

**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,)	SUGGESTION OF
)	SUBSEQUENTLY
v.)	DECIDED AUTHORITY
)	
DUKE UNIVERSITY, et al.,)	
)	
Defendants.)	

Pursuant to Local Civil Rule 7.3(i), Defendants Tara Levicy, Gary Smith, Duke University, and Duke University Health System, Inc. (collectively, “Defendants”), hereby submit the following suggestion of subsequently decided authority as an addendum to their briefs in support of Defendants’ motion for judgment on the pleadings [*see* DE 336 at 18-19; DE 343 at 9]:

Phillips v. Sheetz, Inc., No. 5:11-cv-00090-RLV-DSC, 2013 WL 5567423, at *2 (W.D.N.C. Oct. 9, 2013).

This the 17th day of April, 2014.

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CERTIFICATE OF SERVICE

I hereby certify that on 17 April 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 17th day of April, 2014.

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