

**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.

**MOTION TO STRIKE
REPLY BRIEF [DE 309] AND TO
DECLARE BRIEFING CLOSED
ON MOTION FOR PROTECTIVE
ORDER FOR THE DEPOSITION
OF PLAINTIFFS' LITIGATION
COUNSEL [DE 294]**

Duke University (“Duke”), by and through counsel, respectfully moves for an order striking Plaintiffs’ reply brief [DE 309] regarding their Motion for an Extension of Time [DE 305] and declaring briefing closed as of 18 October 2012 on the Motion for Protective Order for the Deposition of Plaintiffs’ Litigation Counsel [DE 294], for the reasons explained in Duke’s brief contemporaneously filed with this Motion. A proposed order is also attached to this Motion.

This the 23rd day of October, 2012.

/s/ Paul K. Sun, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that 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 23rd day of October, 2012.

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