

NOTE: This order is nonprecedential.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

Fish & Richardson moves for an order recognizing it as a respondent and permitting it to file a joint response with Bank of America Corp. et al. (Bank of America) to DataTreasury Corporation's 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 and (2) enter an order disqualifying the law firm of Fish & Richardson, P.C. from further representation of Bank of America in this case. Alternatively, Fish & Richardson requests leave to intervene as a respondent and to join in Bank of America's response.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion is granted to the extent that Fish & Richardson may file a separate submission of no more than ten pages no later than March 8, 2010.

FOR THE COURT

MAR 03 2010

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Nelson J. Roach, Esq.
Rod Phelan, Esq.
Robert Parker, 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

MAR 03 2010

JAN HORBALY
CLERK