

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

DATATREASURY CORPORATION,

Plaintiff

v.

WELLS FARGO & CO., et al.,

Defendants

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

**DEFENDANTS KEYBANK NATIONAL ASSOCIATION'S AND KEYCORP'S NOTICE
OF PROPOSED TERMS AND CLAIM ELEMENTS FOR CONSTRUCTION**

Defendants KeyBank National Association and KeyCorp 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 12, 2007

Respectfully submitted,

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**ATTORNEYS FOR DEFENDANTS
KEYBANK NATIONAL ASSOCIATION
AND KEYCORP**

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this notice was served on all counsel who have consented to electronic service on February 12, 2007.

/s/ L. David Anderson

L. David Anderson