

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

DATATREASURY CORPORATION

§

PLAINTIFF

§

§

v.

§

CIVIL ACTION NO. 2:06-CV-72-DF

§

WELLS FARGO & CO., ET AL,

§

§

DEFENDANTS

§

§

**DEFENDANTS', LASALLE BANK CORPORATION AND LASALLE BANK, N.A.,
JOINDER IN CO-DEFENDANTS' MOTION TO SEVER AND STAY**

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW Defendants, LaSalle Bank Corporation and LaSalle Bank, N.A., ("LaSalle") and would show the Court the following:

I.

Defendants respectfully submit this Motion as a Joinder in Defendants' Motion to Sever and Stay the Claims Relating to the Ballard Patents Pending Reexamination of the Ballard Patents, previously filed in this matter as Docket No. 260, until the reexamination of these two patents is complete.

LaSalle adopts the arguments and authorities in that Motion to Sever and Stay, as if set out fully herein. Specifically, the LaSalle Defendants assert that they, seek to avoid substantial time and expense in defending DataTreasury Corporation's claims of patent infringement related to the Ballard patents and instead focus on the claims asserted under the Huntington Patents (U.S. Patent Nos. 5,717,868 and 5,265,007).

WHEREFORE PREMISES CONSIDERED, Defendants, LaSalle Bank Corporation and LaSalle Bank NA, respectfully request that the Court grant this Motion to Sever and Stay the claims relating to the Ballard Patents and such other and further relief as the Defendants may show themselves justly entitled.

DATED this 6th day of October, 2006.

Respectfully submitted,

By: /s/ Jeffrey A. Finn by permission S. Calvin Capshaw

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LASALLE BANK CORP. AND
LASALLE BANK NA

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served this 6th day of October, 2006, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by, electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ S. Calvin Capshaw
S. Calvin Capshaw

CERTIFICATE OF CONFERENCE

This will confirm that on October 6, 2006, Elizabeth DeRieux, counsel for LaSalle Bank Corporation and LaSalle Bank NA, conferred with Eric Albritton, counsel for DataTreasury, regarding this Motion and that this Motion is opposed.

/s/ Elizabeth L. DeRieux
Elizabeth L. DeRieux