

NOTE: This order is nonprecedential.

## United States Court of Appeals for the Federal Circuit

Miscellaneous Docket No. 928

IN RE DATATREASURY CORPORATION,

Petitioner.

On Petition for Writ of Mandamus to the United States District Court for  
the Eastern District of Texas in case no.2:06-CV-72,  
Judge David Folsom.

ON PETITION FOR WRIT OF MANDAMUS

Before MOORE, Circuit Judge.

### ORDER

DataTreasury Corporation (DTC) submits a petition for a writ of mandamus directing the United States District Court for the Eastern District of Texas to (1) vacate its December 30, 2009 order denying DTC's motion to disqualify counsel for Bank of America Corp. et al. (Bank of America) and (2) enter an order disqualifying the law firm of Fish & Richardson, P.C. from further representation of Bank of America in this case.

The mandamus petition submitted by DTC is 47 pages long and thus exceeds the page limitation. See Fed. R. App. P. 21(d) ("Except by the court's permission, a paper must not exceed 30 pages").

Accordingly,

IT IS ORDERED THAT:

(1) The mandamus petition is rejected. DTC is directed to file a replacement petition containing no more than 30 pages within three business days of the date of filing of this order.

(2) Bank of America is directed to respond to DTC's replacement mandamus petition within 14 days of the date of filing of the replacement petition.

FOR THE COURT

FEB 17 2010

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

cc: Nelson J. Roach, Esq.  
Rod Phelan Esq.  
Judge, USDC E.D. Tex.  
Clerk, USDC E.D. Tex.

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

**FEB 17 2010**

**JAN HORBALY  
CLERK**