

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

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**DATATREASURY CORPORATION**

**Plaintiff,**

v.

**WELLS FARGO & COMPANY, ET. AL.,**

**Defendants**

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**Civil Action No.:2:06-CV-72 (DF)**

**JURY TRIAL DEMAND**

**UNOPPOSED MOTION TO EXTEND CERTAIN DEADLINES**

Plaintiff DataTreasury Corporation files this Unopposed Motion to Extend Certain Deadlines (“Unopposed Motion”) seeking extensions of certain deadlines related to Defendants’ Motion for Summary Judgment for Claim Invalidity Based on Indefiniteness of U.S. Patent No. 5,583,759 and Motion for Summary Judgment for Claim Invalidity Based on Indefiniteness of U.S. Patent No. 5,930,778, as outlined below.

<b>Action</b>	<b>Current Deadline</b>	<b>New Deadline</b>
Plaintiff files Responsive Brief to Defendants’ Motion for Summary Judgment (‘759)	7/19/07	Five days after the latter of the depositions of Karl Sammons and Thomas Gallman
Plaintiff files Responsive Brief to Defendants’ Motion for Summary Judgment (‘778)	7/27/07	Five days after the latter of the depositions of Karl Sammons and Thomas Gallman

Plaintiff first learned of the witness Thomas Gallman when reviewing Defendants’ Motion for Summary Judgment for Claim Invalidity Based on Indefiniteness of U.S. Patent No. 5,583,759 and Motion for Summary Judgment for Claim Invalidity Based on Indefiniteness of

U.S. Patent No. 5,930,778. This was also the first time Plaintiff was aware that Defendants intended to use an affidavit by Karl Sammons. Moving Defendants have agreed to tender the affidants for depositions forthwith, and the parties have agreed that the responsive briefing should be filed five days after the latter of the two depositions are complete. Hence, Moving Defendants agree with the deadline extensions. The new deadlines do not affect the trial setting for this case.

Accordingly, Plaintiff DataTreasury Corporation respectfully requests that the Court enter an order setting the new deadlines as set forth above. An order reflecting the relief requested is attached for the Court's convenience.

Respectfully submitted,



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***ATTORNEYS FOR PLAINTIFF DATATREASURY  
CORPORATION***

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was served electronically upon all the following on the 18th day of July, 2007.

Bank of America - Listserve ([BankofAmericaF&R@fr.com](mailto:BankofAmericaF&R@fr.com))  
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NICOLE REED

**CERTIFICATE OF CONFERENCE**

I hereby certify that on July 16<sup>th</sup>, 2007, counsel for DataTreasury Corporation conferred with Defense counsel concerning the foregoing Unopposed Motion to Extend Certain Deadlines. Moving Defendants do not oppose the relief requested by Plaintiff.

A handwritten signature in black ink, appearing to read "Nicole Reed", written in a cursive style.

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**NICOLE REED**