

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

DATATREASURY CORPORATION	§	
<i>Plaintiff</i>	§	
	§	
v.	§	Civil Action No. 2:06-CV-72
	§	Judge David Folsom
WELLS FARGO & COMPANY, et al.	§	
<i>Defendants</i>	§	

**UNOPPOSED MOTION TO EXTEND TIME TO RESPOND
TO MOTION OF DEFENDANTS EDS, HARRIS, KEY, PNC, AND SUNTRUST
TO SEVER AND STAY THE CLAIMS RELATING TO THE BALLARD
PATENTS PENDING REEXAMINATION OF THE BALLARD PATENTS**

Plaintiff, DataTreasury Corporation (“DataTreasury”), respectfully requests that the Court grant it an extension of time to respond to Motion of Defendants EDS, Harris, Key, PNC, and Suntrust (“Defendants”) to Sever and Stay the Claims Relating to the Ballard Patents Pending Reexamination of the Ballard Patents. Defendants were the first group of defendants to file such a motion when the instant motion was filed on September 19, 2006. DataTreasury’s deadline to respond was October 4, 2006. Since that time, various other defendants in this action have filed motions joining Defendants’ motion, and DataTreasury’s deadline to respond varies from October 11 to dates that occur after the October 19 scheduling conference in this matter. DataTreasury intends to file a consolidated response to all motions to sever and stay relating to Defendants’ motion, and Plaintiff has requested an additional week to respond to Defendants’ Motion. Defendants have informed Plaintiff that they do not oppose this relief. By filing its Response by Wednesday, October 11, Defendants to the instant motion and other

defendants who have joined in such motion as of this date will have an opportunity to submit Reply briefs before the scheduling conference in this matter.

DataTreasury, respectfully requests that the Court grant its Unopposed Motion, and allow DataTreasury up to and including Wednesday, October 11, 2006 in which to file its Response to the above referenced motion.

Respectfully submitted,

/s/ R. Benjamin King
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**ATTORNEYS FOR PLAINTIFF
DATATREASURY CORPORATION**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served on counsel of record for Defendants on the 4th day of October, 2006.

/s/ R. Benjamin King
Nix, Patterson & Roach LLP

CERTIFICATE OF CONFERENCE

Pursuant to Local Rule 7(h), movant has contacted opposing counsel to discuss this motion and was informed that opposing counsel agrees to the relief requested herein.

/s/ R. Benjamin King
Nix, Patterson & Roach LLP