

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

Case Number 2:06-CV-72 DF

DATA TREASURY CORPORATION,

Plaintiff,

v.

WELLS FARGO & COMPANY, et al.,

Defendants.

NOTICE OF APPEAL

WELLS FARGO & COMPANY AND WELLS FARGO BANK'S NOTICE OF APPEAL

Notice is hereby given that Wells Fargo & Company and Wells Fargo Bank, N.A. in the above named case hereby appeal to the United States Court of Appeals for the Federal Circuit from the Court's Order denying Wells Fargo & Company and Wells Fargo Bank, N.A.'s Motion to Dismiss or, in the Alternative, to Stay Pending Arbitration entered in this action on April 24, 2007.

Respectfully submitted,

By: /s/ W. Barton Rankin
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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of April 2007, Wells Fargo & Company and Wells Fargo Bank, N.A.'s Notice of Appeal was served electronically on each party to this lawsuit, by and through their counsel of record, pursuant to Local Rule CV-5.

/s/ W. Barton Rankin_____

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