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

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Plaintiff 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; 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

DATATREASURY CORPORATION

Civil Action No. 2:06-CV-72 (DF)

JURY TRIAL DEMANDED

DEFENDANTS', ZIONS BANCORPORATION AND ZIONS FIRST NATIONAL BANK, UNOPPOSED MOTION FOR ENLARGEMENT OF TIME IN WHICH TO ANSWER OR OTHERWISE RESPOND PAYMENTS COMPANY, LLC; MAGTEK, INC.; FIRST DATA CORPORATION; TELECHECK SERVICES, INC. and REMITCO, LLC *Defendants* §

DEFENDANTS', ZIONS BANCORPORATION and ZIONS FIRST NATIONAL BANK, UNOPPOSED MOTION FOR ENLARGEMENT OF TIME IN WHICH TO <u>ANSWER OR OTHERWISE RESPOND</u>

COME NOW Zions Bancorporation ("ZB") and Zions First National Bank ("ZFNB") (collectively the "Zions entities"), and files this their Unopposed Motion for Extension of Time to Answer or Otherwise Respond to Plaintiff's Original Complaint for Patent Infringement and would respectfully show the Court as follows:

1. The Zions entities have requested, and Plaintiff has agreed to, an extension of Defendants' date to answer or otherwise respond to Plaintiff's Original Complaint for Patent Infringement up to and including May 17, 2006.

2. A proposed Order granting this agreed motion is attached for the Court's convenience.

Dated: April 10, 2006

Respectfully Submitted,

/s/ Melvin R. Wilcox, III MELVIN R. WILCOX, III Lead Attorney Texas State Bar No. 21454800 SMEAD ANDERSON & DUNN 2110 Horseshoe Lane Longview, Texas 75605 Tel: (903) 232-1892 Fax: (903) 232-1889 Email: mrw@smeadlaw.com

ATTORNEYS FOR DEFENDANTS, ZIONS BANCORPORATION and ZIONS FIRST NATIONAL BANK

DEFENDANTS', ZIONS BANCORPORATION AND ZIONS FIRST NATIONAL BANK, UNOPPOSED MOTION FOR ENLARGEMENT OF TIME IN WHICH TO ANSWER OR OTHERWISE RESPOND

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this motion was served on all counsel who have consented to electronic service on this the 11th day of April, 2006. Local Rule CV-5(a)(3)(A).

<u>/s/ Melvin R. Wilcox, III</u> MELVIN R. WILCOX, III