

Exhibit 6

Mahony, leuan (BOS - X75835)

From: Mahony, leuan (BOS - X75835)
Sent: Saturday, August 09, 2008 1:30 AM
To: 'marcia@eff.org'; 'kurt@eff.org'; 'jennifer@eff.org'
Cc: 'Swope, Jeffrey'; 'jaren@mit.edu'; William Mitchell; 'Scott Darling'; Mahony, leuan (BOS - X75835)
Subject: MBTA v Anderson et al

Kurt, Marcia, and Jennifer:

Per our 11:30 call, I will be available for another hour or so tonight. I have not circulated your inquiry about possible willingness to postpone the hearing. Please let me know if you wish us formally to consider this as a request.

I note that we still do not have your clients' presentation materials. I am inclined to object to any discussion of a postponement, as the decision to continue to withhold these materials makes me concerned. As I stated during our 9:00, and 11:30 calls this evening, I see no basis for continuing to withhold this information.

With that said, we remain interested in discussing an amicable resolution. Once I have finished the Supplemental Declaration I discussed, I will begin work on a proposed Consent Judgment and format for your review.

leuan

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