

EXHIBIT 13

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
No. 1:08-CV-00119

EDWARD CARRINGTON, et al.,

Plaintiffs,

v.

DUKE UNIVERSITY, et al.,

Defendants.

DUKE DEFENDANTS'
INITIAL DISCLOSURES
Fed. R. Civ. P. 26(a)(1)

Duke University, Richard Brodhead, Robert Dean, Matthew Drummond, Aaron Graves, Kate Hendricks, Tallman Trask, and Suzanne Wasiolek (herein "Duke Defendants"), by and through their undersigned counsel, provide the following Initial Disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure and the LR 16(c) Initial Pretrial Order entered by the Court on September 21, 2011 [DE 223]. The Duke Defendants make these initial disclosures in light of the allegations in Counts 8, 11, and 19 of the First Amended Complaint in this matter based upon information now reasonably available to them and without waiving any claim of privilege or confidentiality. The Duke Defendants reserve the right to supplement these disclosures should such supplementation become appropriate.

I. Disclosures Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(i)

Based on the reasonable investigation by the Duke Defendants, the following list identifies those individuals, other than outside counsel for the Duke Defendants, who are

likely to have discoverable information that the Duke Defendants may use to support their defenses:

COUNT EIGHT: FRAUD AND CONSPIRACY TO DEFRAUD

Individual	Subject(s)
<p>Kemel Dawkins Former Assistant Vice President, Campus Services, Duke University c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning the knowledge (or lack of knowledge) of employees of Duke University of the provision of DukeCard data for players on the 2005-06 Duke men's lacrosse team on or about March 31, 2006, to members of the Durham Police Department.</p>
<p>Robert Dean Former Director, Duke University Police Department c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning his knowledge (or lack of knowledge) of the provision of DukeCard data for players on the 2005-06 Duke men's lacrosse team on or about March 31, 2006, to members of the Durham Police Department.</p>
<p>Matthew Drummond Former Director, DukeCard Office, Duke University c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning his knowledge (or lack of knowledge) of the provision of DukeCard data for players on the 2005-06 Duke men's lacrosse team on or about March 31, 2006, to members of the Durham Police Department, his interactions with employees of the Durham Police Department and the Durham County District Attorney's office regarding DukeCard data, the subpoena issued on May 31, 2006, ordering production of DukeCard data, and the actions taken by Duke University in response to that subpoena.</p>

Individual	Subject(s)
<p>Roland Gettliffe Systems Administrator, DukeCard Office, Duke University c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning DukeCard data for players on the 2005-06 Duke men's lacrosse team for March 13-14, 2006, and his knowledge (or lack of knowledge) regarding the provision of that data to members of the Durham Police Department.</p>
<p>Aaron Graves Former Associate Vice President of Campus Safety and Security, Duke University c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning his knowledge (or lack of knowledge) of the provision of DukeCard data for players on the 2005-06 Duke men's lacrosse team on or about March 31, 2006, to members of the Durham Police Department.</p>
<p>Kate Hendricks Deputy General Counsel, Office of General Counsel, Duke University c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning her knowledge (or lack of knowledge) of the provision of DukeCard data for players on the 2005-06 Duke men's lacrosse team on or about March 31, 2006, to members of the Durham Police Department, her interactions with employees of the Durham Police Department and the Durham County District Attorney's office regarding DukeCard data, the subpoena issued on May 31, 2006, ordering production of DukeCard data, and the actions taken by Duke University in response to that subpoena.</p>
<p>Sara Jane Raines Operations Commander and Major, Duke University Police Department c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning the Duke University Police Department's policies and procedures concerning the Police Department's treatment of DukeCard data.</p>

Individual	Subject(s)
<p>Gary N. Smith Sergeant, Duke University Police Department c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning the provision of DukeCard data for players on the 2005-06 Duke men's lacrosse team on or about March 31, 2006, to members of the Durham Police Department.</p>
<p>Greg Stotsenberg Investigations Supervisor, Duke University Police Department c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning the provision of DukeCard data for players on the 2005-06 Duke men's lacrosse team on or about March 31, 2006, to members of the Durham Police Department.</p>
<p>Robert Ekstrand Ekstrand & Ekstrand LLP 811 Ninth Street, Suite 260 Durham, North Carolina 27705 (919) 416-4590</p>	<p>This person may have discoverable information concerning the knowledge (or lack of knowledge) of employees of Duke University of the provision of DukeCard data for players on the 2005-06 Duke men's lacrosse team on or about March 31, 2006, to members of the Durham Police Department.</p>
<p>Mark Gottlieb Defendant c/o David W. Long Poyner Spruill LLP 301 Fayetteville Street, Suite 1900 Raleigh, North Carolina 27601 (919) 783-6400</p>	<p>This person may have discoverable information concerning the receipt of DukeCard data for players on the 2005-06 Duke men's lacrosse team on or about March 31, 2006, by members of the Durham Police Department, attempts to obtain DukeCard data from Duke University after March 31, 2006, and the subpoena issued on May 31, 2006, ordering production of DukeCard data.</p>

Individual	Subject(s)
<p>Benjamin Himan Defendant c/o Joel M. Craig Kennon, Craver, Belo, Craig & McKee, PLLC 4011 University Drive, Suite 300 P.O. Box 51579 Durham, North Carolina 27717 (919) 490-0500</p>	<p>This person may have discoverable information concerning the receipt of DukeCard data for players on the 2005-06 Duke men's lacrosse team on or about March 31, 2006, by members of the Durham Police Department, attempts to obtain DukeCard data from Duke University after March 31, 2006, and the subpoena issued on May 31, 2006, ordering production of DukeCard data.</p>
<p>Michael Nifong Former Durham County District Attorney c/o James B. Craven, III 349 West Main Street, P.O. Box 1366 Durham, North Carolina 27701 (919) 688-8295</p>	<p>This person may have discoverable information concerning the receipt of DukeCard data for players on the 2005-06 Duke men's lacrosse team on or about March 31, 2006, by members of the Durham Police Department, attempts to obtain DukeCard data from Duke University after March 31, 2006, and the subpoena issued on May 31, 2006, ordering production of DukeCard data.</p>
<p>Breck Archer c/o Robert Ekstrand Ekstrand & Ekstrand LLP 811 Ninth Street, Suite 260 Durham, North Carolina 27705 (919) 416-4590</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data and the actions taken by Duke University in response to that subpoena.</p>
<p>Edward Carrington Plaintiff</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.</p>

Individual	Subject(s)
Casey J. Carroll Plaintiff	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.
Michael P. Catalino Plaintiff	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom
Thomas V. Clute Plaintiff	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.
Kevin Coleman Plaintiff	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.

Individual	Subject(s)
<p>Joshua R. Coveleski Plaintiff</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.</p>
<p>Edward J. Crotty Plaintiff</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.</p>
<p>Matthew Danowski 18 Balcom Road Farmingdale, New York 11735</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data and the actions taken by Duke University in response to that subpoena.</p>
<p>Edward S. Douglas Plaintiff</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.</p>
<p>Kyle Dowd Plaintiff</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.</p>

Individual	Subject(s)
<p>David Evans 600 Maid Marion Hill Sherwood Forest, Maryland 21405</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data and the actions taken by Duke University in response to that subpoena.</p>
<p>Collin Finnerty Current Address Unknown</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data and the actions taken by Duke University in response to that subpoena.</p>
<p>Daniel Flannery Plaintiff</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.</p>
<p>Richard Gibbs Fogarty Plaintiff</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.</p>
<p>Zachary Greer Plaintiff</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.</p>

Individual	Subject(s)
Erik S. Henkelman Plaintiff	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.
John E. Jennison Plaintiff	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.
Ben Koesterer Plaintiff	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.
Fred Krom Plaintiff	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.

Individual	Subject(s)
<p>Peter J. Lamade Plaintiff</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.</p>
<p>Adam Langley Plaintiff</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.</p>
<p>Christopher Loftus Plaintiff</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.</p>
<p>Daniel Loftus Plaintiff</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.</p>
<p>Kevin Mayer 10112 Forest Brook Lane Great Falls, Virginia 22066</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data and the actions taken by Duke University in response to that subpoena.</p>

Individual	Subject(s)
<p>Anthony McDevitt Plaintiff</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.</p>
<p>Ryan McFadyen c/o Robert Ekstrand Ekstrand & Ekstrand LLP 811 Ninth Street, Suite 260 Durham, North Carolina 27705 (919) 416-4590</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data and the actions taken by Duke University in response to that subpoena.</p>
<p>Glenn Nick Plaintiff</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.</p>
<p>Nicholas O'Hara Plaintiff</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.</p>
<p>Daniel Oppedisano Plaintiff</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.</p>

Individual	Subject(s)
Sam Payton Plaintiff	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.
John Bradley Ross Plaintiff	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.
Kenneth Sauer, III Plaintiff	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.
Steve Schoeffel Plaintiff	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.

Individual	Subject(s)
Robert Schroeder Plaintiff	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.
Reade Seligmann Current Address Unknown	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data and the actions taken by Duke University in response to that subpoena.
Devon Sherwood Plaintiff	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.
Daniel Theodoridis Plaintiff	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.
Bret Thompson Plaintiff	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.

Individual	Subject(s)
Christopher Tkac Plaintiff	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.
John Walsh, Jr. Plaintiff	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.
Michael Ward Plaintiff	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.
Robert H. Wellington, IV Plaintiff	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.
Matthew Wilson c/o Robert Ekstrand Ekstrand & Ekstrand LLP 811 Ninth Street, Suite 260 Durham, North Carolina 27705 (919) 416-4590	This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data and the actions taken by Duke University in response to that subpoena.

Individual	Subject(s)
<p>William Wolcott Plaintiff</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.</p>
<p>Michael Young Plaintiff</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data, the actions taken by Duke University in response to that subpoena, and any damages alleged to have resulted therefrom.</p>
<p>Matthew Zash 205 Grover Avenue West Massapequa Park, New York 11762</p>	<p>This person may have discoverable information concerning the subpoena issued on May 31, 2006, ordering production of DukeCard data and the actions taken by Duke University in response to that subpoena.</p>

**COUNT ELEVEN: CONSTRUCTIVE FRAUD THROUGH
ABUSE OF CONFIDENTIAL RELATIONSHIP**

Individual	Subject(s)
<p>Joseph Alleva Former Athletic Director, Duke University c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with the co-captains of the 2005-06 Duke men's lacrosse team.</p>

Individual	Subject(s)
<p>Richard Brodhead President, Duke University c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning a March 28, 2006 meeting with the co-captains of the 2005-06 Duke men's lacrosse team.</p>
<p>Kate Hendricks Deputy General Counsel, Office of General Counsel, Duke University c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning a March 28, 2006 meeting with the co-captains of the 2005-06 Duke men's lacrosse team.</p>
<p>Christopher Kennedy Senior Associate Athletic Director, Duke University c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning a March 24, 2006 meeting with the co-captains of the 2005-06 Duke men's lacrosse team and concerning the advice allegedly given by Dean Wasiolek.</p>
<p>Michael Pressler Former Head Coach of the Duke men's lacrosse team</p>	<p>This person may have discoverable information concerning a March 24, 2006 meeting with the co-captains of the 2005-06 Duke men's lacrosse team, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.</p>
<p>Kathleen Smith Professor, Duke University c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning a March 28, 2006 meeting with the co-captains of the 2005-06 Duke men's lacrosse team.</p>

Individual	Subject(s)
<p>Tallman Trask III Executive Vice President, Duke University c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning a March 24, 2006 meeting with the co-captains of the 2005-06 Duke men's lacrosse team.</p>
<p>Suzanne Wasiolek Assistant Vice President and Dean of Students, Duke University c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning advice she allegedly gave to certain members of the 2005-06 Duke men's lacrosse team.</p>
<p>Robert Ekstrand Ekstrand & Ekstrand LLP 811 Ninth Street, Suite 260 Durham, North Carolina 27705 (919) 416-4590</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with the co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators.</p>
<p>Breck Archer c/o Robert Ekstrand Ekstrand & Ekstrand LLP 811 Ninth Street, Suite 260 Durham, North Carolina 27705 (919) 416-4590</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators and concerning the advice allegedly given by Dean Wasiolek.</p>
<p>Edward Carrington Plaintiff</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.</p>

Individual	Subject(s)
Casey J. Carroll Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.
Michael P. Catalino Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.
Thomas V. Clute Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.
Kevin Coleman Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.

Individual	Subject(s)
Joshua R. Coveleski Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.
Edward J. Crotty Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.
Matthew Danowski 18 Balcom Road Farmingdale, New York 11735	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators and concerning the advice allegedly given by Dean Wasiolek.
Edward S. Douglas Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.

Individual	Subject(s)
<p>Kyle Dowd Plaintiff</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.</p>
<p>David Evans Co-captain of the 2005-06 Duke men's lacrosse team 600 Maid Marion Hill Sherwood Forest, Maryland 21405</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators and concerning the advice allegedly given by Dean Wasiolek.</p>
<p>Collin Finnerty Current Address Unknown</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators and concerning the advice allegedly given by Dean Wasiolek.</p>
<p>Dan Flannery Plaintiff and co-captain of the 2005-06 Duke men's lacrosse team</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.</p>

Individual	Subject(s)
Richard Gibbs Fogarty Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.
Zachary Greer Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.
Erik S. Henkelman Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.
John E. Jennison Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.

Individual	Subject(s)
Ben Koesterer Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.
Fred Krom Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.
Peter J. Lamade Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.
Adam Langley Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.

Individual	Subject(s)
<p>Christopher Loftus Plaintiff</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.</p>
<p>Daniel Loftus Plaintiff</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.</p>
<p>Kevin Mayer 10112 Forest Brook Lane Great Falls, Virginia 22066</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators and concerning the advice allegedly given by Dean Wasiolek.</p>
<p>Anthony McDevitt Plaintiff</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.</p>

Individual	Subject(s)
<p>Ryan McFadyen c/o Robert Ekstrand Ekstrand & Ekstrand LLP 811 Ninth Street, Suite 260 Durham, North Carolina 27705 (919) 416-4590</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators and concerning the advice allegedly given by Dean Wasiolek.</p>
<p>Glenn Nick Plaintiff</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.</p>
<p>Nicholas O'Hara Plaintiff</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.</p>
<p>Daniel Oppedisano Plaintiff</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.</p>

Individual	Subject(s)
Sam Payton Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.
John Bradley Ross Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.
Kenneth Sauer, III Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.
Steve Schoeffel Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.

Individual	Subject(s)
Robert Schroeder Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.
Reade Seligmann Current Address Unknown	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators and concerning the advice allegedly given by Dean Wasiolek.
Devon Sherwood Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.
Daniel Theodoridis Plaintiff	This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.

Individual	Subject(s)
<p>Brett Thompson Plaintiff and co-captain of the 2005-06 Duke men's lacrosse team</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.</p>
<p>Christopher Tkac Plaintiff</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.</p>
<p>John Walsh, Jr. Plaintiff</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.</p>
<p>Michael Ward Plaintiff</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.</p>

Individual	Subject(s)
<p>Robert H. Wellington, IV Plaintiff</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.</p>
<p>Matthew Wilson c/o Robert Ekstrand Ekstrand & Ekstrand LLP 811 Ninth Street, Suite 260 Durham, North Carolina 27705 (919) 416-4590</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators and concerning the advice allegedly given by Dean Wasiolek.</p>
<p>William Wolcott Plaintiff</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.</p>
<p>Michael Young Plaintiff</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators, concerning the advice allegedly given by Dean Wasiolek, and concerning any damages allegedly arising therefrom.</p>

Individual	Subject(s)
<p>Matthew Zash Co-captain of the 2005-06 Duke men's lacrosse team. 205 Grover Avenue West Massapequa Park, New York 11762</p>	<p>This person may have discoverable information concerning the March 24, 2006, and March 28, 2006, meetings with co-captains of the 2005-06 Duke men's lacrosse team and Duke University administrators and concerning the advice allegedly given by Dean Wasiolek.</p>

**COUNT NINETEEN: NEGLIGENT SUPERVISION OF
DUKE PROFESSORS AND EMPLOYEES**

Individual	Subject(s)
<p>David Adcock Former General Counsel, Duke University c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning the supervision of and performance by Kate Hendricks.</p>
<p>Richard Brodhead President, Duke University c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning the supervision of and performance by Tallman Trask III.</p>

Individual	Subject(s)
<p>Kemel Dawkins Former Assistant Vice President, Campus Services, Duke University c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning the supervision of and performance by employees of the Duke University Police Department and the DukeCard Office, including Aaron Graves, Robert Dean, and Matthew Drummond.</p>
<p>Aaron Graves Former Associate Vice President of Campus Safety and Security, Duke University c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning the supervision of and performance by Robert Dean.</p>
<p>Larry Moneta Vice President, Student Affairs, Duke University c/o Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning the supervision of and performance by Dean Wasiolek.</p>
<p>Robert K. Steel Chairman, Board of Trustees (Former), Duke University c/o Ellis & Winters LLP P.O. Box 33559 Raleigh, North Carolina 27636 (919) 865-7000</p>	<p>This person may have discoverable information concerning the supervision of and performance by Richard Brodhead.</p>
<p>Edward Carrington Plaintiff</p>	<p>This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.</p>

Individual	Subject(s)
Casey J. Carroll Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Michael P. Catalino Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Thomas V. Clute Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Kevin Coleman Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Joshua R. Coveleski Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Edward J. Crotty Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Edward S. Douglas Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.

Individual	Subject(s)
Kyle Dowd Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Daniel Flannery Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Richard Gibbs Fogarty Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Zachary Greer Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Erik S. Henkelman Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
John E. Jennison Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Ben Koesterer Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.

Individual	Subject(s)
Fred Krom Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Peter J. Lamade Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Adam Langley Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Christopher Loftus Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Daniel Loftus Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Anthony McDevitt Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Glenn Nick Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.

Individual	Subject(s)
Nicholas O'Hara Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Daniel Oppedisano Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Sam Payton Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
John Bradley Ross Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Kenneth Sauer, III Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Steve Schoeffel Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Robert Schroeder Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.

Individual	Subject(s)
Devon Sherwood Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Daniel Theodoridis Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Bret Thompson Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Christopher Tkac Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
John Walsh, Jr. Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Michael Ward Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Robert H. Wellington, IV Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.

Individual	Subject(s)
William Wolcott Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.
Michael Young Plaintiff	This person may have discoverable information concerning any damages alleged to have been incurred if negligent supervision can be established.

II. Disclosures Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(ii)

Based on the reasonable investigation by the Duke Defendants, the Duke Defendants hereby disclose that they may use or rely on the following categories of documents currently in the possession of outside counsel for the Duke Defendants in support of their defenses in this action:

A. COUNT EIGHT: FRAUD AND CONSPIRACY TO DEFRAUD

- Documents related to Duke University’s standard/procedure/policy regarding requests for information that may be protected by FERPA.
- Documents related to requests for Duke lacrosse players’ DukeCard information.
- Subpoenas issued in connection with requests for production of Duke lacrosse players’ DukeCard information.

- Documents related to requests by Michael Nifong and members of the Durham Police Department for Duke lacrosse players' DukeCard information.
- Documents related to the subpoena issued in connection with requests for production of DukeCard information and court filings related to same.
- Documents generated by, or received by, the Plaintiffs and other members of the 2005-06 Duke men's lacrosse team relating to whether claims exist for fraud and what, if any, damages were incurred if fraud can be established.

B. COUNT ELEVEN: CONSTRUCTIVE FRAUD THROUGH ABUSE OF CONFIDENTIAL RELATIONSHIP

- President Brodhead's March 28, 2006, news conference statement.
- Documents related to policies regarding the roles and responsibilities of the Dean of Students and the Division of Student Affairs.
- Documents related to Dean Wasiolek's communications with the co-captains of the 2005-06 Duke men's lacrosse team.
- Documents related to support of the members of the 2005-06 Duke men's lacrosse team during the investigation.
- Documents related to provision of information to investigators.

- Documents generated by, or received by, the Plaintiffs and other members of the 2005-06 Duke men's lacrosse team relating to whether claims exist for constructive fraud and what, if any, damages were incurred if constructive fraud can be established.

C. COUNT NINETEEN: NEGLIGENT SUPERVISION OF DUKE PROFESSORS AND EMPLOYEES

- Documents related to the official policies and practices of Duke University.
- Documents related to the provision of DukeCard data for players on the 2005-06 Duke men's lacrosse team on or about March 31, 2006, to members of the Durham Police Department.
- Documents related to the performance evaluations of Richard Brodhead, Robert Dean, Matthew Drummond, Aaron Graves, Kate Hendricks, Tallman Trask and Suzanne Wasiolek.
- Documents generated by, or received by, the Plaintiffs and other members of the 2005-06 Duke men's lacrosse team relating to whether claims exist for negligent supervision and what, if any, damages were incurred if negligent supervision can be established.

Nothing herein should be construed as an admission of the existence of any document and/or the relevance of any document that might exist. Nor do the Duke

Defendants waive any claim of privilege or confidentiality by listing the above categories.

The Duke Defendants make these disclosures based upon the information presently reasonably available to them. In doing so, the Duke Defendants do not represent that they are identifying each document, item of electronically stored information (“ESI”), or tangible thing in their possession, custody or control that they may use to support their defenses in this case. The Duke Defendants’ initial disclosures are intended to be a reasonable and good faith effort to identify information reasonably available to the Duke Defendants that is discoverable and may support Defendants’ defenses. The Duke Defendants reserve the right to supplement this response to include any other documents or categories of documents identified during the course of discovery that contain information that they may use to support their defenses in this action and/or any other documents, the defensive value of which becomes apparent during the course of this litigation. The Duke Defendants further reserve the right to modify and/or delete categories of documents.

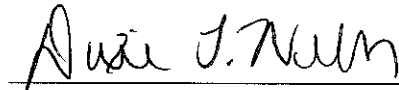
III. Disclosures Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(iii): Computation of Damages

At this time, the Duke Defendants are not asserting any claim for damages in this litigation, so the Duke Defendants make no damages computation or identification of documents under Rule 26(a)(1)(A)(iii) of the Federal Rules of Civil Procedure.

IV. Disclosures Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(iv): Insurance Agreements

Duke University will make available for inspection and copying pursuant to Rule 26(a)(1)(A)(iv) insurance agreements for which insurance providers may be liable to satisfy all or part of a possible judgment in this action.

This the 3rd day of October, 2011.



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Hendricks, Tallman Trask, and Suzanne
Wasiolek*

CERTIFICATE OF SERVICE

It is hereby certified that the foregoing **Duke Defendants' Initial Disclosures** has been served this day by electronic transmission as provided in Rule 5(b)(2)(E) to those parties listed whose counsel have agreed in writing to such electronic service at the email address listed in lieu of service by mail:

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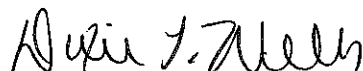
and by depositing copies thereof in a depository under the exclusive care and custody of the United States Postal Service in a postage prepaid envelope properly addressed as below:

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This the 3rd day of October, 2011.



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