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,)))
٧.) 8:02CV553
TRANSACTION SYSTEMS ARCHITECTS, INC., WILLIAM E. FISCHER, GREGORY J. DUMAN, DWIGHT G. HANSON, DAVID C. RUSSELL, and EDWARD FUXA))))
Defendants.)
NANCY ROSEN, individually and on behalf of all others similarly situated,)))
Plaintiff,) 8:02CV561
V.)
TRANSACTION SYSTEMS ARCHITECTS, INC., WILLIAM E. FISCHER, GREGORY J. DUMAN DWIGHT G. HANSON, DAVID C. RUSSELL, and EDWARD FUXA,)) ORDER))
Defendants.	/))
	J

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 15th day of December, 2009.

BY THE COURT:

s/ Joseph F. Bataillon Chief United States District Judge