

**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>	§	
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**DEFENDANTS HARRIS BANKCORP, INC. AND HARRIS N.C.'S
NOTICE OF DECISION REGARDING STIPULATION**

Pursuant to the Court's Order (Dkt. No. 326) dated October 25, 2006 regarding the pending Motions to Sever and Stay Claims Relating to the Ballard Patents Pending Reexamination of the Ballard Patents, Defendants Harris Bankcorp, Inc. and Harris, N.A. respectfully notify this Court of their decision not to execute the stipulation proposed in the Order.

DATED: November 3, 2006

Respectfully submitted,

McKOOL SMITH, P.C.

/s/ Robert M. Manley

ROBERT M. MANLEY

Lead Attorney

Texas State Bar No. 00787955

rmanley@mckoolsmith.com

SAM BAXTER

Texas State Bar No. 01938000

sbaxter@mckoolsmith.com

L. DAVID ANDERSON

Texas State Bar No. 00796126

danderson@mckoolsmith.com

Martin C. Robson, III
mrobson@mckoolsmith.com
300 Crescent Court
Suite 1500
Telephone: (214) 978-4000
Telecopier: (214) 978-4044

ROBERT MASTERS
Paul, Hastings, Janofsky & Walker, LLP
875 15th Street, N.W.
Washington, DC 20005
Tel: (202) 551-1763
Fax: (202) 551-1705
robertmasters@paulhastings.com

PAUL WILSON
Paul, Hastings, Janofsky & Walker, LLP
875 15th Street, N.W.
Washington, DC 20005
Tel: (202) 551-1748
Fax: (202) 551-0148
paulwilson@paulhastings.com

BRANDON WHITE
Paul, Hastings, Janofsky & Walker, LLP
875 15th Street, N.W.
Washington, DC 20005
Tel: (202) 551-1754
Fax: (202) 551-0154
brandonwhite@paulhastings.com

**ATTORNEYS FOR DEFENDANTS
HARRIS BANKCORP, INC. AND
HARRIS N.A.**

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).

/s/ L. David Anderson

L. David Anderson