

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

DATATREASURY CORPORATION	§	
<i>Plaintiff</i>	§	
	§	
vs.	§	Civil Action No. 2:06cv72
	§	JURY TRIAL DEMANDED
	§	
WELLS FARGO & COMPANY;	§	
WELLS FARGO BANK, NATIONAL	§	
ASSOCIATION, et al	§	
<i>Defendants</i>	§	

UNOPOSED MOTION TO ALTER DEADLINES

COMES NOW Plaintiff, DataTreasury Corporation, and files this Unopposed Motion to Alter Deadlines and would respectfully show unto the Court the following:

I.

On June 13, 2007, Defendant The Clearing House Payments Company filed its Motion for Summary Judgment for Noninfringement of the '868 Patent. Plaintiff's response is currently due on June 28, 2007. Attached as an exhibit to Defendant's Motion for Summary Judgment was an Affirmation of Susan Goold in Support of Motion for Summary Judgment. It is necessary for Plaintiff to depose Ms. Goold on her Affirmation before responding to the Motion; however, Ms. Goold is not available for deposition until July 16, 2007.

II.

Plaintiff requests to alter/extend the deadline to respond to Defendant's Motion for Summary Judgment until twenty (20) days following the deposition of Ms. Goold. Additionally, Plaintiff requests that the deadline for Defendant to file its Reply brief be

extended until thirty (30) days after Plaintiff files its response. Thus, Plaintiff requests that these dates be altered as follows:

DOCUMENT	PLAINTIFF'S RESPONSE DUE	DEFENDANT'S REPLY DUE
Plaintiff's Response Brief to Defendant's Motion for Summary Judgment for Noninfringement of '868 Patent	August 6, 2007	
Defendant's Reply Brief to Plaintiff's Response to Defendant's Motion for Summary Judgment for Noninfringement of '868 Patent		September 5, 2007

III.

Plaintiff has conferred with counsel for Defendant and they are not opposed to this Motion.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays the Court grant its Unopposed Motion to Alter Deadlines and to allow Plaintiff and Defendant to file their pleadings on the dates noted herein.

Respectfully submitted,

/s/ Anthony K. Bruster

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ATTORNEYS FOR PLAINTIFF
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CERTIFICATE OF CONFERENCE

On this date, June 21, 2007, I conferred with counsel for Defendant, The Clearing House Payments Company, and they do not oppose this Motion.

_____/S/_____
Anthony K. Bruster

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Unopposed Motion to Alter Deadlines has been served on all counsel of record via CM/ECF electronic service on June 22, 2007.

_____/S/_____
Anthony K. Bruster