

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

DATATREASURY CORPORATION §
PLAINTIFF §

vs. §

WELLS FARGO & COMPANY; WELLS FARGO BANK, NATIONAL ASSOCIATION; BANK OF AMERICA CORPORATION; BANK OF AMERICA, NATIONAL ASSOCIATION; U.S. BANCORP; U.S. BANK, NATIONAL ASSOCIATION; WACHOVIA CORPORATION; WACHOVIA BANK, NATIONAL ASSOCIATION; SUNTRUST BANKS, INC.; SUNTRUST BANK; BB&T CORPORATION; BRANCH BANKING AND TRUST COMPANY; BANCORPSOUTH, INC.; BANCORPSOUTH BANK; COMPASS BANCSHARES, INC.; COMPASS BANK; CULLEN/FROST BANKERS, INC.; THE FROST NATIONAL BANK; FIRST HORIZON NATIONAL CORPORATION; FIRST TENNESSEE BANK, NATIONAL ASSOCIATION; HSBC NORTH AMERICA HOLDINGS INC.; HSBC BANK USA, N.A.; HARRIS BANKCORP, INC.; HARRIS N.A.; NATIONAL CITY CORPORATION; NATIONAL CITY BANK; ZIONS BANCORPORATION; ZIONS FIRST NATIONAL BANK; BANK OF NEW YORK CO., INC.; THE BANK OF NEW YORK; UNIONBANCAL CORPORATION; UNION BANK OF CALIFORNIA, NATIONAL ASSOCIATION; BANK OF TOKYO-MITSUBISHI UFJ, LTD.; CITIZENS FINANCIAL GROUP, INC. CITY NATIONAL CORPORATION; CITY NATIONAL BANK; COMERICA INCORPORATED; COMERICA BANK & TRUST, NATIONAL ASSOCIATION;

Civil Action No. 2:06cv72

JURY TRIAL DEMANDED

DEUTSCHE BANK TRUST COMPANY §  
 AMERICAS; FIRST CITIZENS §  
 BANCSHARES, INC.; FIRST CITIZENS §  
 BANK & TRUST COMPANY; KEYCORP; §  
 KEYBANK NATIONAL ASSOCIATION; §  
 LASALLE BANK CORPORATION; §  
 LASALLE BANK NA; M&T BANK §  
 CORPORATION; M&T BANK; THE PNC §  
 FINANCIAL SERVICES GROUP, INC.; §  
 PNC BANK, NATIONAL ASSOCIATION §  
 UBS AMERICAS, INC.; SMALL VALUE §  
 PAYMENTS COMPANY, LLC; THE §  
 CLEARING HOUSE PAYMENTS §  
 COMPANY, LLC; MAGTEK, INC; FIRST §  
 DATA CORPORATION; TELECHECK §  
 SERVICES, INC., REMITCO, LLC and §  
 ELECTRONIC DATA SYSTEMS CORP. §  
 § JURY TRIAL DEMANDED  
 §  
 DEFENDANTS §

**ORDER**

Plaintiff DataTreasury Corporation has filed its Response to the Defendant First-Citizens Bank & Trust Company’s Motion to Dismiss for Failure to State a Claim, or in the Alternative, for a More Definite Statement, which is now before the Court.

The Court after reviewing Plaintiff’s Response hereby DENIES the Defendant First-Citizens Bank & Trust Company’s Motion to Dismiss for Failure to State a Claim, or in the Alternative, for a More Definite Statement.

SO ORDERED.