

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

DATATREASURY CORPORATION

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PLAINTIFF

v.

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

WELLS FARGO & CO., ET AL,

DEFENDANTS

**NOTICE OF DEFENDANTS' CITY NATIONAL CORPORATION  
AND CITY NATIONAL BANK**

TO THE HONORABLE JUDGE OF SAID COURT:

Please take notice that Defendants' City National Corporation and City National Bank ("City National") decline to sign the stipulation set forth in the Court's October 25, 2006 Order regarding a stay as to the Ballard Patents.

DATED this 2nd day of November, 2006.

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ATTORNEYS FOR DEFENDANTS  
CITY NATIONAL CORPORATION AND  
CITY NATIONAL BANK

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served this 2<sup>nd</sup> day of November, 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/ Andrew W. Spangler  
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Andrew W. Spangler