

STATE OF COLORADO
Department of State

1700 Broadway
Suite 250
Denver, CO 80290



Mike Coffman
Secretary of State

William A. Hobbs
Deputy Secretary of State

August 29, 2007

VIA FACSIMILE & CERTIFIED MAIL

Ed Smith
Compliance Manager
Sequoia Voting Systems
717 17th Street
Suite 310
Denver, CO 80222

Re: Colorado Certification for 2008 Primary & General Elections

Dear Mr. Smith:

As you know, the Colorado Secretary of State's Office is under court order to "retest previously certified systems or any new systems ... prior to the next primary, general or statewide ballot issue election following the November 7, 2006 general election, whichever comes first" (*Conroy v Dennis*, Denver District Court, Case No. 06CV6072).

As the November 6, 2007 election does not contain a statewide ballot issue, **all previously certified electronic voting equipment currently in use in counties remains certified for the 2007 election**. However, per the court order, previously certified equipment is **not certified for use in the 2008 Primary Election**. Before electronic equipment can be used in 2008, it must pass the rigorous retesting process performed by this Office.

Since retesting began in April, this Office has been unable to obtain from Sequoia all of the documentation, system components, and other information necessary for us to conduct the retesting, despite our repeated attempts to do so. As a result, we have been unable to complete the retesting process for your equipment.

Notwithstanding this delay, I am committed to seeing this process through and ensuring that the electronic voting equipment used in Colorado is secure and accurate.

Therefore, in order to expedite retesting, each vendor will be held to the following requirements:

1. Vendors will have **30 days in which to respond to any request** from the Secretary of State's Office for missing or incomplete information. Failure to respond to a request within 30 days will **suspend the certification process** until the information or equipment requested is submitted.

2. If, by 5:00 PM, Friday, November 16, 2007, the State is still missing information or materials from Sequoia that is necessary to complete the certification process, then **Sequoia's voting equipment will not be certified for use in the 2008 Primary or General election.**

By your meeting the above requirements, we will ensure that the retesting process is completed in a timely manner, and that counties have ample time to make any necessary purchases for the August 2008 Primary Election.

I expect Sequoia's full cooperation.

Sincerely,

Mike Coffman
Secretary of State

CC: Arapahoe County Clerk & Recorder
City and County of Denver Clerk & Recorder
Elbert County Clerk & Recorder
Pueblo County Clerk & Recorder