

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

DATATREASURY CORPORATION,

Plaintiff

v.

2:06-CV-72 DF

WELLS FARGO & COMPANY; WELLS
FARGO & COMPANY; WELLS
FARGO BANK, NATIONAL
ASSOCIATION; BANK OF AMERICA
CORPORATION; BANK OF AMERICA,
NATIONAL ASSOCIATION; U.S.
BANCORP; U.S. BANK, NATIONAL
ASSOCIATION; WACHOVIA
CORPORATION; WACHOVIA BANK,
NATIONAL ASSOCIATION; SUNTRUST
BANKS, INC.; SUNTRUST BANK;
BB&T CORPORATION; BRANCH
BANKING AND TRUST COMPANY;
BANCORPSOUTH, INC.;
BANCORPSOUTH BANK; COMPASS
BANCSHARES, INC.; COMPASS BANK;
CULLEN/FROST BANKERS, INC.; THE
FROST NATIONAL BANK; FIRST
HORIZON NATIONAL CORPORATION;
FIRST TENNESSEE BANK, NATIONAL
ASSOCIATION; HSBC NORTH
AMERICA HOLDINGS INC.; HSBC
BANK USA, N.A.; HARRIS BANKCORP,
INC.; HARRIS N.A.; NATIONAL CITY
CORPORATION; NATIONAL CITY
BANK; ZIONS BANCORPORATION;
ZIONS FIRST NATIONAL BANK; BANK
OF NEW YORK CO., INC.; THE BANK
OF NEW YORK; UNIONBANCAL
CORPORATION; UNION BANK OF
CALIFORNIA, NATIONAL
ASSOCIATION; BANK OF
TOKYO-MITSUBISHI UFJ, LTD.;
CITIZENS FINANCIAL GROUP, INC.

CITY NATIONAL CORPORATION;
CITY NATIONAL BANK; COMERICA
INCORPORATED; COMERICA BANK &
TRUST, NATIONAL ASSOCIATION;
DEUTSCHE BANK TRUST COMPANY
AMERICAS; FIRST CITIZENS
BANCSHARES, INC.; FIRST CITIZENS
BANK & TRUST COMPANY;
KEYCORP; KEYBANK NATIONAL
ASSOCIATION; LASALLE BANK
CORPORATION; LASALLE BANK NA;
M&T BANK CORPORATION; M&T
BANK; THE PNC FINANCIAL
SERVICES GROUP, INC.; PNC BANK,
NATIONAL ASSOCIATION
UBS AMERICAS, INC.; SMALL VALUE
PAYMENTS COMPANY, LLC; THE
CLEARING HOUSE PAYMENTS
COMPANY, LLC; MAGTEK, INC; FIRST
DATA CORPORATION; TELECHECK
SERVICES, INC., REMITCO, LLC; and
ELECTRONIC DATA SYSTEMS CORP.

Defendants.

**WACHOVIA'S NOTICE OF ACCEPTANCE OF STIPULATION
REQUIRED FOR STAY**

Pursuant to this Court's September 17, 2007 Order permitting a stay of all discovery and proceedings for the claims related to U.S. Patent Nos. 5,265,007, 5,717,868, 5,583,759 and 5,930,778 (collectively the "Huntington Patents") in light of the pending reexaminations by the U.S. Patent and Trademark Office, Wachovia Corporation and Wachovia Bank National Association (collectively "Wachovia") hereby stipulate to the following:

As a condition of the stay, Wachovia may not argue invalidity at trial based on one or more prior art printed publications that were submitted by the petitioner in the reexamination proceedings. However, Wachovia will be permitted to rely for obviousness on the combination of printed publication reference that was submitted by petitioner in the reexamination with prior art that was not so submitted.

This the 24th day of September, 2007.

/s/ E. Danielle Thompson Williams

William H. Boice

Steven Gardner

E. Danielle Thompson Williams

Audra A. Dial

Bret T. Winterle

KILPATRICK STOCKTON LLP

Suite 2800

1100 Peachtree Street

Atlanta, GA 30309-4530

Telephone: (404) 815-6500

Fax: (404) 815-6555

1001 West 4th Street

Winston-Salem, NC 27104

Telephone: (336) 607-7300

Fax: (336) 607-7500

Damon Young

YOUNG, PICKETT & LEE

4122 Texas Boulevard

P. O. Box 1897

Texarkana, TX 75504

Wachovia Corporation and Wachovia Bank
National Association

CERTIFICATE OF SERVICE

I hereby certify that on this date I caused to be served the foregoing Stipulation on Plaintiff's counsel of record by electronic mail pursuant to Local Court Rule 5(e) addressed as follows:

Edward L. Hohn, Esq.
Rod A. Cooper, Esq.
Edward K. Chin, Esq.
Nix Patterson & Roach, L.L.P.
5215 N. O'Connor Blvd.
Suite 1900
Irving, TX 75039

edhohn@nixlawfirm.com
rodcooper@nixlawfirm.com
edchin@nixlawfirm.com

Harold Wayne Nix, Esq.
Nix Patterson & Roach, L.L.P.
205 Linda Drive
Daingerfield, TX 75638

haroldnix@nixlawfirm.com

Louis Brady Paddock, Esq.
Anthony Bruster, Esq.
Richard B. King, Esq.
Charles Cary Patterson, Esq.
Nix Patterson & Roach, L.L.P.
2900 St. Michael Dr., 5th Floor
Texarkana, TX 75503

bpaddock@nixlawfirm.com
akbruster@nixlawfirm.com
benking@nixlawfirm.com
ccp@nixlawfirm.com

Eric M. Albritton, Esq.
Albritton Law Firm
109 W. Tyler
Longview, TX 75601

ema@emafirm.com

Joe Kendall, Esq.
Karl Rupp, Esq.
Provost Umphrey Law Firm, L.L.P.
3232 McKinney Avenue, Suite 700
Dallas, TX 75204

jkendall@provostumphrey.com
krupp@provostumphrey.com

T. John Ward Jr.
Law Office of T. John Ward, Jr. P.C.
109 W. Tyler
Longview, TX 75601

jw@jwfirm.com

This the 24th day of September, 2007.

/s/ E. Danielle Thompson Williams
E. Danielle Thompson Williams