

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
No. 1:08-cv-119**

EDWARD CARRINGTON, CASEY J.)
CARROLL, MICHAEL P. CATALINO,)
GALE CATALINO, THOMAS V.)
CLUTE, KEVIN COLEMAN, JOSHUA)
R. COVELESKI, EDWARD J. CROTTY,)
EDWARD S. DOUGLAS, KYLE DOWD,)
PATRICIA DOWD, DANIEL)
FLANNERY, RICHARD GIBBS)
FOGARTY, ZACHARY GREER, IRENE)
GREER, ERIK S. HENKELMAN,)
STEVEN W. HENKELMAN, JOHN E.)
JENNISON, BEN KOESTERER, MARK)
KOESTERER, JOYCE KOESTERER,)
FRED KROM, PETER J. LAMADE,)
ADAM LANGLEY, CHRISTOPHER)
LOFTUS, DANIEL LOFTUS,)
BARBARA LOFTUS, ANTHONY)
MCDEVITT, GLENN NICK, NICHOLAS)
O'HARA, LYNND A O'HARA, DANIEL)
OPPENDISANO, SAM PAYTON, JOHN)
BRADLEY ROSS, KENNETH SAUER,)
III, STEVE SCHOEFFEL, ROBERT)
SCHROEDER, DEVON SHERWOOD,)
DANIEL THEODORIDUS, BRET)
THOMPSON, CHRISTOPHER TKAC,)
TRACY TKAC, JOHN WALSH, JR.,)
MICHAEL WARD, ROBERT H.)
WELLINGTON, IV, WILLIAM)
WOLCOTT, and MICHAEL YOUNG,)

Plaintiffs,)

v.)

DUKE UNIVERSITY, DUKE)
UNIVERSITY HEALTH SYSTEM, INC.,)
RICHARD BRODHEAD, PETER)
LANGE, LARRY MONETA, JOHN)
BURNES, TALLMAN TRASK,)

**NOTICE OF SPECIAL
APPEARANCE**

SUZANNE WASIOLEK, MATTHEW)
DRUMMOND, AARON GRAVES,)
ROBERT DEAN, TARA LEVICY,)
THERESA ARICO, J. WESLEY)
COVINGTON, KATE HENDRICKS,)
VICTOR DZAU, CITY OF DURHAM,)
LINWOOD WILSON, MARK)
GOTTLIEB BENJAMIN HIMAN,)
PATRICK BAKER, STEVEN)
CHALMERS, RONALD HODGE, LEE)
RUSS, STEPHEN MIHAICH, BEVERLY)
COUNCIL, JEFF LAMB, MICHAEL)
RIPBERGER, and DAVID ADDISON,)
)
Defendants.)

Pursuant to Local Rule 83.1(d), please take notice of the special appearance of Brian Koukoutchos of Cooper & Kirk, PLLC as counsel of record for the Plaintiffs in the above-captioned civil action.

Mr. Koukoutchos certifies that he is an active member in good standing of the bars of the Supreme Court of the United States; the Commonwealth of Massachusetts; the District of Columbia; the United States Courts of Appeals for the Third, Fourth, Fifth, Sixth, Seventh, Ninth, Federal and District of Columbia Circuits; and the United States District Court for the District of Columbia. Mr. Koukoutchos further certifies that he understands that by entering an appearance he submits to the disciplinary jurisdiction of the court or any misconduct in connection with the above-captioned civil action for which he is specially appearing and that he will ensure that an attorney who is familiar with the case and has authority to control the litigation will be at all conferences, hearings, trials and other proceedings.

August 25, 2009

**THOMAS, FERGUSON
& MULLINS, L.L.P.**

/s/ William J. Thomas

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Respectfully submitted,

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/s/ Brian Koukoutchos

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CERTIFICATE OF SERVICE

I hereby certify that on August 25, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following counsel:

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/s/ Brian Koukoutchos