



Anthony K. Bruster
*Licensed in Arkansas, Louisiana,
New Mexico, & Texas*

February 9, 2007

(via electronic transmission)

Mr. Tim Leonard
BOUDREAUX LEONARD
Two Houston Center
909 Fannin, Ste. 2350
Houston, TX 77010

Re: *DataTreasury v. Wells Fargo, et al.*; (HSBC NORTH AMERICA HOLDINGS, INC. AND HSBC BANK USA, N.A.) Civ. No. 2:07-CV-0072, U.S.D.C. – E.D. Texas (Marshall)

Dear Tim:

As you know from our 30(b)(6) deposition last week related to the Court's ability to assert jurisdiction over HSBC North America Holdings Inc. ("HSBCNAH"), there are a number of documents in your client's possession that were not produced but are responsive to the jurisdictional discovery requests we served. By way of example, I would refer you to the following documents discussed in your client's deposition: (1) all applications submitted and insurance policies negotiated or purchased by HSBCNAH or any of its officers or directors that provides insurance coverage for real property or activities within the state of Texas; (2) all presentations made to officers or directors of HSBCNAH by persons on behalf of any of HSBCNAH's bank subsidiaries, including the presentations that were discussed in the deposition as having been made to Mr. Matea; (3) all financial documents showing HSBCNAH's recognition of dividend revenue that is generated in any way from activities occurring in the state of Texas, as discussed by your corporate representative; (4) all communications and documents transmitted between officers and directors of HSBCNAH and the officers and directors of its bank subsidiaries; (5) all other documents responsive to the previously-served jurisdictional Requests for Production, specifically including Requests Nos. 9 and 10; and (6) all minutes and other documents related to all meetings of the Boards of Directors of HSBCNAH and its banking subsidiaries.

As you know, your clients have represented to us and to the Court that they are separate legal entities following all corporate formalities. However, they produced no documents to support this fact, and the testimony of the corporate representative revealed that the Boards of Directors and their officers are overlapping, meet jointly, and have joint committees and shared officers. The documents requested above are unquestionably relevant to determine the veracity of these positions. In the spirit of cooperation, and despite our previous requests that these

2900 St. Michael Drive, Suite 500 • Texarkana, TX 75503 • (903) 223-3999 • (903) 223-8520 Fax

Daingerfield, TX • (903) 645-7333 • Shreveport, LA • (318) 425-9255

February 9, 2007
Page 2

documents are responsive to, we will limit the time frame of our requests above to all documents from within the last five (5) years.

Please produce all documents identified above by Wednesday, February 14, 2007. As you know, we are under a strict time schedule for jurisdictional discovery based on Judge Craven's order, and we are required to supplement our briefing by Friday, February 16. If the documents identified above are not produced by February 14, we will file a Motion to Compel in addition to our supplemental briefing discussing HSBCNAH's failure to produce this information.

We look forward to receiving all of the documents discussed above. Please contact me with any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Anthony K. Bruster", written in a cursive style.

Anthony K. Bruster

AKB:mck