

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CIVIL ACTION NO: 1:07 CV 00953

RYAN MCFADYEN, MATTHEW WILSON AND)
BRECK ARCHER,)

Plaintiffs,)

vs.)

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 HEATHLH)
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
APPEARANCE**

PLEASE TAKE NOTICE of the appearance of Shirley M. Pruitt, of the firm of Yates, McLamb & Weyher, L.L.P., as counsel of record for Duke University Health Systems, Inc., Private Diagnostic Clinic, PLLC, Julie Manly, M.D., Theresa Arico, R.N., and Tara Levicy, R.N., in the above-captioned action. The undersigned counsel certifies that she is admitted to practice before this Court. These Defendants hereby preserve all defenses, including defenses based on jurisdiction, venue, and service of process.

This the 15th of April, 2008.

By: /s/ Shirley M. Pruitt
Shirley M. Pruitt
N.C. State Bar: 19141
YATES, McLAMB & WEYHER, L.L.P.
Post Office Box 2889
Raleigh, NC 27602
Telephone: (919) 835-0900
Facsimile: (919) 835-0910
Email: spruitt@ymwlaw.com

Attorney for Defendants Duke University
Health Systems, Inc., Private Diagnostic Clinic,
PLLC, Julie Manly, M.D., Theresa Arico, R.N.,
and Tara Levicy, R.N.,

CERTIFICATE OF SERVICE

I hereby certify that on 26th 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:

Counsel for the Plaintiffs Ryan McFadyen, Matthew Wilson, and Breck Archer

Robert C. Ekstrand
Ekstrand & Ekstrand, LLP
Email: rce@ninthstreetlaw.com

Counsel for James T. Soukup; Kammie Michael; David W. Addison; and Richard D. Clayton

James B. Maxwell
Maxwell Freeman & Bowman, P.A.
jmaxwell@mfbp.com

Counsel for Benjamin W. Himan

Joel Miller Craig
Kennon Craver Belo Craig & McKee, PLLC
jcraig@kennoncraver.com

Counsel for 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, and Matthew Drummond

J. Donald Cowan, Jr.
Dixie Thomas Wells
Smith Moore, L.L.P.
Email: don.cowan@smithmoorelaw.com
Email: 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 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.

William F. Lee

Jamie Gorelick

Paul R.Q. Wolfson

Jennifer M. O'Connor

WilmerHale, LLP

Email: william.lee@wilmerhale.com

Jamie.gorlick@wilmerhale.com

paul.wolfson@wilmerhale.com

jennifer.oconnor@wilmerhale.com

Counsel for The City of Durham, North Carolina; and Edward Sarvis

Reginald B. Gillespie

Faison & Gillespie

rgillespie@faison-gillespie.com

Counsel for Mark D. Gottlieb

Edwin M. Speas, Jr.

Eric P. Stevens

Poyner & Spruill LLP

espeas@poynerspruill.com

estevens@poyners.com

Counsel for Defendants Steven Chalmers, Patrick Baker, Beverly Council, Ronald Hodge, Jeff Lamb, Stephen Mihaich, Michael Ripberger, Laird Evans and Lee Russ

Patricia P. Kerner

Hannah G. Styron

D. Martin Warf

Troutman Sanders, LLP

Email: tricia.kerner@troutmansanders.com

martin.warf@troutmansanders.com

Hannah.styron@troutmansanders.com

Counsel for Defendant DNA Security, Inc. & Richard Clark

Robert J. King, III

Kearns Davis, Esq.

Brooks, Pierce, McLendon, Humphrey & Leonard, LLP

Email: rking@brookspierce.com

kdavis@brookspierce.com

The following persons have not officially made an appearance through the CM/ECF system and are being served with this document First Class Mail:

Counsel for Defendant Brian Meehan

Paul R. Dickinson, Jr.
Lewis & Roberts PLLC
5960 Fairview Rd. – Suite 102
Charlotte, NC 28210-3103
Email: pauldickinson@lewis-roberts.com

Counsel for Defendant Brian Meehan

James A. Lewis, III
Lewis & Roberts, PLLC
Post Office Box 17529
Raleigh, NC 27619
Email: jimroberts@lewis-roberts.com

Counsel for Defendant DNA Security, Inc.

Robert A. Sar
Nicholas J. Sanservino, Jr.
OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.
2301 Sugar Bush Road, Ste 600
Raleigh, NC 27612
Email: Robert.Sar@ogletreedeakins.com
nicholas.sanservino@ogletreedeakins.com

Counsel for Defendant City of Durham, North Carolina and Edward Sardis

Roger E. Warin
Steptoe & Johnson LLP
1330 Connecticut Avenue, NW
Washington, DC 20036
Email: rwarin@steptoe.com

Linwood Wilson
Post Office Box 2301
Durham, NC 27702
Pro Se

This the 15th of April, 2008.

By: /s/ Shirley M. Pruitt
Shirley M. Pruitt
N.C. State Bar: 19141
YATES, McLAMB & WEYHER, L.L.P.
Post Office Box 2889
Raleigh, NC 27602
Telephone: (919) 835-0900
Facsimile: (919) 835-0910
Email: spruitt@ymwlaw.com

Attorney for Defendants Duke University
Health Systems, Inc., Private Diagnostic Clinic,
PLLC, Julie Manly, M.D., Theresa Arico, R.N.,
and Tara Levicy, R.N.