

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 Defendants’ First Horizon National Corporation and First Tennessee Bank, National Association Motion to Dismiss, or in the Alternative, for More Definite Statement, which are now before the Court.

The Court after reviewing Plaintiff’s Response hereby DENIES the Defendants’ First Horizon National Corporation and First Tennessee Bank, National Association Motion to Dismiss, or in the Alternative, for More Definite Statement.

SO ORDERED.