

EXHIBIT 9

Teri Aull

From: Stefanie Smith <sas@ninthstreetlaw.com>
Sent: Saturday, March 31, 2012 1:24 AM
To: Tom Segars
Cc: Dick Ellis; Dixie Wells; Paul Sun; Jeremy Falcone; Jamie Weiss; Chris Jackson; David Thompson; Pete Patterson; Aaron Cummings; Adam Gustafson; Nicole Moss; Robert Ekstrand; Brittany Handy
Subject: Email #1 - Documents Responsive to Subpoenas - Carrington, et al v. Duke University, et al
Attachments: C. Loftus - Motion to Quash.pdf; August 15, 2006 Letter from Kate Hendricks.pdf; Bowman.pdf; Brooks.pdf; Bruce Thompson Letter to Larry Lamade (April 27, 2006).pdf; C. Loftus.pdf

Tom,

I am directing this correspondence to you since you are the attorney listed on the document subpoenas directed to Robert C. Ekstrand and Ekstrand & Ekstrand LLP. This is the first of a series of emails with attachments that I will be sending over the next 20 minutes or so. Subject to and without waiving the objections that have been asserted in response to the subpoenas directed to Robert C. Ekstrand and Ekstrand & Ekstrand LLP and also subject to the telephone conference call that took place on February 24, 2012, the attached materials to this email and the emails that will follow are materials responsive to the document subpoenas. The materials provided this evening will be supplemented to the extent that materials, yet to be reviewed, are found responsive to the document subpoenas. At this time, efforts are still being conducted to review archived files. Any materials found to be responsive to these subpoenas will be provided in the course of discovery in *McFadyen, et al v. Duke University, et al* and a copy of such responsive documents will also be provided to counsel for the *Carrington* Plaintiffs. Please note that the Duke Card reports of individuals that are protected pursuant to FERPA have been marked "CONFIDENTIAL" at the top of the document. Additionally, please note that to the extent that the materials need to be identified in the future, the responsive materials being provided have also been assigned bates numbers in connection with the discovery bates numbers in *McFadyen*. The bates nos. of the responsive documents are 25868-27063. If you have any difficulty opening any of the attachments, please do not hesitate to contact me.

Best,

Stefanie

--

Stefanie A. Smith
Associate

EKSTRAND & EKSTRAND LLP

811 Ninth Street, Suite 260

Durham, NC 27705

Phone: [919.416.4590](tel:919.416.4590)

Fax: [919.416.4591](tel:919.416.4591)

CONFIDENTIALITY NOTICE: This electronic mail transmission has been sent by a lawyer. It may contain information that is confidential, privileged, proprietary, or otherwise legally exempt from disclosure. If you are not the intended recipient, you are hereby notified that you are not authorized to read, print, retain, copy or disseminate this message, any part of it, or any attachments. If you have received this message in error, please delete this message and any attachments from your system without reading the content and notify the sender immediately of the inadvertent transmission. There is no intent on the part of the sender to waive any privilege, including the attorney-client privilege, that may attach to this communication. Thank you for your cooperation.