

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

DATATREASURY CORPORATION,
Plaintiff-Appellee,

v.

U.S. BANK, NATIONAL ASSOCIATION,
Defendant-Appellant,

AND

**THE CLEARING HOUSE PAYMENTS COMPANY,
LLC,**
Defendant,

AND

VIEWPOINTE ARCHIVE SERVICES, LLC,
Defendant,

AND

**BANCORP SOUTH BANK AND BANCORPSOUTH,
INC.,**
Defendants,

AND

**BANK OF MONTREAL, BANK OF NOVA SCOTIA,
CANADIAN IMPERIAL BANK OF COMMERCE,
INTRIA ITEMS, INC., NATIONAL BANK OF
CANADA, ROYAL BANK OF CANADA, SYMCOR,
INC., AND TORONTO-DOMINION BANK,**
Defendants,

AND

**THE BANK OF NEW YORK MELLON
CORPORATION,**
Defendant.

2011-1587

Appeal from the United States District Court for the
Eastern District of Texas in case no. 06-CV-0072, Chief
Judge David J. Folsom.

DATATREASURY CORPORATION,
Plaintiff-Appellee,

v.

U.S. BANK, NATIONAL ASSOCIATION,
Defendant,

AND

**THE CLEARING HOUSE PAYMENTS COMPANY,
LLC,**
Defendant-Appellant,

AND

VIEWPOINTE ARCHIVE SERVICES, LLC,
Defendant-Appellant,

AND

**BANCORP SOUTH BANK AND BANCORPSOUTH,
INC.,**
Defendants,

AND

**BANK OF MONTREAL, BANK OF NOVA SCOTIA,
CANADIAN IMPERIAL BANK OF COMMERCE,
INTRIA ITEMS, INC., NATIONAL BANK OF
CANADA, ROYAL BANK OF CANADA, SYMCOR,
INC., AND TORONTO-DOMINION BANK,**
Defendants,

AND

**THE BANK OF NEW YORK MELLON
CORPORATION,**
Defendant.

2011-1604, -1605

Appeals from the United States District Court for the
Eastern District of Texas in case no. 06-CV-0072, Chief
Judge David J. Folsom.

ON MOTION

O R D E R

The parties move to dismiss Viewpointe Archive Services, LLC and The Clearing House Payments Company L.L.C. as parties in 2011-1587 and to withdraw The Clearing House Payments Company L.L.C.'s appeal no. 2011-1604, and Viewpointe Archive Services, LLC's appeal no. 2011-1605.

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion to dismiss Viewpointe and The Clearing House from 2011-1587 is granted in part. The parties

will be listed in the caption as defendants. The revised official caption is reflected in the order.

(2) The motion to withdraw 2011-1604 and 2011-1605 is granted. 2011-1604 and 2011-1605 are dismissed.

(2) Each side shall bear its own costs in 2011-1604 and 2011-1605.

FOR THE COURT

OCT 07 2011

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Jeffrey A. Lamken, Esq.
Bruce E. Clark, Esq.
John J. Feldhaus, Esq.
John R. Emerson, Esq.

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Issued As A Mandate (As To 2011-1604, -1605 Only): OCT 07 2011

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

OCT 07 2011

JAN HORBALY
CLERK