

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MASSACHUSETTS BAY
TRANSPORTATION AUTHORITY

Plaintiff

v.

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

Defendants

Civil Action No. _____

MOTION FOR TEMPORARY RESTRAINING ORDER

Pursuant to Fed. R. Civ. P. 65 and 18 U.S.C. §1030(g), the plaintiff, Massachusetts Bay Transportation Authority ("MBTA"), hereby moves that the Court enter a temporary restraining order and, after hearing, a preliminary injunction enjoining the defendants Zack Anderson, RJ Ryan, and Alessandro Chiesa (collectively the "MIT Undergrads"), until the MBTA's vendors have had sufficient time to correct claimed security flaws in the MBTA's Fare Media System:

- (1) From providing information, software code, or other materials that would assist another in any material way to circumvent or otherwise attack the security of the Fare Media System;
- (2) From publicly stating or indicating that the security or integrity of the CharlieCard pass, the CharlieTicket pass, or the MBTA's Fare Media System has been compromised;
- (3) From further circulating the Initial Announcement and Revised Announcement, and from declining to promptly disable Internet access to these Announcements;
- (4) From suggesting they can provide or assist others in obtaining "free subway rides" or other free passage on the MBTA's transit system; and
- (5) From declining to provide the MBTA and its vendors with information sufficient to replicate, test, and repair the purported security flaws in the Fare Media system.

The MBTA seeks immediate relief. The MIT Undergrads plan to disclose the claimed security flaws in the MBTA's Fare Media System at a presentation scheduled for 1:00 on Sunday, August 10, 2008 in Las Vegas, Nevada. If this disclosure occurs, and if the MIT Undergrads' claimed security flaws do indeed exist, the MBTA will suffer irreparable harm.

In support of this Motion, the plaintiff submits (i) the Declaration of Joseph Kelley; (ii) the Declaration of Gary Foster; (iii) the Declaration of Richard Sullivan; (iv) the Declaration of Ieuan G. Mahony; (v) Exhibits in Support of Plaintiff's Motion for Temporary Restraining Order; and (vi) Memorandum in Support of Plaintiff's Motion for Temporary Restraining Order.

WHEREFORE the MBTA respectfully requests that the Court enter a temporary restraining order and, after hearing, a preliminary injunction enjoining the MIT Undergrads from engaging in the conduct specified above. A proposed Order accompanies this Motion.

MASSACHUSETTS BAY TRANSPORTATION
AUTHORITY
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Dated: August 8, 2008
Boston, Massachusetts

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