

**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**

**DECLARATION OF NICOLE REED IN SUPPORT OF PLAINTIFF’S RESPONSE TO  
DEFENDANTS’ MOTION FOR SUMMARY JUDGMENT FOR CLAIM INVALIDITY  
BASED ON INDEFINITENESS OF U.S. PATENT NO. 5,717,868**

I, Nicole Reed, declare:

1. I am a member of the Texas State Bar admitted to appear before this Court and an attorney with the law firm of Nix, Patterson & Roach, L.L.P., counsel of record for Plaintiff DataTreasury Corporation (“DTC”) in this lawsuit. I submit this declaration based on personal knowledge and following a reasonable investigation. If called upon as a witness, I could competently testify to the truth of each statement herein.
2. Attached hereto as Exhibit A is a true and correct copy of U.S. Patent No. 4,448,419 (the “Telnaes patent” at issue in *WMS Gaming, Inc. v. International Game Technology*, 184 F.3d 1339, 1348 (Fed. Cir. 1999)).
3. Attached hereto as Exhibit B is a true and correct copy of the Affidavit of David James dated April 9,2007.

4. Attached hereto as Exhibit C is a true and correct copy of Plaintiff's proposed constructions and relevant extrinsic evidence for the five terms at issue in Defendants' Motion for Summary Judgment and Plaintiff's Response.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on the 9th day of August, 2007, at Dallas, Texas.



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**NICOLE REED**