

20.

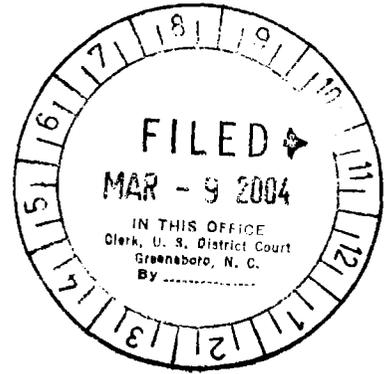
W/cm

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ANN MAILLY, individually and on )  
 behalf of all others similarly situated, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 WACHOVIA CORPORATION, surviving )  
 entity of a merger between First Union )  
 Corporation and Wachovia Corporation; )  
 FIRST CARD CORPORATION, formerly )  
 known as First Union ATM Solutions, Inc., )  
 and WACHOVIA BANK, National )  
 Association, f/k/a First Union National Bank, )  
 )  
 Defendants. )

---

Case No. 1:03CV309



JUDGMENT

For the reasons discussed in a contemporaneously filed Memorandum  
 Opinion, Defendants' Motion to Dismiss Pursuant to Federal Rule of Civil Procedure  
 12(b)(1) [Doc. #8] is GRANTED; and Defendants' Alternative Motion to Stay  
 Pending Arbitration [Doc. #9] is therefore MOOT.

This 8<sup>th</sup> day of March, 2004

*[Handwritten Signature]*  
 United States District Judge