

From: Chubb, Anthony

Sent: Wednesday, February 03, 2010 11:58 AM

To: Gibbons, Beth

Subject: RE: SMART buses & Political Advertising

Typically, get out the vote drives are not political. HOWEVER... it is worth noting that Roi Chinn is a candidate for the Michigan State Senate in 2010. Targeted get out the vote drives paid for by politicians could very well cross the line. I think we need more information before we can respond to this one.

Anthony Chubb

Assistant General Counsel

SMART
535 Griswold Avenue, Suite 600

Detroit, MI 48226

(313) 223-2196

This is an attorney client privleged communication.

----Original Message----

From: Gibbons, Beth

Sent: Wednesday, February 03, 2010 11:46 AM

To: Chubb, Anthony

Subject: FW: SMART buses & Political Advertising

Tony,

What are your thoughts on this one?

Beth Gibbons
SMART Marketing Program Manager
313.223.2112 - Office
313.461.4523 - Cell
bgibbons@smartbus.org

535 Griswold Street, Suite 600 Detroit, MI 48226

----Original Message----

From: GOP 2010 [mailto:winwithchinn@gmail.com]

Sent: Tuesday, February 02, 2010 4:33 PM

To: Hawkins, Robert B; Gibbons, Beth

Subject: Re: SMART buses & Political Advertising

Mr. Hawkins,

Thanks Robert.

I am apart of multiple diversity organizations and I would like to do a public announcement. For example, this month is Black History Month as well as Chinese New Year. In southeast

oakland county, many minorities have been left out of mainstream media communication like registering to vote.

I look forward to your response. Is this request political? Also, who can I FOIA to receive this info from.

Roi Chinn

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On 2/2/10, Hawkins, Robert B <robert.hawkins@cbsoutdoor.com> wrote:
> Hello Mr. Chinn,
> This brief message is a follow up to our conversation regarding the
> SMART system's policy on not allowing political advertising. I have
> copied the SMART marketing manager Beth Gibbons as discussed. You
> indicated that someone from SMART had given you my contact information
> and she would be able to offer any further clarity you may need
> regarding the misinformation that was passed along by the SMART Director that you
referenced.
> Kindest Regards,
>
>
> Robert B. Hawkins
> Sales Manager, Displays Division
> CBS Outdoor
> 88 Custer Ave.
> Detroit, MI 48202
> (313) 556-7115 (ph) / (313) 872-8066 (fax)
>
>
```

Progress...Not Politics

From:

Chubb, Anthony

Sent:

Wednesday, January 13, 2010 1:29 PM

To:

Gibbons, Beth

Cc:

Dryden, Elizabeth; Gordon, Avery

Subject:

RE: Potential SMART advertiser

Beth,

Per our conversation, the advertisement as proposed does not violate any provisions of our advertising contract's restrictions on content, which are set forth in Section 5.07(B)of the contract.

We do have to continue being very careful on this issue, and in making the determination of whether proposed advertisements are simple information items, or cross the line and make political statements.

Anthony Chubb Assistant General Counsel SMART 535 Griswold Avenue, Suite 600 Detroit, MI 48226 (313) 223-2196

----Original Message----

From: Gibbons, Beth

Sent: Tuesday, January 12, 2010 4:48 PM
To: Chubb, Anthony; Gordon, Avery; Dryden, Elizabeth

Subject: FW: Potential SMART advertiser

Importance: High

For your review. See link below in the original e-mail to view the ad. The title of the ads are Godless...

Beth Gibbons SMART Marketing Program Manager 313.223.2112 - Office 313.461.4523 - Cell bgibbons@smartbus.org

535 Griswold Street, Suite 600 Detroit, MI 48226

----Original Message----

From: Hawkins, Robert B [mailto:robert.hawkins@cbsoutdoor.com]

Sent: Tuesday, January 12, 2010 4:34 PM

To: Gibbons, Beth

Subject: Potential SMART advertiser

Importance: High

Hello Beth,

The attached email provides a link for a potential advertiser who is displaying the copy that they would like to run on the SMART system. Please review the proposed layout and let me know if we can proceed with a contract.

Thanks,

Robert B. Hawkins

Sales Manager, Displays Division CBS Outdoor 88 Custer Ave. Detroit, MI 48202

(313) 556-7115 (ph) / (313) 872-8066 (fax)

----Original Message----

From: Jende Huang [mailto:jhuang@unitedcor.org]

Sent: Tuesday, January 12, 2010 4:12 PM

To: Hawkins, Robert B

Subject: information about United CoR

Robert,

Glad we could connect today.

Here is the link to the national United CoR website: http://unitedcor.org/

Also, you can see some of the Portland bus ads here: http://portland.unitedcor.org/node/40

Please let me know! Thanks much!

jende

Jende Andrew Huang National Coordinator United Coalition of Reason www.unitedcor.org // 866.897.7248 From:

Chubb, Anthony

Sent:

Wednesday, January 16, 2013 10:00 AM

To:

Gibbons, Beth

Subject:

FW: Rockstar Games-Red Dead Redemption Game Launch 5/18

Anthony Chubb Assistant General Counsel SMART 535 Griswold Street, Suite 600 Detroit, MI 48226 (313) 223-2196

From: Gibbons, Beth

Sent: Tuesday, April 06, 2010 4:06 PM **To:** Dryden, Elizabeth; Chubb, Anthony

Cc: Gordon, Avery

Subject: RE: Rockstar Games-Red Dead Redemption Game Launch 5/18

The ad last year was posted but the gun was removed. I will request the gun-less version for our review. Thanks.

Beth Gibbons SMART Marketing Program Manager 313.223.2112 - Office 313.461.4523 - Cell bgibbons@smartbus.org

535 Griswold Street, Suite 600 Detroit, MI 48226

From: Dryden, Elizabeth

Sent: Tuesday, April 06, 2010 1:53 PM **To:** Gibbons, Beth; Chubb, Anthony

Cc: Gordon, Avery

Subject: RE: Rockstar Games-Red Dead Redemption Game Launch 5/18

I recall an ad that was not placed last year because of a gun. What does the gunless version look like?

From: Gibbons, Beth

Sent: Tuesday, April 06, 2010 1:25 PM **To:** Dryden, Elizabeth; Chubb, Anthony

Cc: Gordon, Avery

Subject: FW: Rockstar Games-Red Dead Redemption Game Launch 5/18

Importance: High

CBS is asking for our approval to post these ads on our buses or shelters. They have offered a version without the gun. Please let me know your thoughts, if possible, today. Thank you.

Beth Gibbons SMART Marketing Program Manager 313.223.2112 - Office 313.461.4523 - Cell bgibbons@smartbus.org 535 Griswold Street, Suite 600 Detroit, MI 48226

From: Hawkins, Robert B [mailto:robert.hawkins@cbsoutdoor.com]

Sent: Monday, April 05, 2010 12:00 PM

To: Gibbons, Beth

Subject: FW: Rockstar Games-Red Dead Redemption Game Launch 5/18

Importance: High

Hello Beth,

Please review the attached file and let me know if this would present an issue with buses or shelters. They are looking for markets to move on and a quick response would be helpful.

Please note the question is with or without the cowboy's gun.

Thanks,

Robert B. Hawkins Sales Manager, Displays Division CBS Outdoor 88 Custer Ave. Detroit, MI 48202

(313) 556-7115 (ph) / (313) 872-8066 (fax)

From: Gonzalez, Hector E

Sent: Monday, April 05, 2010 11:20 AM

To: Shilling, Rob M; Selby, Eric; Carlucci, Steve P; Bolton, Lee; Hawkins, Robert B; Bronson, Aaron; Ferguson,

Kenneth L

Subject: Rockstar Games-Red Dead Redemption Game Launch 5/18

Hello all please let me know if the attached creative can run in your market and if so can it run with or without the gun? They have contracted in NY, LA & SF already last week so please let me know as soon as possible. Thanks in advance everyone!

5/10-4 weeks

Miami-Bus Kings Baltimore-Bus Shelters Philly-Bus Shelters Atlanta-Bus Kings & Shelters Detroit-Bus Kings & Shelters Washington DC-Kings Cleveland-Kings

Thanks, Hector From:

Chubb, Anthony

Sent:

Wednesday, January 16, 2013 10:00 AM

To:

Gibbons, Beth

Subject:

FW: Rockstar Games-Red Dead Redemption Game Launch 5/18

Anthony Chubb Assistant General Counsel SMART 535 Griswold Street, Suite 600 Detroit, MI 48226 (313) 223-2196

From: Gordon, Avery

Sent: Thursday, April 08, 2010 12:23 PM

To: Dryden, Elizabeth; Gibbons, Beth; Chubb, Anthony

Subject: Re: Rockstar Games-Red Dead Redemption Game Launch 5/18

I don't see any violation of the policy with this artwork.

---- Reply message -----

From: "Gibbons, Beth" < BGibbons@smartbus.org>

Date: Thu, Apr 8, 2010 10:28 AM

Subject: Rockstar Games-Red Dead Redemption Game Launch 5/18

To: "Dryden, Elizabeth" < EDryden@smartbus.org>, "Chubb, Anthony" < AChubb@smartbus.org>

Cc: "Gordon, Avery" < AGordon@smartbus.org>

Here is the version without the gun. Please advise.

Beth Gibbons SMART Marketing Program Manager 313.223.2112 - Office 313.461.4523 - Cell bgibbons@smartbus.org

535 Griswold Street, Suite 600 Detroit, MI 48226

From: Hawkins, Robert B [mailto:robert.hawkins@cbsoutdoor.com]

Sent: Thursday, April 08, 2010 9:44 AM

To: Gibbons, Beth

Subject: FW: Rockstar Games-Red Dead Redemption Game Launch 5/18

Hello Beth,

Here is the image without the gun.

Robert B. Hawkins Sales Manager, Displays Division CBS Outdoor 88 Custer Ave. Detroit, MI 48202 (313) 556-7115 (ph) / (313) 872-8066 (fax) like to advertise its curriculum (or the fact that it exists) on our buses. Similar to the "Rock Star" ad, our advertising guidelines prohibit advertising that promotes the sale of alcohol or tobacco. While I understand that marijuana is not tobacco, I believe it is a form of a substance that can be dried and smoked similar to tobacco. Both tobacco and marijuana are legal (pot for medical purposes). If the ad is not promoting the sale of prescribed pot, but the classes surrounding the industry, what would a legal analysis be of the situation?

Thank you very much for your consideration. I realize that you may have received bits and pieces of this information over the last few days. It is my understanding that some of the issues are currently under review while others are being presented for the first time. Because there are several in the process, I wanted to lay them all out in one communication. We appreciate the legal department and know that you are very busy!!

Please don't hesitate to call me to discuss any of these items in more detail or to request more information.

Beth

From: Gordon, Avery

Sent: Thursday, April 08, 2010 10:54 PM

To: Dryden, Elizabeth; Gibbons, Beth; Chubb, Anthony **Subject:** Re: Paramount - Kings w/Slight Extension

Let me clarify....by "your's" you mean legal's. Can you tell me why is a review by legal being requested? Do you have any analysis or recommendation of your own?

---- Reply message ----

From: "Gibbons, Beth" < BGibbons@smartbus.org >

Date: Thu, Apr 8, 2010 4:28 PM

Subject: Paramount - Kings w/Slight Extension

To: "Dryden, Elizabeth" <<u>EDryden@smartbus.org</u>>, "Chubb, Anthony" <<u>AChubb@smartbus.org</u>>, "Gordon, Avery" <<u>AGordon@smartbus.org</u>>

For your review.

Beth Gibbons SMART Marketing Program Manager 313.223.2112 - Office 313.461.4523 - Cell bgibbons@smartbus.org

535 Griswold Street, Suite 600 Detroit, MI 48226

From: Hawkins, Robert B [mailto:robert.hawkins@cbsoutdoor.com]

Sent: Thursday, April 08, 2010 4:22 PM

To: Gibbons, Beth

Subject: FW: Paramount - Kings w/Slight Extension

Beth,

Please look at the attached design.

Robert B. Hawkins Sales Manager, Displays Division

Gibbons, Beth

From:

Toth, Toni

Sent:

Friday, October 30, 2009 10:08 AM

To:

Gibbons, Beth

Subject:

Toni Toth

RE: Macomb County "Report Drunk Drivers" campaign

Beth,

Please let me know when you hear back. Thanks.

Executive Secretary, External Affairs, Marketing and Communications SMART 535 Griswold St. Suite 600 Detroit, MI 48226 P: 313.223.2349 F: 248.244.9025

----Original Message-----From: Gibbons, Beth

ttoth@smartbus.org

Sent: Friday, October 30, 2009 9:58 AM To: Dryden, Elizabeth; Toth, Toni

Subject: RE: Macomb County "Report Drunk Drivers" campaign

Beth,

This was approved by you, Avery and Tony Chubb for posting on the buses. Is there another reason to meet?

Beth Gibbons
SMART Marketing Program Manager
313.223.2112 - Office
313.461.4523 - Cell
bgibbons@smartbus.org

535 Griswold Street, Suite 600 Detroit, MI 48226

----Original Message-----From: Dryden, Elizabeth

Sent: Friday, October 30, 2009 8:31 AM

To: Gibbons, Beth; Toth, Toni

Subject: RE: Macomb County "Report Drunk Drivers" campaign

Please schedule time for rich, jim' steve, fred and @ to review before thursday. I will rearrenge my schedule if necessary.

please excuse typos, this email is being sent from my Treo

----Original Message-----

From: "Gibbons, Beth" < BGibbons@smartbus.org > To: "Dryden, Elizabeth" < EDryden@smartbus.org >

Sent: 10/28/09 4:07 PM

Subject: FW: Macomb County "Report Drunk Drivers" campaign

Let's discuss...

Beth Gibbons

SMART Marketing Program Manager 313.223.2112 - Office 313.461.4523 - Cell bgibbons@smartbus.org

535 Griswold Street, Suite 600 Detroit, MI 48226

----Original Message-----

From: Hawkins, Robert B [mailto:robert.hawkins@cbsoutdoor.com]

Sent: Wednesday, October 28, 2009 2:52 PM

To: Gibbons, Beth

Subject: FW: Macomb County "Report Drunk Drivers" campaign

Hello Beth,

Please review and let me know if your team has a problem with this creative.

Thanks,

Robert B. Hawkins Sales Manager, Displays Division CBS Outdoor 88 Custer Ave. Detroit, MI 48202

(313) 556-7115 (ph) / (313) 872-8066 (fax)

----Original Message-----From: Carroll, Tom F

Sent: Wednesday, October 28, 2009 1:46 PM

To: Hawkins, Robert B

Subject: Macomb County "Report Drunk Drivers" campaign

Any problems with this copy on SMART Macomb? Thank you.

Tom Carroll VP Michigan Region CBS Outdoor 88 Custer Ave. Detroit, MI 48202 313-556-7120 (direct) 313-872-8066 (fax)

Gibbons, Beth

From:

Hawkins, Robert B [robert.hawkins@cbsoutdoor.com]

Sent:

Thursday, October 29, 2009 11:27 AM

To:

Gibbons, Beth

Subject:

RE: Macomb County "Report Drunk Drivers" campaign

Thanks

Robert B. Hawkins Sales Manager, Displays Division CBS Outdoor 88 Custer Ave. Detroit, MI 48202

(313) 556-7115 (ph) / (313) 872-8066 (fax)

----Original Message----

From: Gibbons, Beth [mailto:BGibbons@smartbus.org]

Sent: Thursday, October 29, 2009 11:22 AM

To: Hawkins, Robert B

Cc: Dryden, Elizabeth; Chubb, Anthony; Gordon, Avery

Subject: RE: Macomb County "Report Drunk Drivers" campaign

Robert,

The ads are approved.

Beth Gibbons SMART Marketing Program Manager 313.223.2112 - Office 313.461.4523 - Cell bgibbons@smartbus.org

535 Griswold Street, Suite 600 Detroit, MI 48226

----Original Message-----

From: Hawkins, Robert B [mailto:robert.hawkins@cbsoutdoor.com]

Sent: Wednesday, October 28, 2009 2:52 PM

To: Gibbons, Beth

Subject: FW: Macomb County "Report Drunk Drivers" campaign

Hello Beth,

Please review and let me know if your team has a problem with this creative.

Thanks,

Robert B. Hawkins Sales Manager, Displays Division CBS Outdoor 88 Custer Ave. Detroit, MI 48202

(313) 556-7115 (ph) / (313) 872-8066 (fax)

----Original Message-----From: Carroll, Tom F Sent: Wednesday, October 28, 2009 1:46 PM

To: Hawkins, Robert B

Subject: Macomb County "Report Drunk Drivers" campaign

Any problems with this copy on SMART Macomb? Thank you.

Tom Carroll VP Michigan Region CBS Outdoor 88 Custer Ave. Detroit, MI 48202 313-556-7120 (direct) 313-872-8066 (fax)

Gibbons, Beth

From:

Dryden, Elizabeth

Sent:

Wednesday, March 03, 2010 10:18 AM 'Schanel Moses'; 'Kimberly C. Zitny'

To: Subject:

FW: Godless Advertising on SMART buses

Fyi...I will call you. Crains has called – Bill Shay – he will write about this, but not about the positive things SMART is doing?

From: Dryden, Elizabeth

Sent: Wednesday, February 10, 2010 7:00 PM

To: Brown, Steve

Cc: Gibbons, Beth; Chubb, Anthony; Gordon, Avery **Subject:** FW: Godless Advertising on SMART buses

Steve,

We have what may be a controversial advertisement coming up and are providing you with the information below to forward to Board members as a head's up. Beth Gibbons and Tony Chubb worked together to prepare the information contained below.

Beth

On January 12, 2010 CBS Outdoor sent an e-mail requesting SMART's review of a potential client from the United Coalition of Reason. The United Coalition of Reason is a national organization that works to raise the visibility of local groups in the community of reason. Nationally, they have conducted campaigns which highlight the fact that non-atheists live in every community across America.

The campaign kicked off in 2009 in the form of billboards. See sample ad below. The first public transit ads appeared in August 2009 in Des Moines, Iowa's DART system. Within one week the ads were pulled from the buses then re-posted voluntarily by the DART transit system. The campaign has appeared in several markets as either a billboard or public transit ads including: Baltimore, Maryland; Boston, Massachusetts; Cincinnati, Cleveland and Columbus, Ohio; Chicago, Illinois, Dallas-Fort Worth and Houston, Texas; Des Moines, Iowa; Morgantown, West Virginia; Newark, New Jersey; New Orleans, Louisiana; New York, New York; Philadelphia, Pennsylvania; Phoenix, Arizona; Portland, Oregon; San Diego, California, and Tulsa, Oklahoma.



The ad has been reviewed by SMART's legal department to see if it violated the content restriction policy in the bus advertising contract. Based on legal's review it was determined there is no violation of Section 5.07(B) of the contract. They have further advised Constitutional First Amendment free speech rights require that SMART not censor free speech before the ads appear on our buses. See below for a copy of the advertising guidelines section 5.07 B & C. SMART has given CBS Outdoor the approval to run these ads and will begin to appear on SMART buses beginning February 22, 2010.

5.07 Advertising Guidelines

B. Restriction on Content

In order to minimize chances of abuse, the appearance of favoritism, and the risk of imposing upon a captive audience, Offeror shall not allow the following content:

- 1. Political or political campaign advertising.
- 2. Advertising promoting the sale of alcohol or tobacco.
- 3. Advertising that is false, misleading, or deceptive.
- 4. Advertising that is clearly defamatory or likely to hold up to scorn or ridicule any person or group of persons.
- 5. Advertising that is obscene or pornographic; or in advocacy of imminent lawlessness or unlawful violent action.

C. Review of Advertising Content

Before displaying any advertising, exhibit material, or announcement which Contractor believes may be in violation of Section 5.07.B, "Restriction on Content," Contractor shall first submit the material to SMART for review. SMART shall make the final determination as to all violations of Section 5.07.B.

From: Chubb, Anthony

Sent: Wednesday, January 27, 2010 10:05 AM **To:** Gibbons, Beth; Gordon, Cindy; Dryden, Elizabeth

Subject: RE: Detroit CoR Publicity Campaign Update-> pictures of ads

With the final modifications, there is still no violation of Section 5.07(B) of the contract.

Anthony Chubb
Assistant General Counsel
SMART
535 Griswold Avenue, Suite 600
Detroit, MI 48226
(313) 223-2196

From: Gibbons, Beth

Sent: Tuesday, January 26, 2010 12:54 PM

To: Chubb, Anthony; Gordon, Cindy; Dryden, Elizabeth

Subject: FW: Detroit CoR Publicity Campaign Update-> pictures of ads

Please confirm we are moving forward with this advertiser based on the message below.

Beth Gibbons SMART Marketing Program Manager 313.223.2112 - Office 313.461.4523 - Cell bgibbons@smartbus.org

535 Griswold Street, Suite 600 Detroit, MI 48226

From: Hawkins, Robert B [mailto:robert.hawkins@cbsoutdoor.com]

Sent: Tuesday, January 26, 2010 12:16 PM

To: Gibbons, Beth Cc: Carroll, Tom F

Subject: FW: Detroit CoR Publicity Campaign Update-> pictures of ads

Beth,

Please see the attached message do you feel that this changes anything in terms of approval if they were to use one of the messages bellow?

Robert B. Hawkins Sales Manager, Displays Division CBS Outdoor 88 Custer Ave. Detroit, MI 48202

(313) 556-7115 (ph) / (313) 872-8066 (fax)

From: Ruthe [mailto:ruthemm@comcast.net]
Sent: Tuesday, January 26, 2010 11:57 AM

To: Hawkins, Robert B

Subject: FW: Detroit CoR Publicity Campaign Update-> pictures of ads

From: Ruthe [mailto:ruthemm@comcast.net]
Sent: Tuesday, January 26, 2010 4:17 AM

To: 'Godfree1st@aol.com'; 'Frank Burejsza'; 'Jefferson Seaver'; 'Jennifer Beahan'

Cc: 'Fred Edwords'; 'Jende Huang'

Subject: Detroit CoR Publicity Campaign Update

Arlene, Frank, Jeff and Jen,

Please have another look through <u>DetroitCoR.org</u> to see if you find any errors and/or want any changes made before we're listed on UCoR. I hope to have the logos linked to corresponding home pages soon.

We're ready to make our final decisions about advertising! United CoR would like to sponsor a one month contract of six king, and six queen, exterior SMART bus ads for Detroit CoR. We can launch as soon as 2/22/10 unless you would prefer a later date.

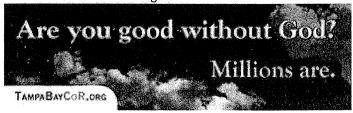
SMART operates out of three terminals; Macomb County, Oakland County and Western Wayne County. Would you like to see our ads evenly distributed on routes out of all three terminals?

Would you prefer 'Don't Believe...' or 'Are you good...'?

Earlier launched local CoRs used:



Newer launches are using:



New York and Boston customized their subway interior signs:



Gibbons, Beth

From:

Dryden, Elizabeth

Sent:

Friday, July 24, 2009 1:17 PM

To:

Gibbons, Beth

Subject:

RE: Pinckney Pro Life

What is it?

please excuse typos, this email is being sent from my Treo

----Original Message----

From: "Gibbons, Beth" < BGibbons@smartbus.org >

To: "Chubb, Anthony" < AChubb@smartbus.org>; "Gordon, Avery" < AGordon@smartbus.org> Cc: "Dryden, Elizabeth" < EDryden@smartbus.org>; "Brown, Steve" < SBrown@smartbus.org>

Sent: 7/24/09 1:00 PM

Subject: FW: Pinckney Pro Life

CBS Outdoor is requesting our approval of the content of the attached is a shelter ad. I have attached the contract and also incorporated the pertinent section below. Please provide to me your input as to whether this violates any part of section 5.07 B.

Thank you.

5.07 Advertising Guidelines

A. Rate Card

Contractor shall develop a Rate Card which establishes a schedule of rates at which advertising space will be sold. The Rate Card shall be forwarded to SMART within 30 days of the award, quarterly, and 30 days prior to any changes to the rates throughout the course of this Contract.

B. Restriction on Content

In order to minimize chances of abuse, the appearance of favoritism, and the risk of imposing upon a captive audience, Offeror shall not allow the following content:

- 1. Political or political campaign advertising.
- 2. Advertising promoting the sale of alcohol or tobacco.
- 3. Advertising that is false, misleading, or deceptive.
- 4. Advertising that is clearly defamatory or likely to hold up to scorn or ridicule any person or group of persons.
- 5. Advertising that is obscene or pornographic; or in advocacy of imminent lawlessness or unlawful violent action.

C. Review of Advertising Content

Before displaying any advertising, exhibit material, or announcement which Contractor believes may be in violation of Section 5.07.B, "Restriction on Content," Contractor shall first submit the material to SMART for review. SMART shall make the final determination as to all violations of Section 5.07.B.

Beth Gibbons SMART Marketing Program Manager 313.223.2112 - Office 313.461.4523 - Cell bgibbons@smartbus.org

535 Griswold Street, Suite 600 Detroit, MI 48226

From: Hawkins, Robert B [mailto:robert.hawkins@cbsoutdoor.com]

Sent: Friday, July 24, 2009 12:04 PM

To: Gibbons, Beth **Cc:** Carroll, Tom F

Subject: FW: Pinckney Pro Life

Any problem with this copy?

Robert B. Hawkins Sales Manager, Displays Division CBS Outdoor 88 Custer Ave. Detroit, MI 48202

(313) 556-7115 (ph) / (313) 872-8066 (fax)

From: Coyne, Greg P

Sent: Friday, July 24, 2009 11:58 AM

To: Hawkins, Robert B **Subject:** Pinckney Pro Life

Hi Robert,

Here is the art work. You're thoughts?

Thanks, Greg

Greg Coyne CBS Outdoor 88 Custer Ave Detroit, MI 48202 Phone: 313-556-7141 Fax: 313-872-8066

Cell: 248-470-4818

From:

Chubb, Anthony

Sent:

Friday, May 14, 2010 3:25 PM

To: Subject: Sisson, Mark FW: Leaving Islam

Attachments:

leavingislam2.jpg

Importance:

High

Anthony Chubb

Assistant General Counsel

SMART
535 Griswold Avenue, Suite 600

Detroit, MI 48226

(313) 223-2196

----Original Message----

From: Gordon, Avery

Sent: Friday, May 14, 2010 2:00 PM

To: Chubb, Anthony

Subject: FW: Leaving Islam

Importance: High

----Original Message----From: Dryden, Elizabeth

Sent: Friday, May 14, 2010 11:32 AM To: Gordon, Avery; 'John Swatosh' Cc: Gibbons, Beth; Ynclan, Brenda

Subject: FW: Leaving Islam

Importance: High

Avery,

We were notified that a request has been made for the Islamic advertisement that Beth G. forwarded a month ago. CBS Outdoor has requested SMART review for posting. After removing the ads Miami-Dade Transit asked the County Attorney General for an opinion. While we don't believe we need to do that, let's meet to discuss/meet with ACCESS about this, something to think about. Let me know you thoughts and if we can meet today to discuss.

This is the same ad as was removed from the Miami-Dade transit system in April. The link is below.

http://www.miamiherald.com/2010/04/16/1581903/miami-dade-transit-says-it-will.html

The ads were reinstalled on May 3.

http://cbs4.com/local/Fatwa.Miami.Dade.2.1654205.html

http://www.nbcmiami.com/news/local-beat/Miami-Buses--92009094.html

The group that paid for these ads supposedly filed suit against Miami-Dade transit. http://www.jihadwatch.org/2010/04/religious-liberty-bus-ad-campaign-update-were-suing-miami-dade-transit----please-help-us-fight-for-t.html

In this blog, it states the campaign will go national and they are looking for money to support the campaign.

http://atlasshrugs2000.typepad.com/atlas_shrugs/2010/04/sioa-legal-victory-miami-bus-ads-roll-out-in-bigger-numbers-than-before.html

Beth

From:

Chubb, Anthony

Sent:

Thursday, March 15, 2007 10:42 AM

To:

Hightower, Melissa

Subject:

RE: new flight club images

Melissa.

I think that this proposed advertisement is acceptable based upon the SMART/TAG agreement on content restriction as set out in section 3.08(A).

-Tony

From: Hightower, Melissa

Sent: Thursday, March 15, 2007 9:23 AM

To: Dirks, Dan; Gordon, Avery

Cc: Chubb, Anthony

Subject: FW: new flight club images

Importance: High

In response to the request below, I recommend we approve the attached graphic for on bus advertisement. Dan, I will

await your decision.

Gentlemen, this is time sensitive.

Thanks

Melissa V. Hightower Manager of Marketing



313-223-2192-office 248-244-8701-fax

From: Deena Gardner [mailto:Deena@transitadvertisinggroup.com]

Sent: Wednesday, March 14, 2007 9:11 AM

To: Hightower, Melissa

Subject: FW: new flight club images

Hi Melissa,

I think Mark mentioned that I'm working with a client that wants to advertise for Flight Club, which is a very upscale Gentlemen's Club in Inkster. I wanted to get some feedback from you on the creative they would like to use to see if this will be acceptable. Please advise- thanks for your help.

By the way, this new system of tracking the buses has been great. Thanks for this useful tool. Deena

Deena E. Gardner

Account Executive

Transit Advertising Group / International Outdoor

From:

Chubb, Anthony

Sent:

Tuesday, March 13, 2007 12:57 PM

To: Cc: Hightower, Melissa Gordon, Avery

Subject:

Flight Club Advertisement

Melissa.

I think that according to the law and SMART policy, we need to review the proposed Flight Club advertisement for its content, just as any other proposal. To reject it based solely upon the company that is making the proposal would certainly be questionable, Constitutionally speaking. The SMART/TAG contract advertising guideline regarding this issue is at Section 3.08 (A)(3)(c), which prohibits material which is "obscene or pornographic."

If you have time, please give the legal department a copy of the proposed ad.

On an unrelated issue, I was driving down Woodward yesterday and came upon SMART bus number 22367. It has a full wrap advertising Metro PCS. The wrap is in terrible condition, several chunks have fallen off, and one part was so dilapidated that it was dragging on the ground. Under Section 3.09(A) and undoubtedly in other parts of the contract, SMART makes it clear that it is our intention to have advertising that is aesthetically pleasing... this bus clearly is failing in that regard. Just FYI.

Let me know if you have any questions, -Tony

Anthony Chubb Law Clerk - SMART 660 Woodward Avenue First National Building, 9th Floor Detroit, MI 48226

From:

Chubb, Anthony

Sent:

Wednesday, July 23, 2008 5:46 PM

To:

Gibbons, Beth

Cc:

Gordon, Avery; Horner, Toby; bdryden@smartbus.org; pjacques@smartbus.org

Subject:

RE: Bus Transit Advertising contract review

Importance:

High

Beth,

I am out of the office until August 1st. I am looking at the document now, but without the convenience of having my file. The important changes that I had were incorporated in the general terms and conditions, which were not touched during this revision.

Changes I did notice:

Section:

- 1.35(A): There should not be a "guaranteed minimum" box for "Residual advertising". It will only be done on a percentage split.
- 5.04: Some buses have 30 Feet vs. 30 Inches as the available space. Also, why do the 35' and 40' buses have less length on the curb side than do the 29'? I think that some numbers are reversed here.
- 5.07(B): Though I do not have my notes with me, I know that the first sentence at the very beginning of this Section, which I added, is missing. If you cannot find it in your notes, please let me know.
- 5.08(A)(a): we need to add that they have "reasonable" access to all buses. I don't want them to claim this contract gives them a right to demand 25 line hauls at a time.
- 5.08(A)(c): [in response to your comment]: I would prefer that this said, after the first sentence: "Standard procedure shall be that contractor gives the SMART Marketing Program Manager 7 days [or whatever time period you want] advance notice to reserve buses for advertising additions, repairs, or removals. In extreme and limited circumstances for special events, this time frame may be reduced to 48 hours, in the sole discretion of SMART."

I hope this helps. If you have any questions on Thursday or Friday, please call my cell phone at (734) 834-1906.

Tony

From: Gibbons, Beth

Sent: Tue 7/22/2008 7:31 PM

To: Jensen, Karen; Couwlier, Chuck; Chubb, Anthony; Gordon, Avery; Jacques, Paul

Cc: Jones, Hayes; Dryden, Elizabeth

Subject: Bus Transit Advertising contract review

Everyone!!!

Attached is the newly revised, updated, reformatted, clean version of the Bus Transit Advertising Contract. Please review the sections which apply to your department and/or the sections you participated in helping revise (Tony – most things, Karen - a lot of things, Paul – everything).

If you have any other changes please make them using Track Changes and send back to me no later than Friday, July 25. After review, Hayes will schedule the Board sub-committee meeting.

I appreciate all your efforts revising this document into a much more concrete, concise contract (I am sure Avery you will have a comment about that!).

Thanks,

Beth Gibbons SMART Marketing Program Manager 313.223.2112 - Office 313.461.4523 - Cell bgibbons@smartbus.org

535 Griswold Street, Suite 600 Detroit, MI 48226

From: Gordon, Avery

Sent: Wednesday, January 27, 2010 9:53 AM

To: Chubb, Anthony

Subject: RE: Detroit CoR Publicity Campaign Update-> pictures of ads

This is the same thing we've gotten now for the third time, right? Maybe the names have changed. In any event, I agree, there's nothing new here.

From: Chubb, Anthony

Sent: Tuesday, January 26, 2010 3:41 PM

To: Gordon, Avery

Subject: FW: Detroit CoR Publicity Campaign Update-> pictures of ads

Avery,

Beth accidentally sent this to Cindy Gordon instead of you... to me, the analysis doesn't change.

Anthony Chubb

Assistant General Counsel
SMART
535 Griswold Avenue, Suite 600
Detroit, MI 48226
(313) 223-2196

From: Gibbons, Beth

Sent: Tuesday, January 26, 2010 12:54 PM

To: Chubb, Anthony; Gordon, Cindy; Dryden, Elizabeth

Subject: FW: Detroit CoR Publicity Campaign Update-> pictures of ads

Please confirm we are moving forward with this advertiser based on the message below.

Beth Gibbons SMART Marketing Program Manager 313.223.2112 - Office 313.461.4523 - Cell bgibbons@smartbus.org

535 Griswold Street, Suite 600 Detroit, MI 48226

From: Hawkins, Robert B [mailto:robert.hawkins@cbsoutdoor.com]

Sent: Tuesday, January 26, 2010 12:16 PM

To: Gibbons, Beth Cc: Carroll, Tom F

Subject: FW: Detroit CoR Publicity Campaign Update-> pictures of ads

Beth,

Please see the attached message do you feel that this changes anything in terms of approval if they were to use

one of the messages bellow?

Robert B. Hawkins Sales Manager, Displays Division CBS Outdoor 88 Custer Ave. Detroit, MI 48202

(313) 556-7115 (ph) / (313) 872-8066 (fax)

From: Ruthe [mailto:ruthemm@comcast.net] **Sent:** Tuesday, January 26, 2010 11:57 AM

To: Hawkins, Robert B

Subject: FW: Detroit CoR Publicity Campaign Update-> pictures of ads

From: Ruthe [mailto:ruthemm@comcast.net] **Sent:** Tuesday, January 26, 2010 4:17 AM

To: 'Godfree1st@aol.com'; 'Frank Burejsza'; 'Jefferson Seaver'; 'Jennifer Beahan'

Cc: 'Fred Edwords'; 'Jende Huang'

Subject: Detroit CoR Publicity Campaign Update

Arlene, Frank, Jeff and Jen,

Please have another look through <u>DetroitCoR.org</u> to see if you find any errors and/or want any changes made before we're listed on UCoR. I hope to have the logos linked to corresponding home pages soon.

We're ready to make our final decisions about advertising! United CoR would like to sponsor a one month contract of six king, and six queen, exterior SMART bus ads for Detroit CoR. We can launch as soon as 2/22/10 unless you would prefer a later date.

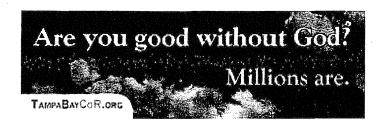
SMART operates out of three terminals; Macomb County, Oakland County and Western Wayne County. Would you like to see our ads evenly distributed on routes out of all three terminals?

Would you prefer 'Don't Believe...' or 'Are you good...'?

Earlier launched local CoRs used:



Newer launches are using:



New York and Boston customized their subway interior signs:



I'm looking forward to your responses. Isn't this exciting!?!

Ruthe 248 626 7537

PS: Fred and Jende...please let me know if we need to revise anything here.

From: Gibbons, Beth

Sent: Wednesday, January 27, 2010 10:11 AM

To: Chubb, Anthony; Gordon, Cindy; Dryden, Elizabeth

Subject: RE: Detroit CoR Publicity Campaign Update-> pictures of ads

Thank you.

Beth Gibbons SMART Marketing Program Manager 313.223.2112 - Office 313.461.4523 - Cell bgibbons@smartbus.org

535 Griswold Street, Suite 600 Detroit, MI 48226

From: Chubb, Anthony

Sent: Wednesday, January 27, 2010 10:05 AM **To:** Gibbons, Beth; Gordon, Cindy; Dryden, Elizabeth

Subject: RE: Detroit CoR Publicity Campaign Update-> pictures of ads

With the final modifications, there is still no violation of Section 5.07(B) of the contract.

Anthony Chubb

Assistant General Counsel
SMART
535 Griswold Avenue, Suite 600
Detroit, MI 48226
(313) 223-2196

From: Gibbons, Beth

Sent: Tuesday, January 26, 2010 12:54 PM

To: Chubb, Anthony; Gordon, Cindy; Dryden, Elizabeth

Subject: FW: Detroit CoR Publicity Campaign Update-> pictures of ads

Please confirm we are moving forward with this advertiser based on the message below.

Beth Gibbons SMART Marketing Program Manager 313.223.2112 - Office 313.461.4523 - Cell bgibbons@smartbus.org

535 Griswold Street, Suite 600 Detroit, MI 48226

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Robert B. Hawkins Sales Manager, Displays Division CBS Outdoor 88 Custer Ave. Detroit, MI 48202

(313) 556-7115 (ph) / (313) 872-8066 (fax)

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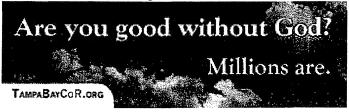
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Earlier launched local CoRs used:



Newer launches are using:



New York and Boston customized their subway interior signs:



I'm looking forward to your responses. Isn't this exciting!?!

Ruthe 248 626 7537

PS: Fred and Jende...please let me know if we need to revise anything here.

From:

Chubb, Anthony

Sent:

Wednesday, January 16, 2013 10:00 AM

To:

Gibbons, Beth

Subject:

FW: Rockstar Games-Red Dead Redemption Game Launch 5/18

Attachments:

RDR2 NoGun F.PDF

Is this sequence in your files? I believe they offered it with the gun, we denied it, and then they amended it and we approved it without the gun.

Anthony Chubb

Assistant General Counsel

SMART 535 Griswold Street, Suite 600 Detroit, MI 48226 (313) 223-2196

From: Gibbons, Beth

Sent: Thursday, April 08, 2010 10:28 AM **To:** Dryden, Elizabeth; Chubb, Anthony

Cc: Gordon, Avery

Subject: FW: Rockstar Games-Red Dead Redemption Game Launch 5/18

Here is the version without the gun. Please advise.

Beth Gibbons SMART Marketing Program Manager 313.223.2112 - Office 313.461.4523 - Cell bgibbons@smartbus.org

535 Griswold Street, Suite 600 Detroit, MI 48226

From: Hawkins, Robert B [mailto:robert.hawkins@cbsoutdoor.com]

Sent: Thursday, April 08, 2010 9:44 AM

To: Gibbons, Beth

Subject: FW: Rockstar Games-Red Dead Redemption Game Launch 5/18

Hello Beth,

Here is the image without the gun.

Robert B. Hawkins Sales Manager, Displays Division CBS Outdoor 88 Custer Ave. Detroit, MI 48202 (313) 556-7115 (ph) / (313) 872-8066 (fax)

From:

Chubb, Anthony

Sent:

Monday, August 04, 2008 10:10 AM

To:

Gibbons, Beth

Subject:

RE: Final Bus Transit Advertising contract

Beth.

I am sorry, I have no idea how this language dropped out of 5.07(A). It should be replaced in its entirety by the following:

5.07 ADVERTISING GUIDELINES

A. RESTRICTIONS ON ADVERTISING

In order to minimize chances of abuse, the appearance of favoritism, and the risk of imposing upon a captive audience, Offeror shall not allow the following content:

- 1. Political or political campaign advertising.
- 2. Advertising promoting the sale of alcohol or tobacco.
- 3. Advertising that is false, misleading, or deceptive.
- 4. Advertising that is clearly defamatory or likely to hold up to scorn or ridicule any person or group of persons.
- 5. Advertising that is obscene or pornographic; or in advocacy of imminent lawlessness or unlawful violent action.
- 6. Advertising that is insulting to SMART's services, patrons, and or employees.

Tony

From: Gibbons, Beth

Sent: Friday, July 25, 2008 7:16 PM **To:** Couwlier, Chuck; Jacques, Paul

Cc: Jones, Hayes; Dryden, Elizabeth; Jensen, Karen; Gordon, Avery; Chubb, Anthony

Subject: Final Bus Transit Advertising contract

Final version for review at the Board Sub committee meeting.

Beth Gibbons SMART Marketing Program Manager 313.223.2112 - Office 313.461.4523 - Cell bgibbons@smartbus.org

535 Griswold Street, Suite 600 Detroit, MI 48226

From:

Chubb, Anthony

Sent:

Thursday, July 08, 2010 10:17 AM

To:

Gibbons, Beth; Gordon, Avery; Dryden, Elizabeth

Subject:

RE: ABC

This decision turns on whether the proposed advertisement is obscene per section, 5.07. I believe an argument can be made that the proposed ad is repulsive by reason of crass disregard of moral or ethical principles, and should therefore be rejected. Avery makes the final decision. I'd ask for alternative graphics.

Tony

From: Gibbons, Beth

Sent: Wednesday, July 07, 2010 4:05 PM

To: Chubb, Anthony; Gordon, Avery; Dryden, Elizabeth

Subject: FW: ABC

For review and discussion.

Beth Gibbons

SMART Marketing Program Manager

313.223.2112 - Office

313.461.4523 - Cell

bgibbons@smartbus.org<mailto:bgibbons@smartbus.org>

535 Griswold Street, Suite 600

Detroit, MI 48226

From: Hawkins, Robert B [mailto:robert.hawkins@cbsoutdoor.com]

Sent: Wednesday, July 07, 2010 12:17 PM

To: Gibbons, Beth Subject: FW: ABC

Beth,

Please see the email that I have attached and let me know your thoughts.

This is something that I should respond to no later than mid-day tomorrow.

Thanks,

Robert B. Hawkins Sales Manager, Displays Division CBS Outdoor 88 Custer Ave. Detroit, MI 48202

(313) 556-7115 (ph) / (313) 872-8066 (fax)

From: Lewis, Carol R

Sent: Tuesday, July 06, 2010 7:17 PM

To: Canley, Bryan; Berkwitz, Shari; Carlucci, Steve P; Carroll, Tom F; Hawkins, Robert B;

Mucurio, Nicole L; Danneil, Marcus; Bolton, Lee

Subject: ABC

Hi there -

ABC is promoting a new show for the Fall called 'My Generation.' They've begun running TV ads and would like to run the same creative on their outdoor.

The premise of the show is that in 2000, a documentary crew followed a group of high schoolers from Greenbelt High School in Austin, TX as they prepare for graduation, then revisits these former classmates ten years later as they return home to rediscover that just because they're not where they planned doesn't mean they're not right where they need to be. As these classmates return home to revisit their old hopes for their future, they'll discover that, even if you don't get exactly what you thought you wanted out of life, it's not too late to get what you need. Some of the characters are the 'overachiever', 'the beauty queen', 'the jock', 'the brain', 'the nerd', etc

The copy will have a tag line and then a snap shot of that particular character. There will be multiple copy/taglines and one of which uses the word sex, so they wanted to be sure it's ok.

There will be nothing suggestive or inappropriate in the visual.

The tagline with sex (the nerd character) says:

I'd really like to have sex before I'm a father.

ABC My Generation Thursday Sept 23rd

I was able to get a picture from their TV ad, see attached, so you get an idea of the general creative.

*This is a different tagline (I had sex with you on prom night. Meet your son) , but it gives you how simple the copy is.

(and it's just 1 of 9 different copy)

[cid:image001.jpg@01CB1DED.6212E050]

They do not yet have their outdoor to submit as they are working on it now, and wanted to run this by us before they move forward.

So please let me know if you foresee any issues (on displays media).

Thanks!

Carol Lewis CBS Outdoor

From: Chubb, Anthony

Sent: Tuesday, February 02, 2010 5:48 PM

To: Gibbons, Beth

Cc: Dryden, Elizabeth; Gordon, Avery

Subject: RE: Detroit CoR Publicity Campaign Update-> pictures of ads

I am sorry Beth, I have a hearing on Thursday that has precluded me from writing an explanation on this topic. The reality is that all advertisements are reviewed against the content restriction policy in the contract. If they don't violate it, they are approved. This advertisement did not violate the policy, and was therefore published.

Anthony Chubb

Assistant General Counsel

SMART
535 Griswold Avenue, Suite 600

Detroit, MI 48226

From: Gibbons, Beth

(313) 223-2196

Sent: Tuesday, February 02, 2010 3:00 PM

To: Chubb, Anthony

Subject: RE: Detroit CoR Publicity Campaign Update-> pictures of ads

Tony,

Were you able to get this done? I didn't see anything since this and didn't know if you had sent something to Beth directly. Let me know.

Thanks.

Beth Gibbons SMART Marketing Program Manager 313.223.2112 - Office 313.461.4523 - Cell bgibbons@smartbus.org

535 Griswold Street, Suite 600 Detroit, MI 48226

From: Chubb, Anthony

Sent: Thursday, January 28, 2010 5:06 PM **To:** Dryden, Elizabeth; Gibbons, Beth

Subject: RE: Detroit CoR Publicity Campaign Update-> pictures of ads

I will write something up tomorrow ⁽³⁾

Anthony Chubb Assistant General Counsel SMART 535 Griswold Avenue, Suite 600 Detroit, MI 48226 (313) 223-2196

From:

Chubb, Anthony

Sent:

Wednesday, January 13, 2010 10:02 AM

To:

Gibbons, Beth

Cc:

Gordon, Avery; Dryden, Elizabeth

Subject:

RE: Potential SMART advertiser

Beth,

Let's meet briefly, with the exact advertisement copy that is being requested, and review this against our content policy. Let me know what time is convenient for you.

Anthony Chubb

Assistant General Counsel

SMART

535 Griswold Avenue, Suite 600

Detroit, MI 48226

(313) 223-2196

----Original Message----

From: Gibbons, Beth

Sent: Tuesday, January 12, 2010 4:48 PM

To: Chubb, Anthony; Gordon, Avery; Dryden, Elizabeth

Subject: FW: Potential SMART advertiser

Importance: High

For your review. See link below in the original e-mail to view the ad. The title of the ads are Godless...

Beth Gibbons

SMART Marketing Program Manager

313.223.2112 - Office

313.461.4523 - Cell

bgibbons@smartbus.org

535 Griswold Street, Suite 600

Detroit, MI 48226

----Original Message----

From: Hawkins, Robert B [mailto:robert.hawkins@cbsoutdoor.com]

Sent: Tuesday, January 12, 2010 4:34 PM

To: Gibbons, Beth

Subject: Potential SMART advertiser

Importance: High

Hello Beth,

The attached email provides a link for a potential advertiser who is displaying the copy that they would like to run on the SMART system. Please review the proposed layout and let me know if we can proceed with a contract.

Thanks,

From:

Chubb, Anthony

Sent:

Wednesday, March 18, 2009 2:34 PM

To:

Gibbons, Beth

Subject:

RE: Summit/Next Day Air Creative

This promotion has survived the scrutiny of Legal and Hayes... Approved.

Tony

From: Gibbons, Beth

Sent: Tuesday, March 17, 2009 4:55 PM

To: Chubb, Anthony

Subject: FW: Summit/Next Day Air Creative

Importance: High

Any problems with this?

Beth Gibbons SMART Marketing Program Manager 313.223.2112 - Office 313.461.4523 - Cell bgibbons@smartbus.org

535 Griswold Street, Suite 600 Detroit, MI 48226

From: Hawkins, Robert B [mailto:robert.hawkins@cbsoutdoor.com]

Sent: Tuesday, March 17, 2009 4:18 PM

To: Gibbons, Beth

Subject: FW: Summit/Next Day Air Creative

Importance: High

Hello Beth,

Please review the attached file which contains creative for an upcoming movie and please let me know if we can tell the client to proceed with printing the materials for a pending shelter buy.

Thanks,

Robert B. Hawkins Sales Manager, Displays Division CBS Outdoor 88 Custer Ave. Detroit, MI 48202

(313) 556-7115 (ph) / (313) 872-8066 (fax)