

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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MASSACHUSETTS BAY  
TRANSPORTATION AUTHORITY

Plaintiff

v.

Civil Action No. 08-11364-GAO

ZACK ANDERSON, RJ RYAN,  
ALESSANDRO CHIESA, RONALD L.  
RIVEST, and the MASSACHUSETTS  
INSTITUTE OF TECHNOLOGY

Defendants

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**MOTION FOR ENTRY OF A PRELIMINARY INJUNCTION**

Pursuant to Fed. R. Civ. P. 65 and 18 U.S.C. §1030(g), Plaintiff Massachusetts Bay Transportation Authority ("MBTA"), hereby moves that this Court convert its previously entered Temporary Restraining Order (Docket No. 12) into an order for preliminary injunction, in the form set out in the attached proposed Order for Preliminary Injunction.

In support of this Motion, the MBTA relies on its previously filed papers and the following submissions: (i) the Supplemental Declaration of Joseph Kelley, (ii) the Supplemental Declaration of Scott Henderson, (iii) the Supplemental Declaration of William Mitchell, (iv) the Second Supplemental Declaration of Ieuan G. Mahony, (v) the Declaration of Maximillian J. Bodoïn, (vi) the Memorandum in Support of Entry of a Preliminary Injunction; and (vii) the proposed Order For Preliminary Injunction.

WHEREFORE, the MBTA respectfully requests that this Court enter a preliminary injunction as set out in Plaintiff's proposed Order For Preliminary Injunction.

MASSACHUSETTS BAY TRANSPORTATION  
AUTHORITY

By its attorneys,

/s/ Ieuan G. Mahony

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Dated: August 18, 2008  
Boston, Massachusetts

CERTIFICATE OF SERVICE

I, Ieuan G. Mahony, Attorney for the Massachusetts Bay Transportation Authority in connection with the above-captioned proceeding, hereby certify that on this 18<sup>th</sup> day of August, 2008, the **Motion for Entry of a Preliminary Injunction** was served via the ECF system on the following interested parties:

**Party**

**Counsel**

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and Alessandro Chiesa  
(the "MIT Undergrads")

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/s/ Ieuan G. Mahony \_\_\_\_\_