

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DESERT ORCHID PARTNERS, L.L.C., )  
individually and on behalf of all others )  
similarly situated, )  
Plaintiff, )

v. )

TRANSACTION SYSTEMS )  
ARCHITECTS, INC., WILLIAM E. )  
FISCHER, GREGORY J. DUMAN, )  
DWIGHT G. HANSON, DAVID C. )  
RUSSELL, and EDWARD FUXA )  
Defendants. )

8:02CV553

ORDER

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NANCY ROSEN, individually and on )  
behalf of all others similarly situated, )  
Plaintiff, )

v. )

TRANSACTION SYSTEMS )  
ARCHITECTS, INC., WILLIAM E. )  
FISCHER, GREGORY J. DUMAN )  
DWIGHT G. HANSON, DAVID C. )  
RUSSELL, and EDWARD FUXA, )  
Defendants. )

8:02CV561

ORDER

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This matter is before the court on a letter submitted by interested party James J. Hayes, which the court will construe as a motion for release of funds, Filing No. 426. Hayes seeks the release of \$5,000.00 posted as an appeal bond. See Filing No. 412, Order, and text receipts nos. 8-4784 an 8-4785 (August 6, 2007). This court's judgment was affirmed on appeal and the mandate has issued. Filing Nos. 415 & 416. A motion for

rehearing and for a writ of certiorari were denied. Filing Nos. 417 & 421. Net settlement funds have been distributed. See Filing No. 425.

The court finds Hayes's motion for release of funds should be granted. Accordingly,

IT IS HEREBY ORDERED:

1. The Clerk of Court is directed to release the appeal bond in the amount of \$2,500.00 to:

James J. Hayes  
4024 Estabrook Drive  
Annandale, VA 22003

2. The Clerk of Court is directed to release the appeal bond in the amount of \$2,500.00 to:

Carolina Shareholders  
James J. Hayes, Partner  
4024 Estabrook Drive  
Annandale, VA 22003

DATED this 15<sup>th</sup> day of December, 2009.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge