

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 2:06-cv-392-WKW
	)	
THE STATE OF ALABAMA and	)	
NANCY L. WORLEY, Secretary of State,	)	
in her official capacity,	)	
	)	
Defendants.	)	

**SPECIAL MASTER’S REQUEST FOR COURT ORDER**

Comes Now Governor Bob Riley, as Special Master, and requests this Court to enter an order in the following circumstances:

1. Shannon M. Curtis, Project Manager for Election Systems & Software (ES&S) sent the letter attached hereto as Exhibit 1 to Nell Hunter, Chair of the Jefferson County Board of Registrars, requesting permission to utilize Jefferson County Voter Registration data in connection with its centralized training efforts on the use and operation of the centralized, computerized voter registration system now being implemented under this Court’s orders.

2. Counsel for Ms. Hunter has spoken to the undersigned counsel for the Special Master about his concern that disclosing this information for the purposes requested may run afoul of the statutory proscription set out in Ala. Code § 17-4-122 which states:

The applications of persons applying for registration shall not become public records . . . , nor shall the board or its deputies disclose the information contained in such applications and written answers, except with the written consent of the person who filed the answer or *pursuant to the order of a court of competent jurisdiction in a proper proceeding.* [Italics supplied.]

3. It is Ms. Hunter's desire to assist in every possible way with the effort of ES&S to implement the centralized, computerized voter registration system required by this Court's orders. The entry of an order by this Court directing Ms. Hunter to supply the information requested by ES&S would assure her that her cooperation would be in compliance with Alabama law.

4. As is indicated in Ms. Curtis's letter, attached as Exhibit 1, the voter registration data of at least one other county besides Jefferson County will need to be similarly utilized by ES&S in its training efforts regarding the use and operation of the centralized, computerized voter registration system now being implemented under this Court's orders. Therefore, the entry of a broader order directing other county boards of registrars to supply voter registration data if requested by ES&S and/or the Special Master will both ensure compliance with Alabama law and expedite the training and implementation efforts of ES&S.

WHEREFORE, the Special Master requests that this Honorable Court enter an order requiring the disclosure of voter registration data to ES&S instructors and support staff if such data is requested from a county Board of Registrars by ES&S and/or the Special Master for the purpose of ES&S training probate judges, voter registrars, circuit clerks acting as absentee election managers, and their employees regarding the use and

operation of the centralized, computerized voter registration system now being implemented under this Court's orders, subject to a requirement that the information be used for no other purposes, other than training and HAVA implementation, and that the confidentiality thereof be otherwise protected by ES&S.

Respectfully submitted this 19th day of June 2007.



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**CERTIFICATE OF SERVICE**

I hereby certify that on June 19, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

**Algert S. Agricola, Jr.**

**Donald Palmer**

**James Harold Anderson**

**Robert D. Popper**

**Terry G. Davis**

**Michael W. Robinson**

**Frank Corley Ellis, Jr.**

**Winfield J. Sinclair**

**Misty S. Fairbanks**

**Edward Still**

**Margaret L. Fleming**

**Gary R. Trawick**

**Shannon Lynn Holliday**

**Dorman Walker**

**Christy A. McCormick**

**George L. Beck**

**R. Randolph Neeley**

**Terrie S. Biggs**

And I hereby certify that I have mailed by United States Postal Service the foregoing document to the following non-CM/ECF participants:

**John K. Tanner**  
**U.S. Department of Justice**  
**Chief, Voting Section**  
**Civil Rights Division**  
**Room 7254-NWB**  
**950 Pennsylvania Avenue NW**  
**Washington, DC 20530**

**Wan J. Kim**  
**U.S. Department of Justice**  
**Voting Section**  
**Civil Rights Division**  
**Room 7254-NWB**  
**950 Pennsylvania Avenue, NW**  
**Washington, DC 20530**

**/s/ Kenneth D. Wallis, II**  
Kenneth D. Wallis, II  
Chief Legal Advisor  
Office of the Governor