

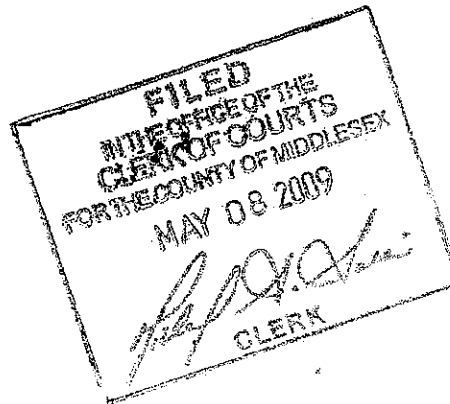
COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

SUPERIOR COURT DEPARTMENT
DOCKET NO. _____

09-1794

SANDRA MURPHY, DOUGLAS J.)
 BARTH, ROBERT ACKLEY, as)
 beneficiaries of the MASSACHUSETTS)
 TURNPIKE TOLL EQUITY TRUST)
 and on behalf of a class of similarly)
 situated persons AND JACK)
 ALTSHULER, as Trustee of the)
 MASSACHUSETTS TURNPIKE)
 TOLL EQUITY TRUST,)
)
 Plaintiffs,)
)
 v.)
)
 MASSACHUSETTS TURNPIKE)
 AUTHORITY,)
)
 Defendant.)



PLAINTIFFS' THEIR EX PARTE MOTION FOR REAL ESTATE ATTACHMENT

The plaintiffs respectfully request that this Court enter a general real estate attachment of all right, title and interest in any real estate owned by the defendant within the several counties of the Commonwealth in an amount no less than \$300,000,000.00. The requested attachments are sought on the following properties, which fall into two distinct groups:

I. Service Area Properties Under Bid to be Sold to Private Parties:

1. Lee Westbound (1W) Service Area: located at mile marker 8.5 on the westbound side of the Turnpike in the town of Lee;
2. Lee Eastbound (1E) Service Area;
3. Blandford Eastbound (2E) Service Area: located at mile marker 29.1 on the Eastbound side of the Turnpike in the town of Blandford;

*May 8, 2009
 The within motion is hereby set down for hearing
 on May 14, 2009 @ 2:00pm in Courtroom 720.
 Amberly [signature]*

4. Blandford Westbound (2W) Service Area;
5. Ludlow Eastbound (3E) Service Area: located at mile marker 55.9 on the eastbound side of the Turnpike in the town of Ludlow;
6. Ludlow Eastbound (4W) Service Area: located at mile marker 66.7 on the westbound side of the Turnpike in the town of Ludlow;
7. Charlton Eastbound (6E) Service Area;
8. Charlton Westbound (6W) Service Area: located at mile marker 83.8 on the westbound side of the Turnpike in the town of Charlton;
9. Westborough Westbound (6AW) Service Area: located at mile marker 104.4 on the westbound side of the Turnpike in the town of Hopkinton;
10. Framingham Westbound Service Area; and
11. Natick Eastbound (8E) Service Area: located at mile marker 117.6 on the eastbound side of the Turnpike in the town of Natick.

II. Roadways That Will Be Transferred to Successor Entity Following Passage of One of Two Pending Bills:

1. The Boston Extension, as defined by M.G.L. c. 81A, § 3;
2. The Callahan Tunnel, as defined by M.G.L. c. 81A, § 3;
3. The Central Artery, as defined by M.G.L. c. 81A, § 3;
4. The Central Artery North Area ("CANANA"), as defined by M.G.L. c. 81A, § 3;
5. The Sumner Tunnel, as defined by M.G.L. c. 81A, § 3;
6. The Ted Williams Tunnel, as defined by M.G.L. c. 81A, § 3; and
7. The Zakim Bridge, as defined by M.G.L. c. 81A, § 3.

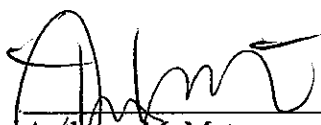
In support of this motion, the plaintiffs incorporate herein by reference their complaint and all materials attached thereto and the affidavit of Daniel B. Winslow, Esq. Allowing plaintiffs' motion is proper, because, as explained in the accompanying memorandum of law, the plaintiffs have a reasonable likelihood of success on the merits of their claims and there is no

insurance policy of which plaintiffs are aware to provide the MTA with adequate coverage for the anticipated judgment.

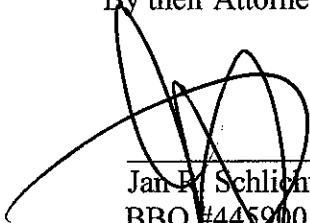
WHEREFORE, the plaintiffs respectfully request that this Court enter a general real estate attachment of all right, title and interest in any real estate owned by the defendant within the several counties of the Commonwealth in an amount no less than \$300,000,000.00.

Respectfully submitted

PLAINTIFFS,
SANDRA MURPHY, DOUGLAS J.
BARTH, ROBERT ACKLEY, as
beneficiaries of the MASSACHUSETTS
TURNPIKE TOLL EQUITY TRUST
and on behalf of a class of similarly
situated persons AND JACK
ALTSHULER, as Trustee of the
MASSACHUSETTS TURNPIKE
TOLL EQUITY TRUST,
By their Attorneys,



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Dated: May 8, 2009.