

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

<b>DATATREASURY CORPORATION</b>	§	
<b>PLAINTIFF</b>	§	
<b>v.</b>	§	<b>No. 2:06-CV-72 (DF)</b>
	§	
<b>WELLS FARGO &amp; COMPANY, et al.</b>	§	<b>JURY TRIAL DEMANDED</b>
<b>DEFENDANTS</b>	§	

**AGREED MOTION TO EXTEND DEADLINE FOR PLAINTIFFS' RESPONSE  
TO WACHOVIA'S MOTION FOR SUMMARY JUDGMENT FOR CLAIM  
INVALIDITY BASED ON INDEFINITENESS OF U.S. PATENT NO. 5,717,868**

Plaintiffs file this agreed motion to extend their deadline to file their response to Defendant Wachovia's Motion for Summary Judgment for Claim Invalidity Based on Indefiniteness of U.S. Patent No. 5,717,868 (Dkt. No. 740) and therefore would respectfully show the Court the following:

The current deadline for Plaintiffs to respond to Wachovia's Motion for Summary Judgment is July 26, 2007. Plaintiffs request a two week extension to respond to the Motion for Summary Judgment to August 9, 2007.

Wherefore, Plaintiffs pray that the Court will extend the deadline to respond to Defendant Wachovia's Motion for Summary Judgment from July 26, 2007 to August 9, 2007, and that the Court will grant such other and further relief to which Plaintiffs are entitled.

Counsel for Plaintiffs have conferred with counsel for Defendants and Defendants are not opposed to this motion.

Respectfully submitted,

/s/ Anthony Bruster  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was served on the 11<sup>th</sup> day of July, 2007 via electronic transmission.

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**CERTIFICATE OF CONFERENCE**

Pursuant to Local Rule 7(h), movant has contacted opposing counsel to discuss this motion and was informed that opposing counsel agree to the relief requested herein.

A handwritten signature in black ink, appearing to be "John H. Roach", written in a cursive style.

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Nix, Patterson & Roach LLP