

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

DATATREASURY CORPORATION,

Plaintiff

v.

WELLS FARGO & COMPANY, ET AL.,

Defendants

2:06-CV-72 DF

**DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE REPLY BRIEFS IN SUPPORT OF THEIR MOTIONS
FOR SUMMARY JUDGMENT OF CLAIM INVALIDITY
AS TO U.S. PATENT NOS. 5,717,868; 5,583,759; AND 5,930,778**

Defendants Bank of America Corporation, Bank of America, N.A. (collectively, "Bank of America"); Wachovia Bank, N.A., and Wachovia Corporation, (collectively, "Wachovia"); First Data Corporation; Remitco, LLC; Telecheck Services, Inc. (movants collectively, "Defendants") file this unopposed motion for an extension of time to file their Reply briefs in support of their respective Motions for Summary Judgment of Claim Invalidity Based on Indefiniteness as to U.S. Patent Nos. 5,717,868; 5,583,759; and 5,930,778. The new deadline for Defendants to file their respective Reply briefs would be **August 24, 2007**. In support thereof, Defendants show the Court as follows:

1. The current deadline for Wachovia to file a Reply in support of its Motion for Summary Judgment of Claim Invalidity Based in Indefiniteness as to U.S. Patent No. 5,717,868 is August 22, 2007. Defendants request an extension to August 24, 2007.

2. The current deadline for Bank of America and Wachovia to file a Reply in support of their Motion for Summary Judgment of Claim Invalidity Based in

Indefiniteness as to U.S. Patent No. 5,583,759 is August 23, 2007. Defendants request an extension to August 24, 2007.

3. The current deadline for Bank of America, Wachovia, First Data, Remitco, and Telecheck to file a Reply in support of their Motion for Summary Judgment of Claim Invalidity Based in Indefiniteness as to U.S. Patent No. 5,930,778 is August 22, 2007. Defendants request an extension to August 24, 2007.

4. Defendants make this request before the expiration of the current deadline for filing a reply. Moreover, this request is made so that justice may be done and not solely for purposes of delay or any other improper purpose.

5. Plaintiff's counsel does not oppose this request.

WHEREFORE, Defendants respectfully request that the Court grant this Motion.

Dated: August 16, 2007

Respectfully submitted,
By: /s/ Thomas M. Melsheimer

Thomas M. Melsheimer
Texas Bar No. 13922550
FISH & RICHARDSON P.C.
1717 Main Street
Suite 5000
Dallas, TX 75201
214-747-5070 (Telephone)
214-747-2091 (Telecopy)

Robert E. Hillman
FISH & RICHARDSON P.C.
225 Franklin Street
Boston, MA 02110-2804
617-542-5070 (Telephone)
617-542-8906 (Telecopy)

Robert M. Parker
Robert Christopher Bunt
PARKER & BUNT, P.C.
100 E. Ferguson, Suite 1114
Tyler, Texas 75702
903-531-3535 (Telephone)
903-533-9687 (Telecopy)

Michael E. Jones
Texas Bar No. 10929400
E. Glenn Thames, Jr.
Texas Bar No. 00785097
POTTER MINTON
500 Plaza Tower
110 North College, Suite 500
Tyler, TX 75702

**ATTORNEYS FOR DEFENDANTS
BANK OF AMERICA
CORPORATION, BANK OF
AMERICA, NATIONAL
ASSOCIATION**

By: /s/ Thomas M. Melsheimer by
permission on behalf of the following
counsel:

Danielle Williams
KILPATRICK STOCKTON LLP
1001 West Fourth Street
Winston-Salem, NC 27101

Bill Boice
Audra Dial
KILPATRICK STOCKTON LLP
1100 Peachtree Street, Suite 2800
Atlanta, Georgia 30309-4530

Kenneth Godlewski
Stephen Baskin
KILPATRICK STOCKTON LLP
607 14th Street, NW, Suite 900
Washington, DC 20005-2018

**ATTORNEYS FOR DEFENDANTS
WACHOVIA CORPORATION,
WACHOVIA BANK, N.A.**

Edward G. Poplawski (Pro Hac Vice)
EPoplaws@Sidley.com
Jeffrey A. Finn (Pro Hac Vice)
JFinn@Sidley.com
Carissa A. Tener (Pro Hac Vice)
CTener@Sidley.com
SIDLEY AUSTIN L.L.P.
555 West Fifth Street, Suite 4000
Los Angeles, California 90013
213-896-6000 (Telephone)
213-896-6600 (Telecopy)

Lance Lee
WLanceLee@aol.com
Texas Bar No. 240004762
YOUNG, PICKETT & LEE, L.L.P.
4122 Texas Blvd.
P.O. Box 1897
Texarkana, Texas 75504
903-794-1303 (Telephone)
903-792-5098 (Telecopy)

**COUNSEL FOR FIRST DATA
CORPORATION, TELECHECK
SERVICES, INC.; REMITCO, LLC**

CERTIFICATE OF CONFERENCE

On August 15, 2007, Counsel for Defendants, Brett Johnson, conferred via e-mail with Counsel for Plaintiff, Karl Rupp, regarding the relief requested by this Motion. Mr. Rupp indicated that Plaintiff is unopposed to the relief sought.

/s/ M. Brett Johnson

M. Brett Johnson

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on August 16, 2007, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Wendi L Grant

Wendi L. Grant

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