please take notice of the special appearance of Jamie Gorelick, of Wilmer Cutler Pickering Hale and Dorr LLP, as counsel of record for Defendant Duke University in the above-captioned civil action.

Ms. Gorelick certifies that she is an active member in good standing of the bars of the District of Columbia; the State of New York; the United States Supreme Court; the United States Courts of Appeals for the District of Columbia, the Second Circuit, the Third Circuit, the Fourth Circuit, the Fifth Circuit, and the Federal Circuit; the United States District Courts for the District of Columbia and the District of Maryland, as well as other courts. Ms. Gorelick further certifies that she understands that by entering an appearance she is responsible for ensuring the presence of an attorney who is familiar with the case and has authority to control the litigation at all conferences, hearings, trials and other proceedings. Ms. Gorelick still further certifies that she submits to the disciplinary jurisdiction of the court for any misconduct in connection with the above-captioned civil action for which she is specially appearing.

Mr. Cowan and Ms. Wells certify that they remain responsible to this court for the conduct of the litigation and acknowledge that one of them must sign all pleadings and papers, except for certificates of service. Mr. Cowan and Ms. Wells further certify that

one of them will be present during pretrial conferences, potentially dispositive proceedings, and at trial.

This 29<sup>th</sup> day of February 2008.

  
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/s/ J. Donald Cowan, Jr.  
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Attorneys for Defendant Duke University

**CERTIFICATE OF SERVICE**

I hereby certify that on 29 February 2008, I electronically filed the foregoing Notice of Appearance with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

*Counsel for the Plaintiffs*  
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*Counsel for James T. Soukup; Kammie Michael; David W. Addison;  
and Richard D. Clayton*  
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*Counsel for Defendants William F. Garber, II, James Schwab,  
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Robert K. Steel, Richard H. Brodhead, Ph.D., Peter Lange, Ph.D.,  
Tallman Trask, III, Ph.D., John Burness, Larry Moneta, Ed.D.,  
Victor J. Dzau, M.D., Allison Halton, Kemel Dawkins, Suzanne  
Wasiolek, Stephen Bryan, Matthew Drummond, Duke University*

*Police Department, Aaron Graves, Robert Dean, Leila Humphries,  
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As of the date of this filing, no attorney has made an appearance on behalf of any of the following Defendants. I hereby certify that I served the following Defendants by U.S.

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As of the date of this filing, no attorney has made an appearance on behalf of any of the following Defendants, and I have not been able to determine an address whereby service may be had on them:

Steven Chalmers

This 29th day of February 2008.

/s/ Jamie Gorelick  
Jamie Gorelick

Attorney for Defendant Duke University