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September 11, 2006

VIA FACSIMILE AND MAIL

Nancy E. Fenton
Deputy County Counsel
County of Alameda
1221 Oak Street; Suite 450
Oakland, CA 94612-4296

Re: Purchase of Sequoia Voting Machines and Security Vulnerability Testing

Dear Ms. Fenton:

I write concerning the Board of Supervisors meeting scheduled this Tuesday, September 12, at 10 a.m. According to the agenda posted on the Board of Supervisors website, it appears that there is no plan to discuss security testing of the Sequoia voting systems at the meeting. Given that we have not received a response to our most recent letter requesting information about security testing, and our inability to communicate directly with the Board of Supervisors, we must deem the absence of an agenda item as confirmation that the County does not intend to conduct independent and meaningful security testing before the November general election.

Pursuant to your request that we direct all communication through your office, we will not contact the Board of Supervisors directly about security testing. This is, however, an important issue that must be addressed by the Board as soon as possible. We therefore request that the Registrar, or someone representing the Registrar's office or your office, take whatever steps are necessary to address this issue at the Board meeting. If the County intends to move forward with testing, we request that a report be provided to the Board on progress toward creating a set of standards for security testing, hiring independent experts to conduct the testing, and establishing a timetable for completion of testing. The Board should also be informed if County officials do not intend to conduct the security testing required by the Board, or have concerns that the contract with Sequoia will prevent the County from conducting such testing.

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If by the end of this coming Thursday we do not hear from you or from someone directed to reply on behalf of the Registrar or the Board, we will deem this confirmation that the actions requested in my prior letter to you are not being taken. Since we believe this to constitute a failure to implement the decision of the Board on June 8, 2006, reflected in its amendment of the Purchase Agreement, we request that you forward the present writing to each member of the Board and to the Registrar. Further, we will take appropriate actions, including the filing of a lawsuit, to ensure that the integrity of the election is protected and that meaningful security testing is conducted.

Sincerely yours,

A handwritten signature in black ink, appearing to read "R. C. Friese". The signature is fluid and cursive, with a large initial "R" and "C".

Robert Charles Friese