

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

DATATREASURY CORPORATION	§	Civil Action No. 2:06-CV-72
<i>PLAINTIFF</i>	§	
vs.	§	Judge David Folsom
	§	
WELLS FARGO & COMPANY, <i>ET AL.</i>	§	
<i>DEFENDANTS</i>	§	
	§	

**UNOPPOSED MOTION TO EXCEED PAGE LIMITS IN REPLY OF DEFENDANTS
EDS, HARRIS, KEY, PNC, AND SUNTRUST TO PLAINTIFF’S CONSOLIDATED
RESPONSE TO DEFENDANTS’ MOTION TO SEVER AND STAY
THE CLAIMS RELATING TO THE BALLARD PATENTS
PENDING REEXAMINATION OF THE BALLARD PATENTS**

Defendants Harris Bankcorp, Inc. and Harris N.A. (collectively, “Harris”), KeyBank National Association and KeyCorp (collectively, “KeyBank”), PNC Bank and The PNC Financial Services Group, Inc. (collectively, “PNC”), SunTrust Bank and SunTrust Banks, Inc. (collectively, “SunTrust”), and Electronic Data Systems Corp. (“EDS”), respectfully request that the Court grant their Unopposed Motion to Exceed Page Limits in Reply to Plaintiff’s Consolidated Response to Defendants’ Motion to Sever and Stay the Claims Relating to the Ballard Patents Pending Reexamination of the Ballard Patents.

Defendants Harris, KeyBank, PNC, SunTrust, and EDS filed their Motion to Sever and Stay on September 19, 2006. Since that time, various other Defendants filed motions joining Defendants’ Motion. On October 11, 2006, Plaintiff Data Treasury Corporation filed its Consolidated Response to Defendants’ Motions. Due to the complex issues presented and the nature of the case, Defendants cannot present their reply motion and adequately brief the issues within the page limit mandated by the local rules. The reply motion is attached as Exhibit 1.

Defendants Harris, KeyBank, PNC, SunTrust, and EDS respectfully request that the Court grant the Unopposed Motion to exceed the page limits in their reply. A proposed order is attached.

DATED: October 17, 2006

Respectfully submitted,

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CERTIFICATE OF CONFERENCE

This is to certify that on October 17, 2006, counsel for Moving Defendants, Peter Ayers, conferred with Plaintiff DataTreasury Corporation's counsel, Karl Rupp, who stated that Plaintiff does not oppose this Motion.

/s/ L. David Anderson
L. David Anderson

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. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by electronic mail by agreement of the parties on this the 17th day of October, 2006.

/s/ L. David Anderson
L. David Anderson

EXHIBIT 1