

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

RYAN McFADYEN, et al.,
Plaintiffs,

v.

DUKE UNIVERSITY, et al.,
Defendants.

Case No. 1:07-cv-953

NOTICE OF FILING OF WAIVER OF SERVICE OF SUMMONS

Pursuant to Rule 4(d)(4) of the Federal Rules of Civil Procedure, Plaintiffs Ryan McFadyen, Matthew Wilson and Breck Archer, by undersigned counsel, hereby file the annexed waiver of service of summons executed by or on behalf of Defendant Brian Meehan.

The written request for the annexed waiver was sent via electronic mail on February 12, 2008. Accordingly, by operation of Rules 4(d)(3) and 12(a)(1)(B) of the Federal Rules of Civil Procedure, the time for Brian Meehan to answer or otherwise respond to the Complaint is extended until April 14, 2008.

Dated: March 11, 2008.

Respectfully submitted,

EKSTRAND & EKSTRAND LLP

/s/ Robert C. Ekstrand

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

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

RYAN McFADYEN, et al.,
Plaintiffs,

v.

DUKE UNIVERSITY, et al.,
Defendants.

Case No. 1:07-cv-953

CERTIFICATE OF SERVICE

I hereby certify that, on March 11, 2008, I electronically filed the foregoing NOTICE OF FILING OF WAIVER OF SERVICE OF SUMMONS (including attachments) with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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

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

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

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

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

William F. Lee
Jamie Gorelick
Paul R.Q. Wolfson
Jennifer M. O'Connor
WILMER CUTLER PICKERING
HALE AND DORR, LLP
1875 Pennsylvania Avenue, NW
Washington, DC 20006
william.lee@wilmerhale.com
Jamie.gorlick@wilmerhale.com
paul.wolfson@wilmerhale.com
jennifer.oconnor@wilmerhale.com
Counsel for Defendants Duke University, Duke University Police Department, Aaron Graves, Robert Dean, Leila Humphries, Phyllis Cooper, William F. Garber, II, James Schwab, Joseph Fleming, Jeffrey O. Best, Gary N. Smith, Greg Stotsenberg, Robert K. Steel, Richard H. Brodhead, Ph.D., Peter Lange, Ph.D., Tallman Trask, III, Ph.D., John Burness, Larry Moneta, Ed.D., Victor J. Dzau, M.D., Allison Haltom, 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., and Tara Levicy, R.N.

Patricia P. Kerner
D. Martin Warf
Hannah G. Styron
TROUTMAN SANDERS LLP
434 Fayetteville Street, Suite 1900
Raleigh, North Carolina 27601
tricia.kerner@troutmansanders.com
martin.warf@troutmansanders.com
Hannah.styron@troutmansanders.com
*Counsel for Defendants Steven
Chalmers, Patrick Baker, Beverly
Council, Ronald Hodge, Jeff Lamb,
Stephen Mihaich, Michael Ripberger,
Laird Evans and Lee Russ*

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

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

I further certify that I caused the foregoing document to be served by first-class mail, postage prepaid, to the following non CM/ECF participants:

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

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

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

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

Respectfully submitted,

/s/ Robert C. Ekstrand

Robert C. Ekstrand, Esq.
N.C. Bar No. 26673
811 Ninth Street, Suite 260
Durham, North Carolina 27705
Phone: (919) 416-4590
Email: rce@ninthstreetlaw.com
***Counsel for Plaintiffs Ryan McFadyen,
Matthew Wilson and Breck Archer***