

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CIVIL ACTION NO. 1:07-CV-00953**

RYAN MCFADYEN, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	<u>NOTICE OF NON-OPPOSITION TO PLAINTIFFS' MOTION TO DISMISS</u>
)	
)	
DUKE UNIVERSITY, <i>et al.</i> ,)	
)	
Defendants.)	
)	

NOW COMES Defendant the City of Durham, North Carolina (the "City"), herein by and through its attorneys, and pursuant to L.R.7.3, MDNC, the City informs the Court that it does not oppose Plaintiffs' Motion to Dismiss filed on June 22, 2014 (Doc. no. 423), requesting that this action be dismissed with prejudice, with the parties to bear their respective costs, attorneys' fees, disbursements, and expenses of any kind.

The City does not intend to respond further to Plaintiffs' motion, unless directed to do so by the Court.

Respectfully submitted, this the 22nd day of June, 2014.

WILSON & RATLEDGE, PLLC

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CERTIFICATE OF ELECTRONIC FILING AND SERVICE

The undersigned hereby certifies that, pursuant to Rule 5 of the Federal Rules of Civil Procedure and LR5.3 and LR5.4, MDNC, the foregoing pleading, motion, affidavit, notice, or other document/paper has been electronically filed with the Clerk of Court using the CM/ECF system, which system will automatically generate and send a Notice of Electronic Filing (NEF) to the undersigned filing user and registered users of record, and that the Court's electronic records show that each party to this action is represented by at least one registered user of record (or that the party is a registered user of record), to each of whom the NEF will be transmitted.

This the 22ne day of June, 2014.

WILSON & RATLEDGE, PLLC

By: /s/ Reginald B. Gillespie, Jr.
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