

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

**DATATREASURY CORPORATION,** )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **WELLS FARGO & COMPANY, et al.,** )  
 )  
 **Defendants.** )  
 \_\_\_\_\_ )

**Case No. 2-06CV-72**

**NOTICE OF UNIONBANCAL CORPORATION AND UNION BANK OF CALIFORNIA,  
NATIONAL ASSOCIATION'S SERVICE OF PROPOSED TERMS AND CLAIM  
ELEMENTS FOR CONSTRUCTION**

Defendants UnionBanCal Corporation, without waiver of its pending Motion to Dismiss, and Union Bank of California, NA, by and through their counsel, hereby provide Notice to the Court, pursuant to the Second Amended Docket Control Order, dated January 29, 2007 (Docket #451), and local P.R.4-1(a), that their Proposed Terms and Claim Elements for Construction were served upon plaintiff on February 7, 2007 via electronic mail pursuant to the written agreement of the parties.

Dated: February 9, 2007

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on February 9, 2007, to all counsel of record via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Gerri Carrenard