

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

Actus, LLC)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 2:09-cv-102 (TJW)
)	
(1) Bank of America Corp.;)	
(2) Blaze Mobile, Inc.;)	
(3) Capital One Financial Corp.;)	JURY TRIAL DEMANDED
(4) Enable Holdings, Inc.;)	
(5) Google, Inc.;)	
(6) Green Dot Corp.;)	
(7) Javien Digital Payment Solutions, Inc.;)	
(8) JPMorgan Chase & Co.;)	
(9) Mastercard International, Inc.;)	
(10) Meta Financial Group, Inc.;)	
(11) M&T Bank Corp.;)	
(12) Obopay, Inc.;)	
(13) Sonic Solutions;)	
(14) Visa, Inc.;)	
(15) Vivendi Universal U.S. Holding Co.;)	
(16) Vivendi Universal, SA;)	
(17) Wal-Mart Stores, Inc.;)	
(18) The Walt Disney Co.;)	
(19) The Western Union Co.;)	
(20) WildTangent, Inc.;)	
(21) AgileCo;)	
)	
Defendants.)	

**CORPORATE DISCLOSURE STATEMENT OF
DEFENDANT CAPITAL ONE FINANCIAL CORPORATION**

Pursuant to Federal Rule of Civil Procedure 7.1, Defendant Capital One Financial Corporation states that it has no parent company and that no publicly held corporation owns more than 10% of Capital One Financial Corporation's stock.

Dated: July 13, 2009

Respectfully Submitted,

SMITH & GILSTRAP

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**ATTORNEYS FOR DEFENDANT CAPITAL
ONE FINANCIAL CORPORATION**

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, the foregoing was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by certified mail, return receipt requested, on this the 13th day of July, 2009.

/s/ J. Rodney Gilstrap