

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA
CIVIL ACTION NUMBER 1:07-CV-00953

RYAN MCFADYEN; MATTHEW WILSON; and
BRECK ARCHER,

Plaintiffs,

v.

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 STOTSENBERG;
ROBERT K. STEEL; RICHARD H. BRODHEAD,
Ph.D.; PETER LANGE, Ph.D.; TALLMAN TRASK,
III, Ph.D.; JOHN BURNES; LARRY MONETA,
Ed.D.; VICTOR J. DZAU, M.D.; ALLISON
HALTON; KEMEL DAWKINS; SUZANNE
WASIOLEK; STEPHEN BRYAN; MATTHEW
DRUMMOND; DUKE UNIVERSITY HEALTH
SYSTEMS, INC.; PRIVATE DIAGNOSTIC CLINIC,
PLLC; JULIE MANLY, M.D.; THERESA ARICO,
R.N.; TARA LEVICY, R.N.; THE CITY OF
DURHAM, NORTH CAROLINA; MICHAEL B.
NIFONG; PATRICK BAKER; STEVEN
CHALMERS; RONALD HODGE; LEE RUSS;
STEPHEN MIHAICH; BEVERLY COUNCIL;
EDWARD SARVIS; JEFF LAMB; MICHAEL
RIPBERGER; LAIRD EVANS; JAMES T.
SOUKUP; KAMMIE MICHAEL; DAVID W.
ADDISON; MARK D. GOTTLIEB; BENJAMIN W.
HIMAN; LINWOOD WILSON; RICHARD D.
CLAYTON; DNA SECURITY, INC.; RICHARD
CLARK; and BRIAN MEEHAN, Ph.D.,

Defendants.

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE of the appearance of J. Donald Cowan, Jr., of Smith Moore LLP, as counsel of record for the following defendants in the above-captioned civil action: 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 Stotsenberg; Robert K. Steel; Richard H. Brodhead, Ph.D.; Peter Lange, Ph.D.; Tallman Trask, III, Ph.D.; John Burness; Larry Moneta, Ed.D.; Victor J. Dzau, M.D.; Allison Halton; Kemel Dawkins; Suzanne Wasiolek; Stephen Bryan; and Matthew Drummond. The undersigned counsel certifies that he is admitted to practice before this Court.

This 4th day of February 2008.

/s/ J. Donald Cowan, Jr.

J. DONALD COWAN, JR.

N.C. State Bar No. 0968

Smith Moore LLP

300 N. Greene Street,

Suite 1400

Greensboro, NC 27401

Telephone: (336) 378-5382

Facsimile: (336) 433-7485

Email: don.cowan@smithmoorelaw.com

Attorney for Defendants 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 Stotsenberg, Robert K. Steel, Richard H. Brodhead, Ph.D., Peter Lange, Ph.D., Tallman Trask, III, Ph.D., John Burness, Larry Moneta, Ed.D., Victor J. Dzau, M.D., Allison Halton, Kemel Dawkins, Suzanne Wasiolek, Stephen Bryan, and Matthew Drummond

CERTIFICATE OF SERVICE

I hereby certify that on 4 February 2008, I electronically filed the foregoing Notice of Appearance with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following counsel:

Counsel for the Plaintiffs

Robert C. Ekstrand

Email: rce@ninthstreetlaw.com

*Counsel for James T. Soukup; Kammie Michael; David W. Addison;
and Richard D. Clayton*

James B. Maxwell

Email: jmaxwell@mfba.com

Counsel for Benjamin W. Himan

Joel Miller Craig

Email: jcraig@kennoncraver.com

As of the date of this filing, no attorney has made an appearance on behalf of any of the following Defendants. I hereby certify that I served the following Defendants by U.S.

Mail:

Duke University Health Systems, Inc.
c/o Pamela Bernard, as Registered Agent
2400 Pratt Street, Suite 4000
Durham, NC 27710

Private Diagnostic Clinic, PLLC
c/o Paul R. Newman, as Registered Agent
Trent Drive
Durham, NC 27710

Theresa Arico, R.N.
Duke University Medical Center
Emergency Room North
2301 Erwin Road
Durham, NC 27710

Tara Levicy, R.N.
26 South Main Street, Apt. B
West Lebanon, NH 03784

The City of Durham, North Carolina
c/o Patrick Baker, City Manager
101 City Hall Plaza
Durham, NC 27701

Patrick Baker
101 City Hall Plaza
Durham, NC 27701

Lee Russ
Durham Police Department
505 W. Chapel Hill Street
Durham, NC 27701

Beverly Council
Durham Police Department
505 W. Chapel Hill Street
Durham, NC 27701

Jeff Lamb
Durham Police Department
District 2
1058 West Club Boulevard
Durham, NC 27701

Laird Evans
Durham Police Department
District 2
1058 West Club Boulevard
Durham, NC 27701

DNA Security, Inc.
c/o Richard Clark, as Registered Agent
2609 Tucker Street
Burlington, NC 27215

Michael B. Nifong
615 November Drive
Durham, NC 27712

Ronald Hodge
Durham Police Department
505 W. Chapel Hill Street
Durham, NC 27701

Stephen Mihaich
Durham Police Department
505 W. Chapel Hill Street
Durham, NC 27701

Edward Sarvis
Durham Police Department
505 W. Chapel Hill Street
Durham, NC 27701

Michael Ripberger
Durham Police Department
District 2
1058 West Club Boulevard
Durham, NC 27701

Linwood Wilson
6910 Innesbrook Way
Bahama, NC 27503-9700

Richard Clark
DNA Security, Inc.
2609 Tucker Street
Burlington, NC 27215

Brian Meehan, PHD
DNA Security, Inc.
1902 Tucker Street
Burlington, NC 27215

Mark D. Gottlieb
Durham Police Department
District 2
1058 West Club Boulevard
Durham, NC 27701

As of the date of this filing, no attorney has made an appearance on behalf of any of the following Defendants, and I have not been able to determine an address whereby service may be had on them:

Julie Manly, M.D.

Steven Chalmers

This 4th day of February 2008.

/s/ J. Donald Cowan, Jr.

J. DONALD COWAN, JR.

Attorney for Defendants 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 Stotsenberg, Robert K. Steel,
Richard H. Brodhead, Ph.D., Peter Lange,
Ph.D., Tallman Trask, III, Ph.D., John Burness,
Larry Moneta, Ed.D., Victor J. Dzau, M.D.,
Allison Halton, Kemel Dawkins, Suzanne
Wasiolek, Stephen Bryan, and Matthew
Drummond