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

DATATREASURY CORPORATION,	§	
	§	
Plaintiff,	§	
	§	CIVIL ACTION NO. 2:06-CV-72-DF
v.	§	
	§	JURY TRIAL DEMANDED
WELLS FARGO & COMPANY, et al.	§	
	§	
Defendants.	§	

**SUPPLEMENTAL DECLARATION OF JOHN GRAY IN SUPPORT OF
DEFENDANT FIRST CITIZENS BANCSHARES, INC.'S MOTION TO
DISMISS FOR LACK OF PERSONAL JURISDICTION**

I, John Gray, declare as follows:

1.   I am currently an officer of First Citizens BancShares, Inc. My title is Assistant
Vice President. My responsibilities include managing First Citizens BancShares, Inc.'s efforts to
comply with its regulatory financial reporting obligations.   In connection with my
responsibilities, I am familiar with the corporate books and records of First Citizens BancShares,
Inc. and its subsidiaries. I am also familiar with the operations of First Citizens BancShares, Inc.
I am over the age of 18 and am not disabled. I am authorized to make this declaration. Except
as noted, I have personal knowledge of facts as set forth herein. Those facts are true and correct.

2.   First Citizens BancShares, Inc. has not and does not, on behalf of itself, its
subsidiaries, or any other persons or entities, engage in any activities with respect to the products
and services of Small Value Payments Co., LLC or The Clearing House Payments Company,
LLC in or through Texas or elsewhere.

3.   First Citizens BancShares, Inc. has not and does not, on behalf of itself, its
subsidiaries, or any other persons or entities, authorize, participate in, or facilitate transactions

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through any check image archive or exchange service operated by Small Value Payments Co., LLC or The Clearing House Payments Company, LLC in or through Texas or elsewhere.

    4.   First Citizens BancShares, Inc. does not own or operate a check image exchange program.

    5.   First Citizens BancShares, Inc. has never entered into any contract with Small Value Payments Co., LLC or The Clearing House Payments Company, LLC.

    I declare under the penalty of perjury that the foregoing is true and correct.

Dated: June 30, 2006

_____
John Gray