July 3, 2008

Mr. James Nilius
Senior Director, VSTL
SysTest Labs, LLC.
216 16th Street, Suite 700
Denver, CO 80202

Dear Mr. Nilius,

As you are aware the EAC is currently in the process of reviewing test plans for the following systems:

— Dominion Voting, Democracy Suite
— ES&S, Unity 4.0

As well as one test report for the following system:

— Premier, Assure 1.2

Throughout the course of these reviews and various iterations of test plans and test reports the EAC has repeatedly asked SysTest Labs to provide details of the specific tests being performed on the voting systems.  Despite these requests SysTest Labs has yet to provide the sufficient level of detail necessary to adequately evaluate the testing being performed.  In an effort to move the certification process forward, the EAC formally requests that you please provide or make available to the EAC, within three business days, all test cases for the three testing engagements noted above. Additionally, the EAC requests that in the future all test cases be made available to the EAC after approval of the test plan or upon development of the test cases whichever occurs first. In order to provide clear and unambiguous guidance as to what is meant by "Test Case" the EAC requests the following:

> Test Case.  A Test Case is a voting system specific, step-by-step test procedure or laboratory testing process that provides detailed test operation procedures sufficient for trained laboratory personnel to fully conduct a given test and produce repeatable results.  The test case represents the test procedures, laboratory procedures, and instructions

given to a trained laboratory test operator prior to conducting a test or set of tests on a voting system.

It is the EAC's expectation that this definition will end any more questions with regard to the level of detail needed by the EAC to properly evaluate the testing being performed on the voting systems. The test cases will be used to ensure that any test plan approved by the EAC is executed with the appropriate level of rigor consistent with the Voting System Standards (VSS) or the Voluntary Voting System Guidelines (VVSG).

If SysTest Labs does not  to provide the information requested, the EAC will contact you to arrange sending an EAC representative to the laboratory in order to watch and evaluate all testing first hand. While it is the EAC's hope that this will not be necessary the EAC is committed to taking whatever steps are necessary to ensure proper testing under its Testing and Certification Program.

As with all information provided to the EAC, and pursuant to Chapter 10 of the EAC's *Voting System Testing and Certification Program Manual* and federal law, all proprietary or trade secret information will remain confidential. If you have concerns regarding the transmission and storage of this data please feel free to contact me to discuss the most secure means of providing the information.

The EAC appreciates your prompt attention to this matter. If you should have any questions regarding this request please feel free to contact me.

Sincerely,

Brian J. Hancock
Director of Testing and Certification