

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

CIVIL ACTION NUMBER 1:07-CV-00953

RYAN McFADYEN, et al.,)	EXPEDITED REVIEW REQUESTED
)	
Plaintiffs,)	MOTION TO
)	EXPEDITE BRIEFING ON
v.)	DEFENDANTS' MOTION TO
)	STRIKE
DUKE UNIVERSITY, et al.,)	
)	
Defendants.)	

Pursuant to Local Rule 7.3(f), Defendants Tara Levicy (“Nurse Levicy”), Gary Smith (“Officer Smith”), Duke University (“Duke”), and Duke University Health System, Inc. (“DUHS”), (collectively, “Defendants”) hereby move the Court to expedite briefing on Defendants’ Joint Motion to Strike Plaintiffs’ Untimely and Unauthorized “Corrected” Response Brief [DE 360]. In support of this motion, Defendants show the Court as follows:

1. For the reasons set forth in the accompanying Brief in Support of Motion to Expedite Briefing, Defendants respectfully request that the Court order the following briefing schedule:

a. Plaintiffs shall file any response brief to Defendants’ motion to strike by 11:59 p.m. on 31 March 2014.

b. Defendants shall file any reply brief in further support of the

motion to strike by 11:59 p.m. on 3 April 2014.

c. Should the Court ultimately deny the motion to strike and grant Defendants' alternative motion for leave to file a supplemental reply brief in support of their motion for judgment on the pleadings, Defendants shall file any such reply brief within three days of the entry of an order denying the motion to strike and granting the alternative motion for leave.

2. Undersigned counsel has conferred with Plaintiffs' counsel, who has indicated that Plaintiffs oppose this motion to expedite briefing.

This the 25th day of March, 2014.

/s/ Paul K. Sun, Jr.

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Counsel for DUHS and Tara Levicy

CERTIFICATE OF SERVICE

I hereby certify that on 25 March 2014, 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 25th day of March, 2014.

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