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United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MSHIFT, INC., a Delaware corporation,
Plaintiff,

No. C 10-00710 WHA

v.

DIGITAL INSIGHT CORPORATION, d/b/a
INTUIT FINANCIAL SERVICES, a Delaware
corporation, COMMUNITY TRUST BANK, a
Louisiana corporation, MOBILE MONEY
VENTURES, LLC, a Delaware Limited Liability
corporation, MERITRUST CREDIT UNION, a
Kansas corporation, PROFESSIONAL
FEDERAL CREDIT UNION, an Indiana
corporation, SANFORD INSTITUTION FOR
SAVINGS, a Maine corporation, FORT WORTH
COMMUNITY CREDIT UNION, a Texas
corporation, USE CREDIT UNION, a California
corporation, GATE CITY BANK, A Minnesota
corporation, BUSEY BANK, an Illinois
corporation, DENSION STATE BANK, a Kansas
corporation, FIDELITY BANK, a Massachusetts
corporation, FIRST INTERNET BANK OF
INDIANA, an Indiana corporation, and VISION
BANK, a Florida corporation,

**ORDER REGARDING
COUNTERCLAIM FOR
DECLARATORY JUDGMENT
OF PATENT INVALIDITY**

Defendants,
and SK C&C CO. LTD.,
Defendant-Intervenor.

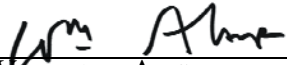
AND RELATED COUNTERCLAIMS.

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Both sides shall advise the Court **BY NOON ON FRIDAY, OCTOBER 8, 2010**, whether, in the event that defendants' motion for summary judgment of non-infringement is granted, defendants' counterclaim for declaratory judgment of patent invalidity will fall away.

IT IS SO ORDERED.

Dated: October 7, 2010.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE