

FILED: January 23, 2013

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-1458
(1:07-cv-00953-JAB-WWD)

RYAN MCFADYEN; MATTHEW WILSON; BRECK ARCHER

Plaintiffs - Appellees

v.

PATRICK BAKER; STEVEN CHALMERS; RONALD HODGE; LEE RUSS;
BEVERLY COUNCIL; JEFF LAMB; MICHAEL RIPBERGER

Defendants - Appellants

and

DUKE UNIVERSITY; DUKE UNIVERSITY POLICE DEPARTMENT; AARON GRAVES; ROBERT DEAN; LEILA HUMPHRIES; PHYLLIS COOPER; WILLIAM F. GARBER, III; 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.; DUKE UNIVERSITY HEALTH SYSTEMS, INCORPORATED; PRIVATE DIAGNOSTIC CLINIC, PLLC; JULIE MANLY, MD; THERESA ARICO, R. N.; TARA LEVICY, R. N.; THE CITY OF DURHAM, NORTH CAROLINA; MICHAEL NIFONG; STEPHEN MIHAICH; EDWARD SARVIS; LAIRD EVANS; JAMES T. SOUKUP; KAMMIE MICHAEL; DAVID ADDISON; MARK D. GOTTLIEB; BENJAMIN W. HIMAN; LINWOOD WILSON; RICHARD D. CLAYTON; DNA SECURITY, INCORPORATED; RICHARD

CLARK; BRIAN MEEHAN, Ph. D.; VICTOR J. DZAU, MD; ALLISON HALTON; KEMEL DAWKINS; SUZANNE WASIOLEK; STEPHEN BRYAN; MATTHEW DRUMMOND; DUKE POLICE DEFENDANTS

Defendants

No. 11-1460
(1:07-cv-00953-JAB-WWD)

RYAN MCFADYEN; MATTHEW WILSON; BRECK ARCHER

Plaintiffs - Appellees

v.

THE CITY OF DURHAM, NORTH CAROLINA; DAVID ADDISON; MARK GOTTLIEB; BENJAMIN HIMAN

Defendants - Appellants

and

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 STOTSBERG; ROBERT K. STEEL; RICHARD H. BRODHEAD, Ph. D.; PETER LANGE, Ph. D.; TALLMAN TRASK, III, Ph. D.; JOHN BURNES; LARRY MONETA, Ed. D.; DUKE UNIVERSITY HEALTH SYSTEMS, INCORPORATED; PRIVATE DIAGNOSTIC CLINIC, PLLC; JULIE MANLY, MD; THERESA ARICO, R. N.; TARA LEVICY, R. N.; MICHAEL NIFONG; STEPHEN MIHAICH; EDWARD SARVIS; LAIRD EVANS; JAMES T. SOUKUP; KAMMIE MICHAEL; LINWOOD WILSON; RICHARD D. CLAYTON; DNA SECURITY, INCORPORATED; RICHARD CLARK; BRIAN MEEHAN, Ph. D.; VICTOR J. DZAU, MD; ALLISON HALTON; KEMEL DAWKINS; SUZANNE WASIOLEK; STEPHEN BRYAN; MATTHEW DRUMMOND; DUKE POLICE DEFENDANTS; PATRICK BAKER; STEVEN W. CHALMERS; RONALD

HODGE; LEE RUSS; BEVERLY COUNCIL; JEFF LAMB; MICHAEL
RIPBERGER

Defendants

M A N D A T E

The judgment of this court, entered 12/17/2012, takes effect today.

This constitutes the formal mandate of this court issued pursuant to Rule
41(a) of the Federal Rules of Appellate Procedure.

/s/Patricia S. Connor, Clerk