

**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 MOTION FOR EXTENSION OF TIME

Comes now the Special Master in the above-referenced matter, Governor Bob Riley, Governor of the State of Alabama, and moves that this Honorable Court grant to him, as Special Master, an extension of time for the performance of those functions necessary to place the Court in full compliance with the requirements of the Help America Vote Act (HAVA) and the requirements of this Court’s Order dated August 8, 2006.

A. The Special Master has diligently, efficiently, and with the greatest speed possible, moved the State of Alabama and its centralized automated voter registration system toward full compliance with the requirements of the HAVA Act, since his appointment by this Court’s Order dated August 8, 2006. Great progress has been made.

B. The Court Order of this Court required compliance by August 31, 2007. The State of Alabama is now in substantial compliance, having accomplished the vast majority of the requirements of HAVA, for its voter identification system. It has been

determined by the Special Master, and the Special Master has previously informed the Court, that for several reasons complete, 100%, compliance with the Court Order by the August 31 deadline would be impossible.

C. Most particularly, the causes for delay are the development of very complicated interfaces with the Alabama Department of Public Safety, and the U.S. Social Security Administration, to ensure prompt and accurate confirmation of proposed voter registrants' social security numbers, which are necessary for accurate identification purposes. Secondly, there is a minor delay with the interfaces with the Alabama Administrative Office of the Courts and the Alabama Department of Public Health, which are necessary for the delivery of disqualifying felony information and deceased voter information.

D. As previously reported to the Court, and as supplemented with the Special Master's weekly reports over the last three or four weeks, it appears as though the primary interface delay, that being the interface with the Alabama Department of Public Safety and U.S. Social Security Administration, cannot be completed until mid-October 2007. This delay has been caused by complications and complexity regarding the development of software and computer interface hardware and other related items and not because of any lack of effort on the part of the Special Master, the Alabama Department of Public Safety, or the contractors and subcontractors of the Alabama Department of Public Safety.

E. The Special Master is confident, based upon assurances from those persons and entities responsible for this portion of the project, that full compliance will be achieved on or before October 31, 2007. The Special Master has been advised by the project contractor, ES&S, the project manager for ES&S, and the Alabama Department

of Public Safety that full compliance will be completed within that time frame. All other items of delay are of a lesser time delay nature and should all be completed prior to the Alabama Department of Public Safety interface.

F. The overall project, not including the HAVA compliance items, including local system redundancy and the election management portion of the project, have at all times been understood to require a time period, for completion, after August 31, 2007. It was contemplated that these items and additional training and testing would take place after August 31. The Special Master is aware of no detrimental effects to the State of Alabama, or to any future planned election, by the Court's granting of a short delay in the implementation deadline.

Therefore, based upon these considerations, and for other good and reasonable causes, this Special Master requests this Court to extend the deadline for compliance by an additional 60 days, through and until October 31, 2007. The Special Master commits to continue his conscientious efforts toward completion and full compliance at the earliest possible date, which will possibly be prior to October 31, 2007. The Special Master also commits to continue making weekly reports to the Court on progress of the overall project with a particular focus on the progress on these specific delay items.

Respectfully submitted this 31st day of August 2007.



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CERTIFICATE OF SERVICE

I hereby certify that on August 31, 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:

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**/s/ Kenneth D. Wallis, II
Kenneth D. Wallis, II
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