

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

EDWARD CARRINGTON, et al.,	)	
	)	
Plaintiffs,	)	
	)	DEFENDANT DAVID ADDISON'S
vs.	)	MOTION TO DISMISS
	)	(Rule 12(b)(6), F.R.Civ.P.)
DUKE UNIVERSITY, et al.,	)	
	)	
Defendants.	)	
	)	

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Now comes the Defendant, David Addison (hereinafter, "Addison"), by and through his counsel of record, and hereby moves the Court to dismiss the Plaintiffs' Complaint for failure to state a claim upon which relief can be granted pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

In support of Addison's Motion to Dismiss is the accompanying Memorandum of Law and Citation of Authorities filed pursuant to Local Rules 7.1(a), 7.2 and 7.3(a), M.D.N.C. Because of the issues raised; the complexity of myriad causes of actions asserted in the Complaint; and the minimal factual allegations made against him, Addison requests that oral argument be scheduled on this Motion to Dismiss pursuant to Local Rule 7.3(c)(1).

This the 30<sup>th</sup> day of May, 2008.

/S/ James B. Maxwell  
Maxwell, Freeman & Bowman, P.A.  
P. O. Box 52396  
Durham, NC 27717-2396  
Telephone: 919-493-6464  
Facsimile: 919-493-1218  
State Bar No.: 2933  
*Attorneys for David Addison*

**Certificate of Service**

I hereby certify that I have served a copy of the foregoing Defendant David Addison's Motion to Dismiss upon the below listed individuals by electronically filing the document with the Clerk of Court on this date using the CM/ECF system which will send notification of such filing to the following counsel and by serving Linwood Wilson by U.S. mail:

William J. Thomas, II  
119 East Main St.  
Durham, NC 27701  
*Counsel for Plaintiffs*

Charles J. Cooper  
David H. Thompson  
Brian S. Doukoutchos  
Nicole Jo Moss  
Cooper & Krik, PLLC  
1523 New Hampshire Ave., NW  
Washington, DC 20036  
*Counsel for Plaintiffs*

J. Donald Cowan, Jr.  
Dixie Thomas Wells  
Leslie Cooper Harrell  
Smith Moore, L.L.P.  
P. O. Box 21927  
Greensboro, NC 27420  
*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 J. Dzau*

Jamie S. Gorelick  
Jennifer M. O'Connor  
Paul R. Q. Wolfson  
Wilmer, Cutler, Pickering,  
Hale and Dorr, L.L.P.  
1875 Pennsylvania Ave., NW  
Washington, DC 20006  
*Counsel for Defendant Duke University, et al.*

William F. Lee  
Wilmer, Cutler, Pickering, Hale  
& Dorr, LLP  
60 State St.  
Boston, MA 02109  
*Counsel for Defendant Duke University, et al.*

Dan J. McLamb  
Shirley M. Pruitt  
T. Carlton Younger, III  
Yates, McLamb & Weyher, L.L.P.  
P. O. Box 2889  
Raleigh, NC 27602-2889  
*Counsel for Defendants Duke University Health  
System, Inc., Tara Levicy and Theresa Arico*

Reginald B. Gillespie, Jr.  
Faison & Gillespie  
P. O. Box 51729  
Durham, NC 27717  
*Counsel for Defendant City of Durham*

Joel M. Craig  
Henry W. Sappenfield  
Kennon, Craver, Belo, Craig & McKee, PLLC  
P. O. Box 51579  
Durham, NC 27717-1579  
*Attorneys for Defendant Benjamin Himan*

Patricia Kerner  
D. Martin Warf  
Hannah G. Styron  
Troutman Sanders, LLP  
434 Fayetteville St., Suite 1900  
Raleigh, NC 27601  
*Attorneys for Defendants Patrick Baker, Steven  
Chalmers, Ronald Hodge, Lee Russ, Stephen Mihaich,  
Beverly Council, Jeff Lamb and Michael Ripberger*

Edwin M. Speas, Jr.  
Eric P. Stevens  
Poyner & Spruill, LLP  
P. O. Box 10096  
Raleigh, NC 27605-0096  
*Attorneys for Defendant Mark Gottlieb*

Kenneth Kyre, Jr.  
Pinto, Coates, Kyre & Brown, PLLC  
P. O. Box 4848  
Greensboro, NC 27404  
*Attorneys for Defendant J. Wesley Covington*

Linwood Wilson  
6910 Innesbrook Way  
Bahama, NC 27503-9700  
*Pro se*

This the 30<sup>th</sup> day of May, 2008.

/S/James B. Maxwell  
Maxwell, Freeman & Bowman, P.A.  
Attorneys for David Addison  
P. O. Box 52396  
Durham, NC 27717-2396  
(919) 493-6464  
State Bar No.: 2933