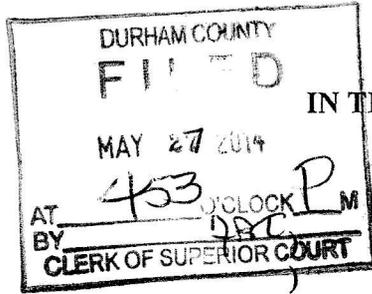


NORTH CAROLINA
DURHAM COUNTY



IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
14 CVS 3075

LEWIS M. McLEOD,

Plaintiff,

v.

DUKE UNIVERSITY,

Defendant.

PLAINTIFF'S CLOSING ARGUMENT
AND SUPPLEMENTAL
MEMORANDUM OF LAW

Plaintiff, Lewis McLeod, submits this Closing Argument and Supplemental Memorandum of Law.

Before discussing Plaintiff McLeod's particular situation, Plaintiff would like to bring to the court's attention a case from North Carolina that is strikingly similar and dispositively addresses the critical issues of irreparable injury and balance of hardship. In Jones v. Board of Governors of University of North Carolina, 557 F.Supp. 263 (W.D.N.C. 1983), a nursing student at UNC-Charlotte was suspended after the university determined she cheated on an examination. The student raised significant procedural flaws regarding her suspension. The federal district court, Hon. James B. McMillan, issued a preliminary injunction ordering the university to immediately reinstate the plaintiff as a student in good standing and impose no further sanctions pending final resolution of the case. The court's discussion of irreparable injury and balance of hardship is of the highest possible significance to the instant case:

If plaintiff is not reinstated as a student in good standing in the School of Nursing pending resolution of her suit on the merits, she will miss the remainder of the present semester and perhaps additional semesters as well. Four consequences seem certain, even if plaintiff ultimately prevails:

- 1) Plaintiff will be delayed at least a semester in her quest for a degree in nursing.