

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

**DATA TREASURY CORPORATION,**

**Plaintiff**

v.

**WELLS FARGO & COMPANY, et al.**

**Defendants**

**2:06-CV-72 DF**

**AGREED ORDER GRANTING JOINT MOTION TO MODIFY DEADLINE FOR  
COMPLETION OF CLAIM CONSTRUCTION DISCOVERY**

Before the Court is the Joint Motion to Modify Deadline for Completion of Claim Construction Discovery filed by Defendants and Plaintiff DataTreasury Corporation. The Court having considered the matter, GRANTS the Motion and hereby modifies the deadline as set forth below:

<b>Step</b>	<b>Action</b>	<b>Rule</b>	<b>Date Due</b>
14	Completion of Claim Construction Discovery	Patent L.R. 4-4	04/27/07

The Completion of Claim Construction Discovery deadline shall be modified in that all Parties retain the right to depose Terry L. Geer and David L. James regarding claim construction issues after April 27, 2007. Any individuals as for whom an affidavit or declaration is filed by either plaintiff or any defendant may be deposed within 30 days from filing of the affidavit or declaration, or by the due date for the next claim construction brief, whichever occurs first. Parties shall advise each other no later than 14 days before the Claim Construction Hearing whether they intend to present live testimony from an individual previously identified in the

Patent L.R. 4-3 Joint Claim Construction and Prehearing Statement, and to whom no affidavit or declaration has been filed, and the identity of such witness. In such event, the anticipated witness shall be made available for deposition before the Claim Construction Hearing.