

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 THE STATE OF ALABAMA and)
 NANCY L. WORLEY, Secretary of State,)
 in her official capacity,)
)
 Defendants.)

CASE NO. 2:06-cv-392-WKW

**SPECIAL MASTER'S EIGHTH
(APRIL 2007) INTERIM REPORT**

Comes now Bob Riley, Governor of the State of Alabama, as Court-appointed Special Master, and files his eighth monthly interim report detailing the activity and progress made toward implementation of Alabama's single, uniform, official, centralized, interactive computerized statewide voter registration list.

**I. ACTIVITIES OF THE SPECIAL MASTER AND
THE SPECIAL MASTER'S IMPLEMENTATION COMMITTEE**

Activities since the date of the Special Master's seventh report are as follows:

A. Judge Bill English, as Chairman of the Special Master's Implementation Committee, has been a great asset to the Special Master and to the process. Judge English has brought his specialized computer expertise, voting and election expertise, and his good solid relationships with probate judges, circuit clerks, and others involved in these processes in a manner that has assisted particularly in our ability to move the State of Alabama forward in the process.

B. Election Systems and Software, Inc. (ES&S) has been particularly cooperative since the signing of the contract. They placed their project manager, Ms. Shannon Curtis, on the ground, in Montgomery, Alabama, almost instantly after the contract was signed and Ms. Curtis has been extremely conscientious and effective in dealing with all the preliminary aspects of implementation throughout the entire month. Office space has been secured for both the ES&S project manager and her staff and for the Alabama interim project manager within the Alabama State House and in close proximity to the offices of the Alabama Information Systems Division, which has been and will continue to be very helpful throughout the implementation process.

C. The Alabama Information Systems Division (ISD) and the Alabama Purchasing Department have been extremely helpful, cooperative, and supportive of the Special Master, the Special Master's Implementation Committee, and two project managers and project management teams in moving these processes forward in an expeditious manner. In addition, the Chief Justice of the State of Alabama and the Alabama Administrative Office of Courts, the circuit clerks under the jurisdiction of the Alabama Administrative Office of Courts, probate judges of the State of Alabama, and the registrars of the State of Alabama have all, to the greatest extent reasonably possible, cooperated with the Special Master and his Implementation Committee along with the implementation project manager and team of ES&S. There have been some communication problems but these have seemingly been easily worked out and overcome promptly and the entire implementation process has continued to move along as had been hoped and projected.

D. The Secretary of State and her staff have been kept informed and the Special Master has committed to continue to keep the Secretary of State and her staff

informed and involved in all processes relating to implementation.

E. The Special Master's Implementation Committee, ES&S project manager and implementation team, and the Special Master's interim project manager have agreed on 15 pilot counties, which number may be slightly increased or decreased as the first phases of implementation begin. The 15 pilot counties include: Greene, Lowndes, Colbert, Etowah, Lee, Baldwin, Madison, Mobile, Montgomery, Shelby, Chilton, Coffee, Macon, Limestone, and Houston. The selection of the pilot counties was based upon multiple factors including county size being spread among large, medium, and small counties; counties using the statewide Alvin Voter Registration System; counties using private vendors to furnish their voter registration system; and counties handling voter registration by their own in-house systems. There is a racial diversity among the counties selected and there is a balance politically between Republican and Democrat probate judges. There were other factors considered in the pilot county selection, but the purpose of the selection was to attempt, by the most reasonable means possible, to install the voter registration system, and to convert data in counties of every type and every kind while exposing the implementation process to multiple systems in order that multiple problems could be addressed through the pilot county process. It is hoped that after implementation in the pilot counties, that implementation in the remaining 52 counties will be made much easier and more functional.

F. Both the Special Master and ES&S are committed to diversity in the implementation process.

G. Most, if not all, of the planned activities/projects for March 2007 have been implemented and/or completed. These include: project kickoff and phase I activities begun, project schedule preliminarily finalized, primary data center hardware

procurement begun, primary data center hardware configuration completed and installation begun, local redundancy solution procurement begun, data conversion kickoff begun, pilot counties for conversion identified and assessments begun, initial data extracts solicited, a pilot county survey begun, pilot county site visits and environmental assessments begun, and the initial phases of planning for training and rollout support planning begun.

H. The project implementation team for ES&S has begun furnishing the Special Master with weekly status reports. These reports identify the status and progress of each separate portion of the implementation plan and the reports clearly identify both completed items, items in progress, and issues that need to be addressed in order for implementation to proceed. As is generally the case in a major project implementation, some individual items are running behind in their projected progress timeframes, while other aspects have either been completed or are running ahead of schedule. Of particular note is the purchasing process which, with the help of the Alabama Purchasing Department, of ES&S acting as the State of Alabama's purchasing facilitator in some regards and with private vendors agreeing to and proceeding to assist the State of Alabama in the purchasing effort, we believe that we have saved time and are ahead of the projected hardware purchasing timeframes.

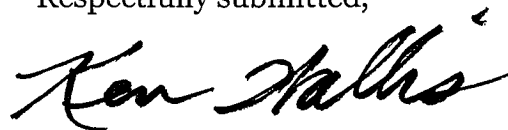
I. Both the Special Master and the implementation contract vendor, ES&S, believe that implementation in accordance with federal court orders and in compliance with the requirements of the Help America Vote Act (HAVA) by August 31, 2007, is still a reasonable likelihood. It is still planned that implementation and compliance with the court order will be achieved by the court set deadline.

J. There are other aspects of the voter registration system, which are not absolute requirements under HAVA, which can appropriately be described as voter registration software enhancements, and voter registration system enhancements, such as the geographical information system interfaces with the county systems, and electronic/military overseas voting, which are not expected to be fully implemented by August 31, but the Implementation Committee is continuing to pursue implementation of these enhancements both under the contract document and in the spirit of the contract document in an effort to achieve the best and most functional voter registration system in the nation.

The Special Master looks forward to full compliance with the federal court order by the deadline set by the court in said order, and looks forward to being discharged as Special Master as soon as possible after achieving compliance with the court order. Any aspects of implementation that have not been completed can and are expected to be completed by the Secretary of State after the Special Master is discharged. This is a primary reason why it is in the State of Alabama's best interest to keep the Secretary of State and her staff involved in this process at each step of implementation.

Done this 3rd day of April 2007.

Respectfully submitted,

A handwritten signature in black ink that reads "Ken Wallis". The signature is written in a cursive, flowing style.

Kenneth D. Wallis, II
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CERTIFICATE OF SERVICE

I hereby certify that on April 3, 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

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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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