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May 31, 2003

Ann McGeehan
Deputy Assistant
Secretary of State
P.O. Box 12060
Austin, Texas 78711-2060

Re: Election System & Software ("ES&S")-iVotronic DRE Voting System, Version 8.0.0; Model 650 Central Count System, Version 1.2.0.0; Model 100 Precinct Count System, Version 5.0.0.0; and the Unity Election System, Version 2.4, composed of the following modules: Audit Manager, Version 7.0.2; Election Data Manager, Version 7.2.0.0; Ballot Image Manager, Version 7.2.0.0; Data Acquisition Manager, Version 5.0.0.0; Hardware Program Manager, Version 5.0.0.0; and the Election Reporting Manager, Version 6.4.0.0.

Dear Ms. McGeehan:

Pursuant to my appointment as an examiner under §122.035 of the Texas Election Code, I examined the above referenced software and hardware (collectively the "Election Systems") as presented by ES&S for examination. I examined the Election Systems with respect to Texas Election Law and procedure on May 28, 2003.

This report is concerned solely with the ability of the Election Systems, and each individual module thereof, to function in compliance with Texas Election Law. Further, this report is based on the presentation of ES&S and the testing completed by the examiners on May 28, 2003. ES&S gave a particularly well organized presentation, and the casting, tabulation and reporting of votes, together with the reminder of the examination, did not evidence any function that was not in compliance with the Code. However, no opinion is expressed regarding the suitability of the Election System for the purposes of or use by any jurisdiction.

The Election Data Manager, V. 7.2.0.0, is used to set-up the election and jurisdiction area covered by the election. The Ballot Image Manager, V. 7.2.0.0 is used to construct the ballot for each election. The Data Acquisition Manager, V. 5.0.0.0, is used as an integral part of and with each of the alternative election systems. The Election Reporting Manager, V. 6.4.0.0, functions at election central for the tabulating and reporting of results. And the Audit Manager,
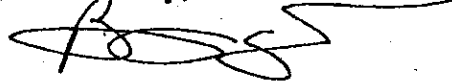
Version 7.0.2, supports an improved audit function, including a functional real-time audit log. The Hardware Program Manager, V. 5.0.0.0, is part of the operating systems. The Model 650, V. 1.2.0.0, is used as a central tabulation device at election central for jurisdictions that use paper ballots. The Model 100 Precinct Count System, V. 5.0.0.0, is used to scan and tabulate paper ballots at the precinct. The iVotronic DRE, V. 8.0.0.0, consists of voting stations and a precinct controller, using PEBs for the casting, recording and tabulation of votes at the precinct level.

The Unity Election System, Version 2.4, and each of the constituent modules, to-wit: the Audit Manager, Version 7.0.2; the Election Data Manager, Version 7.2.0.0; the Ballot Image Manager, Version 7.2.0.0; the Data Acquisition Manager, Version 5.0.0.0; the Election Reporting Manager, Version 6.4.0.0; and the Hardware Programming Manager, Version 5.0.0.0, appeared to function accurately and efficiently, and in a manner to meet the requirements of *Chapt. 122, Subchapt. A, Texas Election Code* for use in an election. These functions included the real-time audit log for both the Model 650 and the electronic central tabulation functions. I recommend these versions, programs and segments of the ES&S Election Systems be certified by the Secretary as meeting the requirements of the Texas Election Code.

The iVotronic DRE and the Model 100, as demonstrated, also functioned accurately and appropriately at the precinct level. Further, the improvements in the audit log program, function and operation resulted in the audit log meeting the revised requirements set forth in Sec. 81.62. In my opinion, the Model 650 was also demonstrated to function accurately and appropriately, including the audit log. I recommend the iVotronic, V. 8.0.0.0, the Model 100, V. 5.0.0.0, and the Model 650, V. 1.2.0.0, be certified as in compliance with the requirements of *Chapt. 122, Subchapt. A, Texas Election Code*.

Sincerely,

Barney L. Knight