

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, LYNNDA 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 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.)

PLEASE TAKE NOTICE of the appearance of Nicole Jo Moss, of Cooper & Kirk, PLLC as counsel of record for the Plaintiffs in the above-captioned civil action. The undersigned counsel certifies that she is admitted to practice before this Court.

March 6, 2008

Respectfully submitted,

COOPER & KIRK, PLLC

By: /s/ Nicole Jo Moss

Charles J. Cooper*
David H. Thompson*
Nicole Jo Moss (N.C. Bar # 31958)
1523 New Hampshire Avenue, NW
Washington, DC 20036
Tel. (202) 220-9600
Email ccooper@cooperkirk.com
Email nmoss@cooperkirk.com

Attorneys for Plaintiffs

(* motion for special appearance
has been filed)

-and-

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

By: /s/ William J. Thomas

William J. Thomas, II (N.C. Bar # 9004)

119 East Main Street

Durham, NC 27701

Tel. (919) 682-5648

Email thomas@tfmattorneys.com

CERTIFICATE OF SERVICE

I hereby certify that on March 6, 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 Defendants Duke University, Richard H. Brodhead, Peter Lange, Larry Moneta, John Burness, Tallman Trask, Suzanne Wasiolek, Matthew Drummond, Aaron Graves, Robert Dean, Kate Hendricks and Victor Dzau

J. Donald Cowan, Jr. (N.C. Bar # 0968)
Dixie T. Wells (N.C. Bar # 26816)
L. Cooper Harrell (N.C. Bar # 27875)
Smith Moore LLP
300 N. Greene Street
Suite 1400
Greensboro, N.C. 27401
Don.cowan@smithmoorelaw.com
Dixie.wells@smithmoorelaw.com
Cooper.harrell@smithmoorelaw.com

Counsel for Defendants Duke University Health Systems, Inc. Tara Levicy and Theresa Arico
Dan J. McLamb (N.C. Bar # 6272)
Yates, McLamb & Weyher, L.L.P.
One Bank of America Plaza
421 Fayetteville Street, Suite 1200
Raleigh, North Carolina 27601
dmclam@ymwlaw.com

Counsel for Duke University, Duke University Health Systems, Inc., Tara Levicy and Theresa Arico, Richard H. Brodhead, Peter Lange, Larry Moneta, John Burness, Tallman Trask, Suzanne Wasiolek, Matthew Drummond, Aaron Graves, Robert Dean, Kate Hendricks and Victor Dzau

William F. Lee
Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street

Boston, Massachusetts 02109
William.lee@wilmerhale.com

Jamie Gorelick
Paul. R. Q. Wolfson
Jennifer M. O'Connor
Wilmer Culter Pickering Hale and Dorr LLP
1875 Pennsylvania Avenue, N.W.
Washington, D.C. 20006
Jamie.gorelick@wilmerhale.com
paul.wolfson@wilmerhale.com
Jennifer.oconnor@wilmerhale.com

Counsel for David W. Addison

James B. Maxwell
Maxwell, Freeman & Bowman, P.A.
P.O. Box 52396
Durham, NC 27717
Phone: (919) 493-6464
jmaxwell@mfbp.com

Counsel for City of Durham

Reginald B. Gillespie, Jr.
Faison & Gillespie
P.O. Box 5517
Durham, NC 27717
rgillespie@faison-gillespie.com

Counsel for Benjamin W. Himan

Joel Miller Craig
4011 University Drive, Suite 300
Durham, North Carolina 27717-1579
jcraig@kennoncraver.com

As of the date of this filing, no attorney has made an appearance on behalf of the following Defendants. Based on information and belief, the following Defendants are represented by counsel as indicated below and are being served by email:

Counsel for Beverly Council, Ronald Hodge, Jeff Lamb, Stephen Mihaich, Michael Ripberger, Lee Russ, and Patrick

Baker

Patricia P. Kerner
Troutman Sanders, LLP
P.O. Drawer 1389
Raleigh, NC 27602-1389
tricia.kerner@troutmansanders.com

Counsel for Mark D. Gottlieb

Edwin M. Speas, Jr., Esq. (N.C. Bar # 4112)
P.O. Box 10096
Raleigh, North Carolina 27605-0096
espeas@poynerspruill.com

Counsel for Steven Chalmers

Reginald B. Gillespie, Jr.
Faison & Gillespie
P.O. Box 5517
Durham, NC 27717
rgillespie@faison-gillespie.com

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

Mail:

Linwood Wilson
6910 Innesbrook Way
Bahama, NC 27503-9700

J. Wesley Covington
Kress Building, Mezzanine Floor
103 W. Main St
Durham, NC 27701

This 6th day of March 2008.

/s/ Nicole Jo Moss

Nicole Jo Moss (N.C. Bar # 31958)
1523 New Hampshire Avenue, NW
Washington, DC 20036
Tel. (202) 220-9600
nmoss@cooperkirk.com