

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

RYAN McFADYEN, et al.,)	
)	
Plaintiffs,)	
)	
v.)	
)	
DUKE UNIVERSITY, et al.,)	
)	
Defendants.)	
_____)	

**DUKE UNIVERSITY’S RESPONSE TO MOTION FOR
EXTENSION OF TIME TO FILE REPLY BRIEF**

Defendant Duke University (“Duke”), through counsel, submits this response to plaintiffs’ Motion for Extension of Time to File Reply Brief. (DE 305). Duke neither consents to nor opposes the present motion to extend time, but respectfully requests that the Court consider the scheduling implications of extending the time for the filing of the reply.

Duke further shows the Court the following:

1. Plaintiffs’ reply brief was due on or before 15 October 2012.

Plaintiffs filed the present motion for extension in the early morning hours of 16 October 2012. Plaintiffs’ counsel, who filed a related Motion to Quash in the matter *Carrington v. Duke University*, No. 1:08-cv-119-JAB-JEP (M.D.N.C.), also filed a motion to extend the time for filing their reply brief in that case.

2. Discovery closed in this case on 21 September 2012. On 5 October 2012, Duke filed a Motion for Status Conference and for Extension of Dispositive Motion Deadline, which remains pending with the Court. (DE 304).

3. Plaintiffs' counsel did not advise Duke's counsel that they intended to file a motion for extension or seek Duke's position on the motion. Duke neither consents to nor opposes the present motion. Duke respectfully requests that as the Court addresses the present motion for extension it take up this matter as it relates to the overall scheduling in this case.

This the 18th day of October, 2012.

/s/ Paul K. Sun, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that on 18 October 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record and to Mr. Linwood Wilson, who is also registered to use the CM/ECF system.

This the 18th day of October, 2012.

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