

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

DATATREASURY CORPORATION	§	
<i>PLAINTIFF</i>	§	
	§	
vs.	§	Civil Action No. 2:06cv72
	§	JURY TRIAL DEMANDED
WELLS FARGO & COMPANY, et al.	§	
<i>DEFENDANTS</i>	§	

**PLAINTIFF DATATREASURY CORPORATION’S SURREPLY IN
RESPONSE TO DEFENDANTS U.S. BANCORP, U.S. BANK NATIONAL
ASSOCIATION, NATIONAL CITY CORPORATION, NATIONAL CITY BANK,
ZIONS BANCORPORATION, AND ZIONS FIRST NATIONAL BANK JOINDER
IN REPLY TO RESPONSE TO JOINT MOTION TO DISMISS OR IN THE
ALTERNATIVE FOR MORE DEFINITE STATEMENT**

Comes now Plaintiff DataTreasury Corporation (“DataTreasury”) and files its Surreply in Response to Defendants U.S. Bancorp, U.S. Bank National Association, National City Corporation, National City Bank, Zions Bancorporation, and Zions First National Bank Joinder in Reply to Response to Joint Motion to Dismiss or in the Alternative for More Definite Statement. DataTreasury respectfully requests that this Court deny U.S. Bancorp, U.S. Bank National Association, National City Corporation, National City Bank, Zions Bancorporation, and Zions First National Bank’s Motion in its entirety. In support thereof, DataTreasury incorporates, in its entirety, its Surreply in Response to Defendants’¹ Reply in Support of Defendants’ Motion to Dismiss or in the Alternative for

¹ The Joint Reply was filed on behalf of Defendants Bank of America Corporation; Bank of America, N.A.; Bank of New York Co., Inc.; Bank of Tokyo-Mitsubishi UFJ, Ltd.; BB&T Corporation; Branch Banking and Trust Company; Citizens Financial Group, Inc.; Comerica Bank & Trust, N.A.; Comerica Incorporated; Cullen/Frost Bankers, Inc.; Deutsche Bank Trust Company Americas; First Data Corporation; LaSalle Bank Corporation; LaSalle Bank, N.A.; M&T Bank Corporation; M&T Bank; Remitco, LLC; TeleCheck Services, Inc.; The Bank of New York; The Frost National Bank; UBS Americas, Inc.; Union Bank of California, N.A.; Wachovia Bank, N.A.; Wachovia Corporation; Wells Fargo & Company; Wells Fargo Bank, N.A.

More Definite Statement and the arguments and authorities cited therein filed on June 26, 2006 (Docket No. 220).

Respectfully submitted,

/s/ R. Benjamin King_____

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a) and served via the Court's electronic filing system on all counsel who have consented to electronic service on this the 26th day of June, 2006.

/s/ R. Benjamin King
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