

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

MASSACHUSETTS BAY  
TRANSPORTATION AUTHORITY

Plaintiff

v.

Civil Action No. \_\_\_\_\_

ZACK ANDERSON, RJ RYAN,  
ALESSANDRO CHIESA, and the  
MASSACHUSETTS INSTITUTE OF  
TECHNOLOGY

Defendants

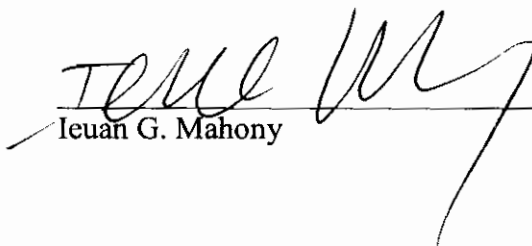
**DECLARATION OF IEUAN G. MAHONY**

1. I am a partner at Holland & Knight, LLP, representing the Massachusetts Bay Transportation Authority ("MBTA") in this matter.
2. I certify to the following efforts made to notify the defendants of the present Motion for Temporary Restraining Order ("TRO"):
  - (a) On Friday August 8, 2008, Joseph Kelley spoke with the MIT Undergrads' professor, Ron Rivest, to again request presentation materials.
  - (b) On Friday August 8, 2008, after the decision was made to proceed, William A. Mitchell, Jr., General Counsel for the MBTA contacted R. Gregory Morgan, Vice President and General Counsel of MIT to inform him of the planned Motion.
  - (c) On Friday August 8, 2008, once the papers were ready to be brought to court, Daniel Grabouskus, General Manager of the MBTA, made efforts to contact the President of MIT.
3. The document included in the Exhibit Binder as Exhibit 6 is a true and accurate comparison of the Initial Announcement (Exhibit 1) and the Revised Announcement (Exhibit 4), using the software application Deltaview.

4. The documents included in the Exhibit Binder as Exhibit 7 are true and accurate copies of (i) a July 14, 2008 CNET New.com posting by R. Vamosi entitled "Column: The Man Who Changed Internet Security", located at [http://news.cnet.com/8301-10789\\_3-9989292-57.html?tag=st.nl](http://news.cnet.com/8301-10789_3-9989292-57.html?tag=st.nl); and (ii) an August 7, 2008 CNET News.com posting by R. Vamosi entitled "Kaminsky Provides the Why of Attacking DNS", located at [http://news.cnet.com/8301-1009\\_3-10009951-83.html?tag=st.nl](http://news.cnet.com/8301-1009_3-10009951-83.html?tag=st.nl) .

5. The document included in the Exhibit Binder as Exhibit 8 is a true and accurate copy of the Athena Rules of Use (including MITnet Rules of Use), located at <http://web.mit.edu/olh/Rules/>.

Signed under the penalties of perjury this 8<sup>th</sup> day of August, 2008.

  
Ieuan G. Mahony

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