

## Exhibit D



**MARYLAND TRANSIT ADMINISTRATION**

**MARYLAND DEPARTMENT OF TRANSPORTATION**

Robert L. Ehrlich, Jr., Governor • Michael S. Steele, Lt. Governor • Robert L. Flanagan, Secretary • Lisa L. Dickerson, Administrator

April 20, 2006

Ms. Sietra Leto  
ACORN  
16 W. 25<sup>th</sup> Street  
Baltimore MD 21218

Dear Ms. Leto:

The Maryland Transit Administration (MTA) offers Free Speech Permits to allow the expression of Free Speech Activities on MTA property. All persons wanting to participate in these types of activities are required to fill out an application, and then sign a legally binding permit. A representative from the MTA also signs the completed permit and both the requestor and the MTA keep a completed copy. The permit stipulates the locations, dates, times, authorized individuals, and, through the Code of Maryland Regulations (COMAR), specifics including the legal need to adhere to those stipulations.

Mr. Jon Pezold, representing the Association of Community Organizations for Reform Now (ACORN), signed a permit on Monday, April 10. As explained in person, in wording stipulated in the permit, in COMAR Regulations, and in the cover letter provided, the permit was restricted to the following times and locations:

Monday, April 10, 2006 and Tuesday, April 11, 2006  
2:00 pm to 6:00 pm  
Mondawmin Metro Subway Station

It was brought to our attention by MTA Police that your representative violated these COMAR Regulations by going to the Penn-North Metro Subway Station, out in the bus stop area, approaching customers about vote registration. When asked to stop, your representative refused several times, stating that the permit was "too restricting" and that he was "branching out". It was only after the threat of arrest that this representative stopped the activity and left the property.

Mr. Sierra Leto  
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At this time we are making you aware that no additional Free Speech Permits are to be issued to the Association of Community Organizations for Reform Now (ACORN). The current applications for Mondawmin, Penn North, Old Court and Owings Mills Metro Subway Stations for April 27, 28, 29 and May 1, 2, 3, 4, 5, 6, 2006 are denied.

It is unfortunate that we were not able to work together in this process. If you have any questions or concerns, please give me a call at 410-767-8358.

Sincerely,



M. Litsinger  
Manager, Customer Service

cc: Ms. Crystal Patterson, Assistant Attorney General, MTA