

EXHIBIT K

From: Pober, Kenny S
Sent: Friday, September 23, 2011 3:37 PM
To: 'pamelageller@gmail.com'
Cc: Posy, David H; Ament, Richard; Marcus, Howard; david.yerushalmi@verizon.net
Subject: FW: AFDI's Response/Request for Final Determination

Dear Ms. Geller,

Please see below from the MTA.

Please feel free to convey to AFDI the following formal and final determination of the MTA:

CBS Outdoor Group Inc. (CBS) has forwarded to me your demand for a formal determination concerning the attached advertisement that your client, American Freedom Defense Initiative (AFDI), submitted to it recently for display on New York City Transit Authority buses. Like CBS, the MTA has determined that the advertisement in its current form—and AFDI has refused CBS's invitation to consider modifying its proposed advertisement—does not conform to the MTA's advertising standards, specifically Section 5.05(B)(11), which addresses proposed advertisements that demean individuals and groups of individuals. Accordingly, the display of the requested advertisement in its current form is not approved.

The MTA obtains revenues to support its vital public transportation mission from paid advertisements it accepts for placement on its subway, commuter rail, and bus systems. For a number of years, some of these advertisements have addressed issues of public concern.

MTA does not decide whether to allow or not allow a proposed advertisement based on the viewpoint that it expresses or because that viewpoint might be controversial. Your statements to the contrary (including the suggestion that MTA is "Pro-Pali" and therefore "Bans Pro-Israel Ads") are mistaken. MTA has recently accepted paid advertisements submitted by two organizations, one on the subject of U.S. military aid to Israel (paid for by WESPAC Foundation, Inc., which is now running in subway stations) and the other on the Palestinian Authority's relationship with Israel (paid for by StandWithUs, which will begin to run next week) and those advertisements express strongly competing and controversial views.

Pursuant to MTA's uniform, viewpoint neutral advertising standards, however, MTA does review proposed advertisements including AFDI's proposed advertisement to determine, among other things, whether it demeans an individual or group of individuals on account of race, color, religion, national origin, ancestry, gender, age, disability, or sexual orientation. In doing so, MTA considers whether a reasonably prudent person, knowledgeable of MTA's customers and applying prevailing community standards, would believe that the advertisement contains material that ridicules or mocks, is abusive or hostile to, or debases the dignity or stature of, an individual or group of individuals.

Regardless of the viewpoint expressed in an advertisement, this advertising standard requires that an advertisement not express it in a manner that, reasonably read, demeans individuals or groups. Exercise of such review does not discriminate against viewpoints; it does advance MTA's significant interest that MTA's riders and employees, when reading paid advertisements that run in or on MTA's transportation facilities, not be subjected to advertising that demeans them and that MTA not be associated with such demeaning speech. This advertising standard is critical to MTA's mission as a public transportation agency that delivers vital transportation services to a broad metropolitan area with great diversity among its riders and employs individuals of diverse races, religions, and national origins.

AFDI's proposed advertisement, which uses the terms "savage" and "Jihad" to label those who do not, in AFDI's view, "Support Israel," reasonably read, demeans a group (or groups) of individuals on account of their religion, national origin, or ancestry, including Palestinians or other Arabs or Muslims who do not

share AFDI's views on Israel. This violation of Section 5.05(B)(11) of MTA's advertising standards, not viewpoint discrimination, is the sole basis for MTA's disapproval of this proposed advertisement in its current form.

Kenneth S. Pober
CBS Outdoor
Vice President
New York Market Manager
212-297-6415