IN THE SUPERIOR COURT OF MORGAN COUNTY
STATE OF GEORGIA

FILED
MORGAN CO. GA
2022 OCT 11 AM 9:14
JODY M. HIGDON, CLERK
SUPERIOR-JUVENILE COURT
BY April Tapley

LORI TULLOS, Pro Se
VIRGINIA S. MCFADDIN, Pro Se

Petitioners

CIVIL ACTION
No. 2022SUCA193

v.

BRAD RAFFENSPERGER in his
official capacity as the Georgia
Secretary of State

MORGAN COUNTY GEORGIA
BOARD OF ELECTIONS and
REGISTRATION
JENNIFER DORAN, Director
Dr JAMES WOODARD, Chairman
BARRY BROADMAX, Member
TIM CARTER, Member
MARY KAY CLYBURN, Member
KIRBY HAYES, Member

Respondents

RETRIEVED FROM DEMOCRACYDOCKET.COM

VERIFIED COMPLAINT FOR DECLARATORY JUDGMENT and INJUNCTIVE RELIEF

COMES NOW, Lori Tullos and Virginia S. McFaddin, ("Petitioners"), Pro Se, and file this, their Complaint against Brad Raffensperger in his official capacity as the Georgia Secretary of State ("SoS") and the Morgan county Board of Elections and Registration ("BoE") as listed above. In support of the claims set forth herein, Petitioner alleges and avers as follows:

INTRODUCTION

1. This action seeks Declaratory Judgment and Emergency Injunctive Relief pursuant to O.C.G.A.: 50-13-10 *et seq.*; 9-4-2 *et seq.*; 9-11-65; and 21-2-32. This action arises under O.C.G.A.: 21-2-300(a)(2) and (3); 21-2-321(a), (c) and (e); 21-2-365(8). First, Fourteenth and Twenty Sixth Amendment of the US Constitution. Article I, Section I, Paragraphs I, II, VII, and IX of the Georgia ("GA") Constitution. Help America Vote Act ("HAVA") 2002, 52 USC 10307(d), 52 USC 10308 *et seq*. Subject matter jurisdiction and venue are proper and are conveyed to this honorable Court pursuant to GA Code Title 50-13-10. The petitioners are citizens and taxpayers of Georgia and Morgan county and registered voters of the same.

2. The Petitioners and People of GA have been bringing to the attention of our county BoE's, County Commissioners, State BoE and the GA SoS office: proof of widespread anomalies; the fact that the Ballot Marking Devices ("BMD") and ImageCast X voting system ("ICX") do not record and count actual votes cast but the ICX's interpretation of the QR Code or bar code printed on the ballot or something other, based on programming; the fact that these BMD's and ICX'S including all peripheral equipment, hardware and software were not legally certified by the Elections Assistance Commission ("EAC") at the time they were purchased nor at the times they were used as is required by GA law. Any standard, practice or procedure that results in the abridgment or denial of the

RETRIEVED FROM DEMOCRACYDOCKET.COM

right of any citizen to vote ((Footnote ("FN") 3)) is unconstitutional and illegal (FN 4).

3. The Petitioner nor the People of GA ever voted to move from hand marked paper ballots to electronic machine voting as is required by law.

4. The Petitioner nor the People of GA ever voted to increase the debt of their county's of residence for the move to electronic voting machines as is required by law.

5. The County BoE's that have attempted to move to hand marked paper ballots, as is authorized by law, were intimidated by the GA SoS office with threats of exorbitant fines if they followed through with this move.

RETRIEVED FROM DEMOCRACYDOCKET.COM

6. The county BoE's that have attempted to do hand recounts of the original ballots cast were also intimidated by the GA SoS office or their own county attorneys. The only explanation for this is to cover up fraud, or to cover up the fact that the current BMD/ICX voting system is fraught with errors.

7. The Petitioners and the People of Georgia are being stonewalled by either their County BoE's or the GA SoS office for Open Records Requests, that are our right to access, as is stated by GA law. Again, the only explanation would be to cover up fraud or the proof that the current BMD/ICX voting system is fraught with errors.

8. The current voting system is too dependent on technology. This allows for multiple avenues of hostile incursions into our elections. This was testified to

by Brian Kemp in 2016 while participating in a Congressional hearing, following his report titled "Critical Infrastructure & DHS Hacking Attempts". Brian Kemp correctly argued at that time, based on the Constitution protecting the right of States to conduct elections, that designating elections as 'critical infrastructure' would cause a lack of transparency for voters and would open the States up to vulnerabilities.

9. The 'critical infrastructure' designation is a usurpation of State's rights as protected by the United States ("US") Constitution. The 'critical infrastructure' designation is unconstitutional and has effectively federalized our elections. This designation was an overstep of authority by an unelected administrative agency of the Executive Branch. It is in violation of separation of powers, the Tenth Amendment, and Article 1, Section 4 of the Constitution. Only Congress can make law to alter election regulations.

RETRIEVED FROM DEMOCRACYDOCKET.COM

10. The US EAC is the authority for accreditation of vendors responsible for ensuring the electronic voting systems are certified for use. The EAC has now, allegedly, been caught falsifying documents in an attempt to mislead the People into believing these vendors are accredited when they are not and have not been since 2017. This alleged fraud and forgery committed by a federal employee of a federal commission should suspend all actions of the EAC and the vendors they supposedly accredited until a full investigation of these alleged crimes has been completed.

11. The fact that the voting machine manufacturers are the ones that pay the third party Voting System Testing Labs ("VSTL") for certifying that their voting machines meet the standards required by the EAC is an egregious conflict of interest.

12. The recent advisory issued by the Cybersecurity and Infrastructure Security Agency ("CISA") (Ex. J) lists a multitude of vulnerabilities that cannot be addressed with any assurances. This list of vulnerabilities prove that not only is it quite simple to install malware with a variety of avenues, but that these voting systems indeed have illegal internet access capability.

RETRIEVED FROM DEMOCRACYDOCKET.COM

STATEMENT OF FACTS

13. Brad Raffensperger, in his official capacity as the GA SoS, had a duty to ensure these Dominion voting systems were certified prior to purchase. The applicable GA code reads - *O.C.G.A. 21-2-300 (a)(3) - The state shall furnish a uniform system of electronic ballot markers and ballot scanners for use in each county as soon as possible. Such equipment shall be certified by the United States Election Assistance Commission prior to purchase, lease, or acquisition.* This was not done. Brad Raffensperger acquired the Dominion voting system in violation of O.C.G.A. 21-2-300(a)(3). Therefore, the current ICX system is illegal in the state of GA and the usage of this system should be immediately discontinued.

14. A cursory inspection of the US EAC website shows the accreditation for Pro V&V expired February 24, 2017 (Ex. A). No later documents showing accreditation exist on the EAC website until February 1, 2021 (Ex. A1). Even this document is not valid since these certificates require expiration dates per VSTL Program Manual Section 3.6.1.3 which states *'The effective date of the certification, which shall not exceed a period of two (2) years'*. This is a complete failure on the part of the SoS office.

15. The EAC attempted to gloss over their and Pro V&V's oversight by issuing a memo dated 1/27/2021 (Ex. A2) in which they blamed COVID-19. This is ludicrous since the Pro V&V renewal period for their accreditation expired over three years prior to COVID-19 appearing in the US. Pro V&V was required to submit application for renewal between December 24, 2016 and January 24, 2017, which is 30 to 60 days prior to expiration, as is required by law. The EAC again attempted to gloss over their and Pro V&V's failings by stating the EAC did not vote to revoke Pro V&V's accreditation. This, again, is ludicrous as the accreditation had expired as of February 24, 2017 which adheres to the guidelines set forth in the VSTL Program Manual. The EAC admits a grant of accreditation is valid for a period not to exceed two years and that the date of expiration is required to be annotated on the certificate in this same 'memo'.

RETRIEVED FROM DEMOCRACYDOCKET.COM

16. The failings of the EAC and Pro V&V do not mitigate the malfeasance, nonfeasance of office and official misconduct perpetrated by Brad

Raffensperger. It also does not abrogate his responsibilities and duty to the People and laws of GA. If accreditation seemed questionable, which it still does, Brad Raffensperger as the SoS of this state and the individual in charge of elections, should have been able to discern these glaring issues. This is an obvious violation of O.C.G.A. 45-11-4.

17. Brad Raffensperger continued to expound on Pro V&V being EAC accredited on multiple occasions. Multiple times in a court of law, in the *Donna Curling, et al. v. Brad Raffensperger, et al. CIVIL ACTION NO. 1:17-cv-2989-AT*, as well as on the SoS website, where it was stated, "Secretary of State Brad Raffensperger last week ordered Pro V&V, *a U.S. Election Assistance Commission certified testing laboratory*, to do an audit of a random sample of machines to confirm no hack or tamper." (emphasis added) (Ex. B). These are just a few examples. There are many more. There is another issue with this statement as put forward by the GA SoS, Pro V&V nor any VSTL is qualified nor accredited through the EAC to perform any type of forensic audit of the voting systems. Though, the People of GA paid them, under the direction of Brad Raffensperger, for this service they are not accredited, nor perhaps qualified, to do. It is also an obvious conflict of interest to have the company that supposedly 'certified' the voting machines to also perform the audit.

18. Brad Raffensperger was aware of the fact that Pro V&V was not accredited through the EAC since at least September 11, 2019. Ryan Germany,

RETRIEVED FROM DEMOCRACYDOCKET.COM

General Counsel for the GA SoS, received an email from an attorney, Robert McGuire, who was representing the Coalition for Good Governance in the pending *Curling v. Raffensperger* lawsuit. The pertinent portion of this email, dated September 11, 2019, reads, *"Finally, we understand that Pro V&V served as the testing agent for the EAC and also to provide some functional testing for the State's certification of the BMD system. We have been unable to find a current EAC certificate of accreditation for Pro V&V. The certificates seem to have been removed from the EAC website, and the latest ones we can locate expired in 2017. Can you please advise whether Pro V&V is an accredited testing lab, certified by the EAC?"* (Ex. C pg 5).

RETRIEVED FROM DEMOCRACYDOCKET.COM

19. On September 17, 2019, six days after this email was received by Ryan Germany, a 'document' mysteriously appears on the EAC website. This 'document' titled "Pro V&V Letter of Agreement.pdf" was neither signed nor dated as is required pursuant to EAC's VSTL Program Manual Section 3.4.2. (https://www.eac.gov/voting-equipment/manuals-and-forms). This 'Letter of Agreement', seems to have been created by the EAC Testing and Certification Director, Jerome Lovato (Ex. C), and put out to the public via the EAC website as a document submitted by Jack Cobb of Pro V&V.

20. The many and varied, glaringly obvious, discrepancies included in this 'Letter': it is addressed to Mr. Brian Hancock who retired in February 2019; the file's metadata shows the document was created by Jerome Lovato, not Jack

Cobb of Pro V&V; metadata revealed the document was created on September 17, 2019, six days after Brad Raffensperger's office received the email notifying them of Pro V&V not being certified; when the document was opened in PhotoShop, artifacts revealed the 'Pro V&V letterhead' was cut and pasted and not one image; the Pro V&V address was misspelled and there was no phone number or email address (these items are required per the VSTL Program Manual Section 3.4.1.6); the address used for the EAC on the 'Letter' changed in 2013, well before the supposed date of the 'Letter'.

21. Based on the metadata and PhotoShop artifacts, it appears Jerome Lovato of the EAC and not Jack Cobb of Pro V&V 'authored' this 'Pro V&V Letter of Agreement.pdf' on September 17, 2019. EAC officials have gone to great lengths to fraudulently represent documents and give a false account of laws, rules and regulations, in order to misrepresent Pro V&V's accreditation status. This is in clear violation of the Help America Vote Act ("HAVA") of 2002 (52 USC 20901 to 21145), it may also be a violation of 18 USC 1512 - *conduct intended to illegitimately affect the presentation of evidence in a Federal proceeding,* since this document seems to have been created due to the question posed by the Plaintiff's attorney during the *Curling v. Raffensperger* lawsuit. This presents another avenue that requires investigation.

22. The EAC continues in their attempt to propagate misleading interpretations of the laws, regulations and guidelines associated with VSTL

RETRIEVED FROM DEMOCRACYDOCKET.COM

accreditation processes. Currently posted on the EAC website is this explanation as to Pro V&V's missing documentation and certifications required for February 24, 2017 to 2019 and February 24, 2019 to 2021, *"Pro V&V was accredited by the EAC on February 24, 2015. Federal law provides that EAC accreditation of a VSTL cannot be revoked unless the EAC Commissioners vote to revoke the accreditation."* . This regulation has nothing to do with the fact that the Pro V&V accreditation expired. VSTL Program Manual, Version 1, effective July 2008 and Version 2, effective May 2015 Section 3.8 reads – *Expiration and Renewal of Accreditation*. - *A grant of accreditation is valid for a period not to exceed two years. A VSTL's accreditation expires on the date annotated on the Certificate of Accreditation.* Therefore, the Pro V&V accreditation legally expired two years after issuance as is set forth by the EAC VSTL guidelines. There are no documents archived for Pro V&V between the dates of 02/24/2015 and 01/27/2021 as is shown on the EAC website (Ex. A3).

RETRIEVED FROM DEMOCRACYDOCKET.COM

23. The VSTL Program Manual Section 3.6.2. reads - *Post Information on Web Site*. - *The Program Director shall make information pertaining to each accredited laboratory available to the public on EAC's Web site. This information shall include (but is not limited to)*: 3.6.2.1. *NIST's Recommendation Letter*; 3.6.2.2. *The VSTL's Letter of Agreement*; 3.6.2.3. *The VSTL's Certification of Conditions and Practices*; 3.6.2.4. *The Commissioner's Decision on Accreditation*; and 3.6.2.5. *The Certificate of Accreditation.* None of

these documents are posted on the EAC website for Pro V&V between the dates of 02/24/2015 and 02/01/2021. Therefore, Pro V&V was not an accredited VSTL, nor could have legally certified the ICX systems, at the time Brad Raffensperger negotiated for, purchased or held elections on the Dominion ICX voting systems. The current certificate is also illegal based on VSTL Program Manual Guidelines.

24. Pro V&V does not seem an innocent victim in this alleged document contrivance perpetrated by the EAC. Pro V&V, knowing they had not sent their application package for re-accreditation within the time allowed by law, still led the People of GA and America to believe they were accredited. Jack Cobb, Laboratory Director of Pro V&V, characterized this company as accredited through the EAC, testified, and provided affidavits, during the *Curling v. Raffensperger* action stating, *"Georgia certified the Dominion Voting's Democracy Suite 5.5-A in August 2019. Pro V&V did not test this specific version of the voting system for the EAC, but had previously engaged in testing the baseline system (D-Suite 5.5),"* (*Doc. 821-6 at 3-4.*). This testimony is more evidence that Pro V&V did not certify the actual version being used in GA. Their actions of continuing to illegally certify voting systems, and self-promotion of being EAC accredited would seem to portray their complicity in this scheme.

25. The lack of EAC accreditation was brought to the attention of Jack Cobb (Ryan Jackson Cobb) by a letter sent to him on October 31, 2017 by US Senator

RETRIEVED FROM DEMOCRACYDOCKET.COM

Ron Wyden (KS). This letter advised Cobb of the importance of being certified and pointed out to him the last EAC certificate issued to Pro V&V had expired on February 24, 2017. US Senate Majority Leader Mitch McConnell was also informed on or about October of 2017, via a sworn affidavit, that the elections of 2017 may be null and void due to the lack of EAC certifications (Ex. D).

26. During the *Curling v. Raffensperger* lawsuit Judge Totenberg stated, "*Mr. Cobb represented in his affidavits filed by Defendants that the Dominion system's security was fortified by the encryption of the QR code and accompanying digital signature code as well as various other security measures such as use of a built in security feature that generates SHA-256 hash values.*" (Doc. 821-6 at 4.) Interesting that Mr. Cobb attested to, and supposedly tested the 'fact' that the QR codes are fortified by encryption since Dominion has since admitted that the QR codes are *not* encrypted and that they had no plans to encrypt them. Judge Totenberg stated, "*The evidence plainly contradicts any contention that the QR codes or digital signatures are encrypted here, as ultimately conceded by Mr. Cobb and expressly acknowledged later by Dr. Coomer during his testimony.*" (Tr. Vol. II at 123, 146, 237, 243.) These outright lies, under oath, in a federal proceeding are not only chargeable offenses, but should have nullified any and all testimony provided by Cobb.

27. During the *Curling v. Raffensperger* action, Mr. Cobb's first affidavit discloses that Pro V&V did not itself conduct any form of penetration or security

RETRIEVED FROM DEMOCRACYDOCKET.COM

testing of the 5.5-A software version specifically to be used in Georgia but relied on another company's security testing of earlier versions of the Dominion Democracy Suite software (*Doc. 865-1 at 5; Tr. Vol. II, at 233.*) Eric Coomer, an officer of Dominion, testified that there is a difference between the 5.5 and 5.5-A Dominion Democracy Suite versions – a change to the ICX software that was not deemed de minimis (*Tr. Vol. II at 138.*). This adds to the overwhelming evidence that the current ICX voting system was not, in fact, certified prior to purchase and use and that Pro V&V, Dominion and Raffensperger all seemed aware of this fact.

RETRIEVED FROM DEMOCRACYDOCKET.COM

28. Brad Raffensperger, being the state official in charge of elections, was responsible for ensuring Pro V&V was legally able to certify the ICX system prior to spending $107 million tax payer dollars. The contract for the ICX voting system should have been canceled by Brad Raffensperger no later than September 11, 2019, when his office was informed that Pro V&V may not be accredited by the opposition's attorney in a federal proceeding. Raffensperger should have done his duty and with due diligence confirmed the accreditation status of Pro V&V by this time. In fact, Raffensperger signed certifications and affixed the Great Seal of GA to them, testifying that the electronic voting systems used in GA had been inspected and certified for use since February of 2019 (Ex. E), even though the Pro V&V accreditation had expired in February 2017. This is a complete failure of due diligence and alleges a glaring example of malfeasance

of office and a violation of 52 USC 10307(d), (FN 1). The SoS should have been well aware of Pro V&V's lack of accreditation before affixing his signature and Seal to these documents.

29. Brad Raffensperger attested to the fact that he retained Pro V&V during the *Curling v. Raffensperger* action. Judge Totenberg stated, *"The Secretary of State retained Pro V&V to perform a review of its newly adopted BMD voting system, as required for EAC certification purposes, for submission to the EAC for approval. Pro V&V originally certified the Dominion Voting's Democracy Suite 5.5-A system in August 2019 and has certified a modified version since that time – once in November 26, 2019 and once on October 2, 2020."* At no time during these supposed reviews was Pro V&V legally accredited to 'review' or certify the SoS's new voting system.

RETRIEVED FROM DEMOCRACYDOCKET.COM

30. Perhaps SoS Raffensperger's most egregious failure of duty to his office, the People of GA, and his Oath was the lack of investigation into the fact that GEMS (Global Election Management System), was manifested from SOE (Standard Operating Environment) software that was purchased by SCYTL (provider of electronic voting systems located in Barcelona, Spain) developers that runs on ALL election machines that now operate. This software now runs under the name of DOMINION. Akamai Technologies services SCYTL. Akamai Technologies houses all State government sites as well as all Foreign government sites. Akamai Technologies has locations throughout the world

including China and Iran. The GEMS (now flagged DOMINION) system connects ALL Akamai locations together. Akamai Technologies merged with UNICOM (Chinese Telecom) in 2018. Akamai Technologies makes the COTS (Commercial off-the-shelf products) for the Dominion ICX voting system. This allows for access by foreign entities into our voting systems, via the Akamai servers, since all State and Foreign governments are on the same system. It utilizes servers that are owned and operated by China and allows for internet connectivity and foreign interference of our elections (Ex. D).

31. GA uses SCYTL during elections to 'mix/shuffle our votes for anonymity'. The Dominion Software Election Management System sends the votes to SCYTL where this occurs, then sends those totals back to the SoS and to the AP (Associated Press). When this mixing/shuffling occurs, there is no ability to know that the vote coming out on the other end is actually the vote that was cast. Therefore, this creates zero integrity of the votes. These procedures are explained in detail in a published paper from University College London (Ex. D section 47 – 63).

32. On September 12, 2022 an Official Complaint was filed with the State Board of Elections (Ex. C) detailing some of the above allegations. In addition to the previously stated facts, this Complaint not only details additional proof of the lack of official certification of GA's electronic voting system by the EAC but also contains evidence of alleged document tampering by officials of the EAC.

RETRIEVED FROM DEMOCRACYDOCKET.COM

33. The unreadable QR code that prints on the ballot as part of the Dominion ICX voting system was declared noncompliant with GA election law by Judge Totenberg in *Curling v. Raffensperger, Case 1:17-cv-02989-AT, 493 F. Supp 3d 1264 (2020).* The QR code is in violation of O.C.G.A. 21-2-300(a)(2) which reads - *...however, that such electronic ballot markers shall produce paper ballots which are marked with the elector's choices in a format readable by the elector.* The use of ballots with human unreadable QR codes are in violation of the laws of GA. SoS Raffensperger was told this in 2020 by Judge Totenberg. He, obviously, completely ignored this revelation and has no respect for the laws of GA. Therefore, the use of this ICX voting system should be immediately discontinued by the SoS and all county BoE's.

34. O.C.G.A. 21-2-365(8) - Requirements for use of optical scanning voting systems - *No optical scanning voting system shall be adopted or used unless it shall, at the time, satisfy the following requirements: It shall, when properly operated, record correctly and accurately every vote cast.* During the *Curling v. Raffensperger* action, testimony and declaration by J. Alex Halderman (Ex. F) disclosed that vote stealing malware would not be detectable by any of the defenses the SoS, Pro V&V or Dominion purports to practice. He describes how malware defeats the QR code authentication, logic and accuracy testing, on screen hash validation, and external APK validation which was used after the

RETRIEVED FROM DEMOCRACYDOCKET.COM

November 2020 election. The SoS representatives did not dispute nor address this issue.

35. Further, a poll worker in Williamson county TN kept track of the number of voters depositing ballots into a tabulator. At the end of the evening her count was 187. The tape count was 39. This 'anomoly' occurred on 7 of 18 ICX tabulators in that precinct. The difference of the vote count issue was reported to the TN SoS who informed the EAC that an investigation was being initiated. The EAC also initiated a formal investigation into this 'anomaly'. The EAC stated in their report at the conclusion of their investigation that, "the root cause of the anomaly was not determined." Pro V&V and Dominion staff were involved in this investigation.

RETRIEVED FROM DEMOCRACYDOCKET.COM

36. Audit log information showed the 'anomaly' manifested from a "QR code signature mismatch" and a warning message that read, "Ballot format or id is unrecognizable" indicating a QR code misread occurred. This caused the ballots to be rejected. In the EAC's conclusion of the formal investigation they admit that a direct cause of the 'anomaly' was inconclusive (Ex. G). The EAC determined the ImageCast Precinct ("ICP") scanner, "mistakenly interprets a bit in the code that marks the ballot as provisional". This exact issue happened during Morgan County GA's primary elections. The attached ScanVote Audit Log shows the multitude of errors that occurred from just one tabulator over an approximate 30 minute span of time (Ex. G1). According to this Audit Log, only

six ballots were actually processed successfully out of 35 ScanVote entries. Thirteen of the ScanVote entries were reversed or not counted due to 'errors'. The supposed QR code 'misread', as labeled by the EAC, is not the only problem. These tabulators reverse ballots due to: *'Scanner Transport Error'*; *'Ballot format or id is unrecognizable'*; *'Actual scanning of ballot failed with error [46023]*; *'Scan error (Err #5654)'*; *'Actual scanning of ballot failed with error [46022]'*; *'Ballot's size exceeds maximum expected ballot size'* - (Since all ballots are uniform throughout Morgan County, this is an impossibility); and *'Scan error (Err #5652)'*. This is not in conformity with O.C.G.A. 21-2-365(8). The machine was operated properly yet it did not record correctly and accurately every vote cast.

37. The 'QR code misreads' would not have been caught without the presence of mind of the poll worker that was keeping track of the voter count versus the ballot count. The ICX tabulators do not notify the poll workers of rejected ballots moved to 'provisional' or reversed ballots. The cause of the 'anomaly' was never found though, the EAC, Pro V&V and Dominion say it was fixed. Reading the report issued by the EAC, it seems that the way this issue was 'fixed' was to do a software update that resets the 'provisional ballot flag' after each ballot. In other words, the QR code misread was not actually fixed, they just allow the ballots to be rejected one at a time versus in batches. The Tennessee

RETRIEVED FROM DEMOCRACYDOCKET.COM

SoS has since removed the Dominion machines from Williamson county due to these unaccountable errors in vote tabulation ("Ex G2").

38. The aforementioned QR code and/or programming issues defeat Eric Coomer's testimony, as a witness for the defense, during the *Curling v Raffensperger* case. Coomer's testimony as a response to State Defendants' question regarding what would be necessary to generate a valid (but false) QR code accepted by the ICP scanner, *Dr. Coomer discussed how all physical and software defenses of the system would have to be defeated and source code accessed, which his testimony as a whole suggests he did not think likely* (*Tr. Vol. II. At 124.*). This would indicate that all physical and software defenses of the ICX system were, in fact, defeated and the source code accessed. Proving, once again, that this system is not safe, nor does it accurately count every vote cast.

RETRIEVED FROM DEMOCRACYDOCKET.COM

39. The Voluntary Voting Systems Guidelines ("VVSG") issued by the EAC states - ***External Network Connections*** - *VVSG 2.0 does not permit devices or components using external network connections to be part of the voting system. There are significant security concerns introduced when networked devices are then connected to the voting system. This connectivity provides an access path to the voting system through the Internet and thus an attack can be orchestrated from anywhere in the world (e.g., nation state attacks). The external network connection leaves the voting system vulnerable to attacks,*

regardless of whether the connection is only for a limited period or if it is continuously connected. GA Rule 590-8-1-.01. (d)(1) reads - **Certification of Voting Systems** - *the Qualification tests shall comply with the specifications of the Voting Systems Standards published by the EAC.* Therefore, these voting systems cannot be able to connect, or have external network connections.

40. Speckin Forensics LLC was retained by Fulton County PA to acquire forensic images of hard drives of the county's Dominion ICX voting system. This is essentially the same exact voting system used across GA. Speckin's final report, issued September 15, 2022 (Ex. H), is being used as evidence in *County of Fulton v. Dominion Voting Systems, Inc.* filed September 21, 2022, in the 39th Judicial District Court. Speckin's forensic audit of the Dominion hard drives revealed substantial changes to the drives. Speckin's saw the inclusion of over 900 .dll files and links created since the date of install. They stated, "*This .dll additional pathway is a security breach because of the introduction of an unauthorized script.*"

RETRIEVED FROM DEMOCRACYDOCKET.COM

41. Speckin's report disclosed, *"The Adjudication Workstation has a python script installed after the certification date of the system."*, and *"This python script can exploit and create any number of vulnerabilities including, external access to the system, data export of the tabulations, or introduction of other metrics not part of or allowed by the certification process."*. Python is a high level programming language that does not run natively on a Windows platform.

For this to be installed with the functionality listed in this audit, the framework to run Python had to be intentionally installed with the script itself. Speckin's determined, as expected, that each of the drives are interconnected in a system to one another. Therefore, unauthorized access on any one device, allows unauthorized access to any device connected to the network of devices. Since all election systems in the US are interconnected via the Akamai servers, Python allows for access to the entirety of US elections. This also proves, without a doubt, that this Dominion ICX system connects to the internet, making this system illegal both by the standards of the EAC and GA law.

42. Speckin's report disclosed, *"An external IP address that is associated with Canada is found on the Adjudication. This shows that at least one of the network devices has connected to an external device on an external network. This is the same device that the post certification python script is found."*. This not only proves external internet connectivity but also indicates foreign interference in our elections.

43. The petitioners nor the People of Morgan county ever voted, to move from paper ballots to machine voting, via referendum, as is required by GA law. O.C.G.A. 21-2-321 (a), (c) and (f) read - ***a)*** *The governing authority of any municipality which conducts elections by paper ballot may, upon its own motion, submit to the electors of the municipality, at any election, the question: "Shall voting machines be used in ______ ?"* ***c)*** *The governing authority*

RETRIEVED FROM DEMOCRACYDOCKET.COM

shall** cause such question to be printed upon the ballots to be used at the election in the form and manner provided by the laws governing general elections.* (emphasis added) ***f) *If a majority of the electors voting on such question or questions shall vote in the affirmative, the governing authority of such municipality shall purchase, lease, or rent voting machines, conforming to the requirements of this part, for recording and computing the vote at all elections held in such municipality.* Therefore, voting machines were installed illegally in Morgan county.

44. The petitioners nor the People of Morgan county ever voted to increase the indebtedness of the county, nor taxes, via referendum, as is required by GA law. O.C.G.A. 21-2-321(e) reads - *Whenever, under this Code section, the question of the adoption of voting machines is about to be submitted to the electors of any municipality, it shall be the duty of the governing authority of such municipality to ascertain whether current funds will be available to pay for such machines, if adopted and purchased, or whether it has power to increase the indebtedness of the municipality in an amount sufficient to pay for the machines without the consent of the electors; and, if such current funds will not be available and the power to increase the indebtedness of the municipality in a sufficient amount without the consent of the electors is lacking, it shall be the duty of the governing authority to submit to the electors of the municipality, in the manner provided by law, at the same election at which the*

RETRIEVED FROM DEMOCRACYDOCKET.COM

adoption of voting machines is to be voted on, the question of whether the indebtedness of such municipality shall be increased, in an amount specified by them, sufficient to pay for such voting machines, if adopted. Therefore, any increase to the indebtedness of Morgan county, due to moving from paper ballots, was done so illegally and unconstitutionally based on the GA constitution's Home Rule (Art. IX, Section V).

45. The opinion of the Attorney General as to O.C.G.A. 21-2-321 reads - *The question of whether to authorize the use of voting machines in a county and the question of whether the indebtedness of the county should be increased sufficiently to pay for voting machines should be separately placed on the ballot and may not be combined (1984 Op. Att'y Gen. No. 84-75.)*. This clears up any questions regarding whether O.C.G.A. 21-2-321 applies to counties.

RETRIEVED FROM DEMOCRACYDOCKET.COM

46. O.C.G.A. 21-2-290 reads - *The superintendent shall provide, for each precinct in which a primary or election is to be held, a sufficient number of ballots equal to the number of active registered electors.* Therefore, the move from the illegal ICX voting system would not cause additional expense nor hardship to the county BoE and would save the taxpayers tens of thousands if not hundreds of thousands of dollars in each county.

47. O.C.G.A. 21-2-281 reads - *In any primary or election in which the use of voting equipment is impossible or impracticable, for the reasons set out in Code Section 21-2-334, the primary or election may be conducted by paper ballot in*

the manner provided in Code Section 21-2-334. O.C.G.A. 21-2-334 reads - *If a method of nomination or election for any candidate or office, or of voting on any question is prescribed by law, in which the use of voting machines is not possible or practicable, or in case, at any primary or election, the number of candidates seeking nomination or nominated for any office renders the use of voting machines for such office at such primary or election impracticable,* ***or if,*** **for any other reason,** ***at any primary or election the use of voting machines wholly or in part is not practicable, the superintendent may arrange to have the voting for such candidates or offices or for such questions conducted by paper ballots.*** *In such cases, paper ballots shall be printed for such candidates, offices, or questions, and the primary or election shall be conducted by the poll officers, and the ballots shall be counted and return thereof made in the manner required by law for such nominations, offices, or questions, insofar as paper ballots are used* (emphasis added).

RETRIEVED FROM DEMOCRACYDOCKET.COM

48. GA law is clear. BoE supervisors have the authority to change to paper ballots 'for any other reason'. O.C.G.A. 21-2-70(4) reads – To **select and equip** polling places for use in primaries and elections in accordance with this chapter (emphasis added). The threats and strong arm tactics being utilized by the GA SoS and various county attorneys are illegal. Also, in *Pearson v. Kemp, No. 1:20-cv-4809-TCB,* defendant's counsel argued, *"the Secretary of State has no lawful authority over county election officials"*, citing *Jacobson v. Florida Secretary of*

State, 974 F.3d 1236, 1256-58 (11th Cir. 2020). SoS Raffensperger was also a defendant in the *Pearson v. Kemp* action (Ex. I).

49. On May 27, 2022, Ryan Germany, General Counsel SoS office, sent a memo to County Election Officials and County Registrars (Ex. K). In this memo he threatened the aforementioned officials with felony charges. In the first paragraph of this memo Germany states, "Physical ballots are not subject to public disclosure and Georgia courts have held that such documents are by law prohibited from being open to inspection by the general public.". This is a lie. O.C.G.A. 50-18-71 reads – a) All public records shall be open for personal inspection and copying, except those which by order of a court of this state or by law are specifically exempted from disclosure. O.C.G.A. 50-18-72 provides this list and ballots are NOT exempt. The court case being referenced, *Smith v. DeKalb County, 288 Ga. App. 574 (2007),* DID NOT apply to ballots, it applied to a CD-ROM that contained proprietary information. Germany lied about this as well and interjected his own commentary into this case law by including the phrase '(such as ballots)' in an attempt to intimidate and mislead election officials. This is another attempt at covering up the fraud or a voting system rife with errors.

RETRIEVED FROM DEMOCRACYDOCKET.COM

CONCLUSION

50. The election laws, rules and regulations in GA are clear, O.C.G.A. 21-2-300(a)(2) and (3), 21-321(a), (c) and (e), 21-2-365(8), are all being violated by Morgan county BoE and Brad Raffensperger. These violations render the acquisition and use of this Dominion ICX voting system illegal and therefore, the use of this voting system should be immediately discontinued.

51. The right to vote is fundamental, and is protected by both the due process and equal protection guarantees of the Fourteenth Amendment of the US Constitution and Article I, Section I, Paragraphs I, II, and VII of the GA Constitution (FN 4 & 6). The definition of voting includes all actions necessary to make a vote effective in any primary, special, or general election, including, casting a ballot, and having such ballot counted properly and included in the appropriate totals of votes cast with respect to candidates for public or party office and propositions for which votes are received in an election (FN 3). The petitioners and the People of Morgan county have no idea if their votes are being recorded accurately. This was proved during the GA mid-terms.

RETRIEVED FROM DEMOCRACYDOCKET.COM

52. DeKalb County Commissioner District 2 candidate Michelle Long Spears said that during the primary, May 24, some precincts were reporting she received zero votes – including her own precinct. Dekalb county agreed to a hand count of ballots and determined a "display error" is to blame for the discrepancies. DeKalb Commissioner Ted Terry stated he believed the voting process is to blame.

53. GA's voting system allocated 3,317 votes to a Fulton County School Board District 7 candidate who was not even on the ballot. This was blamed on a candidate alignment mismatch in the ballot definitions between BMD's and scanner/tabulators. This is an impossibility. There was over a 1,300 vote difference between the voting system total votes cast and the hand count audit votes cast. This total vote discrepancy has nothing to do with a ballot definition alignment. The current Dominion system simply failed to count those votes regardless of how the candidates are aligned (Ex. L). The QR code is supposed to develop based on a voter's actual choices. Obviously, not only is that not happening but there are a host of other discrepancies that can only be attributed to software programming or malicious script incursions.

RETRIEVED FROM DEMOCRACYDOCKET.COM

54. An audit monitoring team during the Cobb County Vinings cityhood hand count audit proved the Dominion ICX voting system software magically attributed 15% more votes to SoS Raffensperger during the midterms. The team monitored a majority of those election day ballots in the Vinings 04 precinct that were being hand counted. The monitoring team decided to count the votes of incumbent SoS Raffensperger while the cityhood count was in progress. The team found that Raffensperger received about 53% of the Republican election day votes for SoS in that precinct, though the Dominion voting system awarded Raffensperger 68.4% of those same votes. Therefore, the Dominion software

attributed 15% more votes to Raffensperger's totals than the actual ballots seem to show when the monitors hand counted Raffensperger's votes.

55. The QR code, programming, and/or script 'anomalies' have occurred in 97% of GA counties of which provided the ScanAudit Logs (65 of 67 counties). It can only be surmised that the counties that illegally refused to provide these documents are attempting to obscure them to repress the evidence as to why these elections should not have been certified. Evidence proves these 'anomalies' occurred during the 2020 and 2022 elections. This has disenfranchised thousands of electors throughout GA and will continue to do so as long as these voting systems are used. A 'Verified Notice and Demand for Emergency Review' was submitted to the State BoE on October 3rd, 2022 evidencing the 'anomalies' throughout GA ("Ex M").

RETRIEVED FROM DEMOCRACYDOCKET.COM

56. Based on the foregoing allegations and information provided in this action, no one can guarantee the petitioners nor the People's of GA votes are being counted as cast. This is a violation of the Fourteenth and Twenty Sixth Amendment of the US Constitution, our right to vote (FN 3) is being denied, impaired and adversely affected (FN 4) due to this ICX voting system and the actions taken, or not taken, by Brad Raffensperger and the Morgan county BoE.

57. Petitioners have standing in that they have proven the injuries suffered are of a legal and constitutionally protected interest. Petitioners injuries were caused by the unconstitutional and illegal actions of the defendants in their

continued use of a voting system that is non-compliant with GA law, an unconstitutional abridgment of voting rights, and in violation of Article IX of the GA Constitution. Petitioner's redress is declaratory judgment and injunctive relief for unconstitutional procedures, illegally imposed rules and regulations used by defendants, under color of law, which has caused gross harm and injurious deprivation of the petitioners and the People's of Morgan county rights that are protected by the Constitution(s) and the laws of GA.

58. Brad Raffensperger, in his official capacity as the GA SoS, seems to have disregarded many state and federal laws. The many and varied allegations set forth in this action include: O.C.G.A.: 16-10-1 – *Violation of Oath of a Public Officer*; 16-10-8 –*False official certificates or writings by officers or employees of state and political subdivisions*; 16-9-53 – *Damaging, destroying, or secreting property to defraud another*; 16-10-20 – *False statements and writings, concealment of facts, and fraudulent documents in matters within jurisdiction of state or political subdivisions*; 16-10-20.1 – *Filing false documents*; 16-8-3 – *Theft by deception*; 16-2-20 – *Party to a crime*; 45-10-3(1), (8) – *Code of Ethics*; 45-11-1 – *Offenses involving public records*; 45-11-4 – *Malfeasance of Office*; 21-2-562 – *Fraudulent entries*; 21-2-596 – *Failure of public or political officer to perform duty*; 21-2-603 – *Conspiracy to commit election fraud*; 18 USC 1512 - *conduct intended to illegitimately affect the*

RETRIEVED FROM DEMOCRACYDOCKET.COM

presentation of evidence in a Federal proceeding; 52 USC 10307(d) (FN 1); 52 USC 10308(b) and (c) (FN 2).

PRAYER FOR RELIEF

WHEREFORE, petitioner requests the following relief;

I. That, this honorable court grant the utilization of the illegal Dominion ICX voting systems in Morgan county and GA to be immediately discontinued as voter disenfranchisement and the abridgment of our right to vote is imminent.

II. That, this honorable court grant a referendum vote by the electors of Morgan county to decide on the use of any voting machines, as is required by law, prior to any further machine voting. And that, this referendum vote needs to be done by hand marked paper ballots that are hand counted as this would have been the process if the law would have been followed prior to the machines being installed.

RETRIEVED FROM DEMOCRACYDOCKET.COM

III. That, this honorable court grant a referendum vote by the electors of Morgan county to decide whether to increase the debt and/or taxes in Morgan county, as is required by law, in order to pay for voting machines. And that, any and all additional taxes being collected for the payment of these machines to immediately cease and desist. And that, this needs done prior to further use. And that, this referendum vote needs done by hand marked paper ballots that are hand counted as this would have been the process if the law would have been followed prior to the machines being installed.

IV. That, this honorable court grant the use of any electronic voter registration verification devices be immediately discontinued since these devices allow for network-wide internet intrusions.

V. That, this honorable court grant the indefinite preservation of all 2020, 2021 and 2022 election documents, written or electronic, until a full investigation into the aforementioned allegations can be completed.

VI. That, based on the scanning errors discovered in the midterm election, and the lack of certification of the Dominion ICX voting system since 2017, this honorable court grant a complete hand recount of the actual paper ballots cast, not the machine created re-prints, to be done immediately without the use of scanners/tabulators for all elections held on the Dominion ICX voting systems since 2020.

RETRIEVED FROM DEMOCRACYDOCKET.COM

VII. That, this honorable Court, in the event the Dominion ICX voting system is used for any future election, require a hand recount of the actual ballots cast, not the machine created re-prints, with witnesses from all parties, prior to certification of any election.

VIII. That, the petitioners respectfully request this honorable court impanel a Grand Jury to investigate the numerous, felonious crimes that seem to have been perpetrated against the People of GA. *Decatur County v. Bainbridge Post*

Searchlight, Inc., 632 SE 2d 113, 117 (2006), The grand jury presentment process, a judicial proceeding conducted under the supervision of the superior courts, authorizes the grand jury to conduct investigations of allegations of official misconduct and to issue reports which can lead to further criminal or civil proceedings where violations of the public trust are revealed. The facts disclosed in this action warrant a Grand Jury investigation. The appearance of collusion, fraud, forgery, conspiracy to defraud, conspiracy to commit election fraud, conspiracy to overthrow government, and the additional charges these crimes generally lead to are painfully obvious. This entire procedure and the actions taken by the parties involved reveal violations of the public trust.

IX. That, this honorable Court, rule in favor of the relief of Injunction and Declaratory Judgment based on the merit of this case.

X. That, should this honorable Court decline ruling on the merit of the case, a trial by jury is requested.

XI. That, this honorable Court grant an award of attorney's fees and costs incurred as a result of this action.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Respectfully submitted this 11th day of October, 2022

By:

Virginia S. McFaddin

Lori Tullos
2011 Cedar Grove Road
Buckhead, GA 30625

Virginia S. McFaddin
110 Tuell Court
Madison, GA 30650

RETRIEVED FROM DEMOCRACYDOCKET.COM

FOOTNOTES

1. 52 USC 10307(d) - **Falsification or concealment of material facts or giving of false statements in matters within jurisdiction of examiners or hearing officers; penalties** Whoever, in any matter within the jurisdiction of an examiner or hearing officer knowingly and willfully falsifies or conceals a material fact, or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

2. 52 USC 10308(a), (b) and (c) – **Civil and criminal sanctions** – (a) Depriving or attempting to deprive persons of secured rights – Whoever shall deprive or attempt to deprive any person of any right secured by section 10301, 10302, 10303, 10304, or 10306 of this title or shall violate section 10307(a) of this title, shall be fined not more than $5,000, or imprisoned not more than five years, or both.
(b) Destroying, defacing, mutilating, or altering ballots or official voting records--Whoever, within a year following an election in a political subdivision in which an observer has been assigned (1) destroys, defaces, mutilates, or otherwise alters the marking of a paper ballot which has been cast in such election, or (2) alters any official record of voting in such election tabulated from a voting machine or otherwise, shall be fined not more than $5,000, or imprisoned not more than five years, or both.
(c) Conspiring to violate or interfere with secured rights--Whoever conspires to violate the provisions of subsection (a) or (b) of this section, or interferes with any right secured by section 10301, 10302, 10303, 10304, 10306, or 10307(a) of this title shall be fined not more than $5,000, or imprisoned not more than five years, or both.

3. 52 USC 10310(c) – **Definitions**
(1) The terms "vote" or "voting" shall include all action necessary to make a vote effective in any primary, special, or general election, including, but not limited to, registration, listing pursuant to this chapter, or other action required by law prerequisite to voting, casting a ballot, and having such ballot counted properly and included in the appropriate totals of votes cast with respect to candidates for public or party office and propositions for which votes are received in an election.

4. The right to vote is clearly fundamental, and is protected by both the due process and equal protection guarantees of U.S. Const., amend. 14. In either case, any alleged infringement of the right to vote must be carefully and meticulously scrutinized, for a state has precious little leeway in making it difficult for citizens to vote. Duncan v. Poythress, 515 F. Supp. 327 (N.D. Ga.), aff'd, 657 F.2d 691 (5th Cir. 1981)

5. If the right to vote is denied altogether or abridged in a manner which renders the electoral process fundamentally unfair, a violation of due process may be found. Duncan v. Poythress, 515 F. Supp. 327 (N.D. Ga.), aff'd, 657 F.2d 691 (5th Cir. 1981)

6. The interests encompassed by the right to vote are among the liberties protected against state infringement by the due process guarantee. Duncan v. Poythress, 515 F. Supp. 327 (N.D. Ga.), aff'd, 657 F.2d 691 (5th Cir. 1981), cert. dismissed, 459 U.S. 1012, 103 S. Ct. 368, 74 L. Ed. 2d 504 (1982)

RETRIEVED FROM DEMOCRACYDOCKET.COM

7. https://www.eac.gov/voting-equipment/manuals-and-forms

RETRIEVED FROM DEMOCRACYDOCKET.COM

IN THE SUPERIOR COURT OF MORGAN COUNTY
STATE OF GEORGIA

CERTIFICATE OF SERVICE

I do hereby certify that I have this day served the within and foregoing

VERIFIED COMPLAINT FOR DECLARATORY JUDGMENT and INJUNCTIVE RELIEF

via first class United States mail, with adequate postage and properly addressed to:

GEORGIA STATE BOARD of ELECTIONS
2 MLK Jr. Drive
Suite 802 Floyd West Tower
Atlanta, Georgia 30334

This the 11th day of October, 2022

LORI TULLOS, Petitioner Pro Se
2011 Cedar Grove Rd
Buckhead, GA 30625

VIRGINIA S. McFADDIN, Petitioner Pro Se
100 Tuell Court
Madison, GA 30650

RETRIEVED FROM DEMOCRACYDOCKET.COM

IN THE SUPERIOR COURT OF MORGAN COUNTY
STATE OF GEORGIA

CERTIFICATE OF SERVICE

I do hereby certify that I have this day served the within and foregoing

VERIFIED COMPLAINT FOR DECLARATORY JUDGMENT and INJUNCTIVE RELIEF

via first class United States mail, with adequate postage and properly addressed to:

GEORGIA ATTORNEY GENERAL CHRIS CARR
40 Capitol Square, SW
Atlanta, Georgia 30334

This the 11th day of October, 2022

LORI TULLOS, Petitioner Pro Se
2011 Cedar Grove Rd
Buckhead, GA 30625

VIRGINIA S. McFADDIN, Petitioner Pro Se
100 Tuell Court
Madison, GA 30650

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit

"A"

RETRIEVED FROM DEMOCRACYDOCKET.COM

United States Election Assistance Commission

Certificate of Accreditation

Pro V&V, Inc.
Huntsville, Alabama

is recognized by the U.S. Election Assistance Commission for the testing of voting systems to the 2005 Voluntary Voting Systems Guidelines under the criteria set forth in the EAC Voting System Testing and Certification Program and Laboratory Accreditation Program. Pro V&V is also recognized as having successfully completed assessments by the National Voluntary Laboratory Accreditation Program for conformance to the requirements of ISO/IEC 17025 and the criteria set forth in NIST Handbooks 150 and 150-22.

Effective Through

February 24, 2017

Date: 2/24/15

Acting Executive Director, U.S. Election Assistance Commission

EAC Lab Code: **1501**

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit

“A1”

RETRIEVED FROM DEMOCRACYDOCKET.COM

United States Election Assistance Commission

Certificate of Accreditation

Pro V&V, Inc.
Huntsville, Alabama

is recognized by the U.S. Election Assistance Commission for the testing of voting systems to the 2005 and 2015 Voluntary Voting Systems Guidelines (VVSG 1.0 & 1.1) under the criteria set forth in the EAC Voting System Testing and Certification Program and Laboratory Accreditation Program. Pro V&V is also recognized as having successfully completed assessments by the National Voluntary Laboratory Accreditation Program for conformance to the requirements of ISO/IEC 17025 and the criteria set forth in NIST Handbooks 150 and 150-22.

Original Accreditation Issued on: 2/24/2015

Accreditation remains effective until revoked by a vote of the EAC pursuant to 52 U.S.C. § 20971(c)(2).

Mona Harrington

Date: 2/1/21

Mona Harrington
Executive Director, U.S. Election Assistance Commission

EAC Lab Code: **1501**

EFFECTIVE THROUGH DATE REQUIRED.
A GRANT OF ACCREDITATION VALID FOR
A PERIOD OF TWO YEARS

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit

"A2"

RETRIEVED FROM DEMOCRACYDOCKET.COM

U.S. ELECTION ASSISTANCE COMMISSION
633 3rd St. NW, Suite 200
Washington, DC 20001

FROM: Jerome Lovato, Voting System Testing and Certification Director

SUBJECT: Pro V&V EAC VSTL Accreditation

DATE: 1/27/2021

Pro V&V has completed all requirements to remain in good standing with the EAC's Testing and Certification program per section 3.8 of the Voting System Test Laboratory Manual, version 2.0:

> ***Expiration and Renewal of Accreditation.*** *A grant of accreditation is valid for a period not to exceed two years. A VSTL's accreditation expires on the date annotated on the Certificate of Accreditation. VSTLs in good standing shall renew their accreditation by submitting an application package to the Program Director, consistent with the procedures of Section 3.4 of this Chapter, no earlier than 60 days before the accreditation expiration date and no later than 30 days before that date. Laboratories that timely file the renewal application package shall retain their accreditation while the review and processing of their application is pending. VSTLs in good standing shall also retain their accreditation should circumstances leave the EAC without a quorum to conduct the vote required under Section 3.5.5.*

Due to the outstanding circumstances posed by COVID-19, the renewal process for EAC laboratories has been delayed for an extended period. While this process continues, Pro V&V retains its EAC VSTL accreditation.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit

“A3”

RETRIEVED FROM DEMOCRACYDOCKET.COM

U.S. ELECTION
ASSISTANCE
COMMISSION (/)

Voting System Test Laboratories (VSTL)

PRO V&V

BACK TO VOTING SEARCH (/VOTING-EQUIPMENT/VOTING-SYSTEM-TEST-LABORATORIES-VSTL)

Pro V&V (/voting-equipment/voting-system-test-laboratories-vstl/pro-vv)

Pro V&V was accredited by the EAC on February 24, 2015. Federal law provides that EAC accreditation of a voting system test laboratory cannot be revoked unless the EAC Commissioners vote to revoke the accreditation: "The accreditation of a laboratory for purposes of this section may not be revoked unless the revocation is approved by a vote of the Commission." 52 U.S. Code § 20971(c)(2). The EAC has never voted to revoke the accreditation of Pro V&V. Pro V&V has undergone continuing accreditation assessments and had new accreditation certificate issued on February 1, 2021.

RETRIEVED FROM DEMOCRACYDOCKET.COM

6705 Odyssey Dr NW Suite C,
Huntsville, Alabama 35806
Status: Accredited
Program Manager: President
Phone: 256-713-1111
Lab Contact: Jack Cobb

Related Documents

- **7/22/21 - VSTL Certificates and Accreditation**
- **3/10/21- Pro V&V Letter of Agreement**
- **3/10/21 - Pro V&V Certification of Conditions and Practices**
- **2/1/2021 - Pro V&V Certificate of Accreditation**
- **01/27/2021 – Pro V&V Accreditation Renewal Memo**
- **02/24/2015 - Certificate of Accreditation**
- **08/02/2015 - Pro V&V Letter of Agreement**

- **08/02/2012 - NIST Recommendation Letter - Pro V&V**
- **08/02/2012 - Pro V&V Certification of Conditions and Practices**

© 2022, The U.S. Election Assistance Commission. All rights reserved

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit

“B”

RETRIEVED FROM DEMOCRACYDOCKET.COM

Georgia
Secretary of State
Brad Raffensperger

Sign of Foul Play

Home > News & Announcements > Secretary Raffensperger Announces Completion of Voting Machine Audit Using Forensic Techniques: No Sign Of Foul Play

November 17th, 2020

(Atlanta) - Secretary of State Brad Raffensperger last week ordered Pro V&V, a U.S. Election Assistance Commission certified testing laboratory, to do an audit of a random sample of machines to confirm no hack or tamper: "Pro V&V found no evidence of the machines being tampered."

"We are glad but not surprised that the audit of the state's voting machines was an unqualified success," said Secretary Raffensperger. "Election security has been a top priority since day one of my administration. We have partnered with the Department of Homeland Security, the Georgia Cyber Center, Georgia Tech security experts, and wide range of other election security experts around the state and country so Georgia voters can be confident that their vote is safe and secure."

Pro V&V, based in Huntsville, Alabama is a U.S. Election Assistance Commission-certified Voting System Test Laboratory (VSTL), meaning the lab is "qualified to test voting systems to Federal standards." VSTL certification is provided for under the Help America Votes Act of 2002. Pro V&V's accreditation by the USEAC was also recommended by the National Institute of

RETRIEVED FROM DEMOCRACYDOCKET.COM

regularly to the development of cybersecurity and elections security standards for the U.S. and the world.

Pro V&V conducted an audit of a random sample of Dominion Voting Systems voting machines throughout the state using forensic techniques, including equipment from Cobb, Douglas, Floyd, Morgan, Paulding, and Spalding Counties. ICP (precinct ballot scanners), ICX (ballot marking devices), and ICC (central absentee ballot scanners) components were all subject to the audit. In conducting the audit, Pro V&V extracted the software or firmware from the components to check that the only software or firmware on the components was certified for use by the Secretary of State's office. The testing was conducted on a Pro V&V laptop independent of the system.

According to the Pro V&V audit, all of the software and firmware on the sampled machines was verified to be the software and firmware certified for use by the Office of the Secretary of State. Coupled with the risk-limiting audit of all paper ballots relying solely on the printed text of the ballots, these steps confirm the assessment of the Cybersecurity and Infrastructure Security Agency that there are no signs of cyber attacks or election hacking.

Georgia is recognized as a national leader in elections. It was the first state in the country to implement the trifecta of automatic voter registration, at least 16 days of early voting (which has been called the "gold standard"), and no-excuse absentee voting. Georgia continues to set records for voter turnout and election participation, seeing the largest increase in average turnout of any

RETRIEVED FROM DEMOCRACYDOCKET.COM

© 2022 Georgia Secretary of State

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit

“C”

RETRIEVED FROM DEMOCRACYDOCKET.COM

Kevin M. Moncla
824 Lake Grove Drive
Little Elm, TX 75068
469-588-7778
KMoncla@gmail.com

David Cross
4805 Spring Park Circle
Suwanee, GA 30024
678-925-6983
DCross108@protonmail.com

September 12, 2022

Georgia State Election Board
2 MLK Jr. Drive
Suite 802 Floyd West Tower
Atlanta, Georgia 30334

Mr. Matt Mashburn
mmashburn@georgia-elections.com

Dr. Jan Johnston
JJohnstonMD.seb@gmail.com

Mrs. Sara Tindall Ghazal
SaraGhazal.seb@gmail.com

Mr. Edward Lindsey
Edwardlindsey.seb@gmail.com

Ex officio:
Mr. Brad Raffensperger
Secretary of State
214 State Capitol
Atlanta, Georgia 30334

RE: OFFICIAL COMPLAINT

Board Members:

We are submitting this official complaint regarding the circumstances surrounding the official certification of Georgia's electronic voting system by the Elections Assistance Commission (hereinafter "EAC"). Our investigation has uncovered evidence which calls in to question, not only the validity of Georgia's voting system certification, but the accreditation of the Voting System Testing Laboratory, and the credibility of the EAC itself.

While the actions and deficiencies of the EAC are beyond the purview of this board, Georgia law required the purchase of an EAC certified electronic voting system.[1]

When the Georgia State legislature passed such a requirement, they did so with the implicit expectation that such an EAC certified voting system would meet standards in accordance with federal law.

Unfortunately, that certification is but an empty shell as the EAC's outdated voting system guidelines, requirements, rules, and methods of measuring compliance as promulgated by federal law have been effectively ignored, circumvented, and dismissed. The EAC has failed to maintain oversight and accreditation of the Voting System Testing Labs as required by the Help America Vote Act (HAVA).[2] Efforts to conceal this fact have only magnified the damage, perpetuated a fraud upon the American people, and prevented correction or

[1] Ga. Code § 21-2-300 ("(3) The state shall furnish a uniform system of electronic ballot markers and ballot scanners for use in each county as soon as possible. Such equipment shall be certified by the United States Election Assistance Commission prior to purchase, lease, or acquisition.")

RETRIEVED FROM DEMOCRACYDOCKET.COM

remedy. Specifically:

1. Pro V&V's EAC Voting System Testing Lab Accreditation expired in 2017.
2. EAC officials have falsely misrepresented the accreditation status of Pro V&V and have gone to extraordinary lengths to conceal the fact that Pro V&V's accreditation was expired for an extended period of time.
   A. Records and analysis strongly suggest that the EAC fabricated documents on behalf of Pro V&V then posted those documents on the EAC website. Seemingly this was done in an effort to make it appear as though the required documents had been timely submitted.
   B. Following the 2020 General Election, the EAC falsely claimed that the reason Pro V&V's accreditation certificate(s) had not been issued was because of:
      1. Delays caused by COVID-19
      2. Administrative Error
      3. Accreditation wasn't Revoked
3. Georgia's current voting system was not certified in accordance with the Help America Vote Act. The voting system Georgia purchased was not tested by an EAC accredited Voting System Testing Lab as required, thereby rendering the EAC certification invalid based upon the established requirements.

Conc

RETRIEVED FROM DEMOCRACYDOCKET.COM

BACKGROUND

The issues presented in this complaint are governed by the rules and regulations of the Election Assistance Commission (EAC). The EAC's authority is derived from the Help America Vote Act (HAVA) which was passed by the U.S. Congress in 2002.[3] HAVA requires that the EAC provide for the accreditation and revocation of accreditation of independent, non-federal laboratories qualified to test voting systems to Federal standards.[4] The EAC is also charged with establishing those Federal Standards.[5]

[3] HAVA is codified at 52 U.S.C. 20901 to 21145

[4] Help America Vote Act (HAVA) of 2002 (42 U.S.C. 15371(b)) requires that the EAC provide for the accreditation and revocation of accreditation of independent, non-federal laboratories qualified to test voting systems to Federal standards.

[5] Section 311 of the Help America Vote Act of 2002 (HAVA) requires the U.S. Election Assistance Commission (EAC) to periodically adopt standards for voting systems in the form of Voluntary Voting System Guidelines

From the EAC's website:

> *HAVA creates new mandatory minimum standards for states to follow in several key areas of election administration. The law provides funding to help states meet these new standards, replace voting systems and improve election administration. HAVA also established the Election Assistance Commission (EAC) to assist the states regarding HAVA compliance and to distribute HAVA funds to the states. EAC is also charged with creating voting system guidelines and operating the federal government's first voting system certification program.*

The EAC is responsible for creating voting system testing guidelines which are standards and rules that voting machines must comply with to be certified. The EAC accredits third-party companies to test whether voting systems meet the requirements of the voting system guidelines. These companies are called Voting System Testing Labs (VSTLs). Although this complaint centers on the accreditation of one VSTL, it's important to understand the following facts:

1. **Every** voting machine certified by the EAC used in the United States today has not been tested beyond a 2005 standard (Pre-iPhone).[6]
2. Voting system certification does not include testing for penetration, intrusion or system manipulation (doesn't test if the machines can be used to cheat).[7]
3. The Voting System Testing Labs (VSTLs) responsible for testing the voting systems for the EAC are not paid by the EAC but by the voting system manufacturers (Dominion, ES&S, Hart); therefore, an inherit conflict of interest exists.[8]
4. The VSTLs are not qualified nor are they accredited by the EAC to perform any type of forensic audits of the voting systems like those they were paid to perform in many locales following the 2020 general election (Maricopa, Georgia, Michigan, etc.).[9]
5. There are only 2 VSTLs currently recognized by the EAC; Pro V&V and SLI Compliance.[10]

1. Pro V&V's Accreditation Expired in 2017

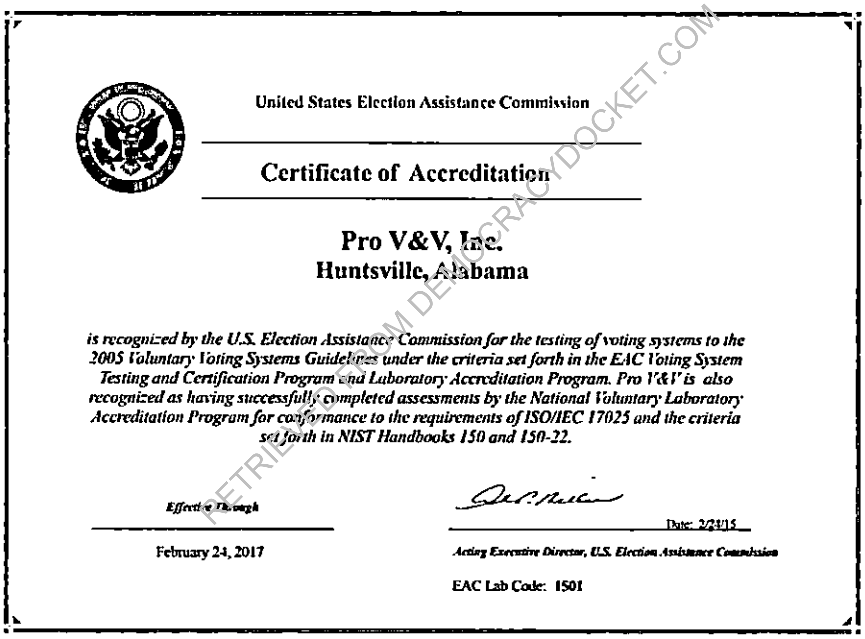
[6] Certified Voting Systems | U.S. Election Assistance Commission (eac.gov)
[7] Voluntary Voting System Guidelines | U.S. Election Assistance Commission (eac.gov)
[8] Frequently Asked Questions | U.S. Election Assistance Commission (eac.gov)
[9] Chain of Custody Best Practices (eac.gov)
[10] Voting System Test Laboratories (VSTL) | U.S. Election Assistance Commission (eac.gov)

RETRIEVED FROM DEMOCRACYDOCKET.COM

The VSTL Program Manual[11] explicitly states:

> *3.8. Expiration and Renewal of Accreditation. **A grant of accreditation is valid for a period not to exceed two years. A VSTL's accreditation expires on the date annotated on the Certificate of Accreditation.** VSTLs in good standing shall renew their accreditation by submitting an application package to the Program Director, consistent with the procedures of Section 3.4 of this Chapter, no earlier than 60 days before the accreditation expiration date and no later than 30 days before that date. Laboratories that timely file the renewal application package shall retain their accreditation while the review and processing of their application is pending.*

The fact is that Pro V&V was not in good standing. The first Certificate of Accreditation issued to Pro V&V is below:



United States Election Assistance Commission

Certificate of Accreditation

Pro V&V, Inc.
Huntsville, Alabama

is recognized by the U.S. Election Assistance Commission for the testing of voting systems to the 2005 Voluntary Voting Systems Guidelines under the criteria set forth in the EAC Voting System Testing and Certification Program and Laboratory Accreditation Program. Pro V&V is also recognized as having successfully completed assessments by the National Voluntary Laboratory Accreditation Program for conformance to the requirements of ISO/IEC 17025 and the criteria set forth in NIST Handbooks 150 and 150-22.

Effective Through

February 24, 2017

Date: 2/24/15

Acting Executive Director, U.S. Election Assistance Commission

EAC Lab Code: 1501

RETRIEVED FROM DEMOCRACYDOCKET.COM

The Certificate of Accreditation clearly delineates the beginning date of February 24, 2015 and is "Effective Through" February 24, 2017. There are simply no submissions by Pro V&V as required to renew their accreditation (save those filed in 2015) until after the 2020 general election. The fact is that Pro V&V's accreditation expired on February 24, 2017. Even so, Pro V&V continued as though they remained accredited. It was during this time when Pro V&V tested Dominion's Democracy Suite 5.5A(G), which was subsequently and erroneously certified by the EAC.

2. EAC FALSELY MISREPRESENTED PRO V&V'S ACCREDITATION

[11] VSTL Program Manual, Version 1, effective July 2008, and Version 2, effective May 2015, approved by vote of the EAC Commission

Through a series of fraudulent acts and extraordinary statements, the EAC has engaged in a practice of subterfuge and deceit to conceal the fact that Pro V&V was not an accredited laboratory for an extended period of time.

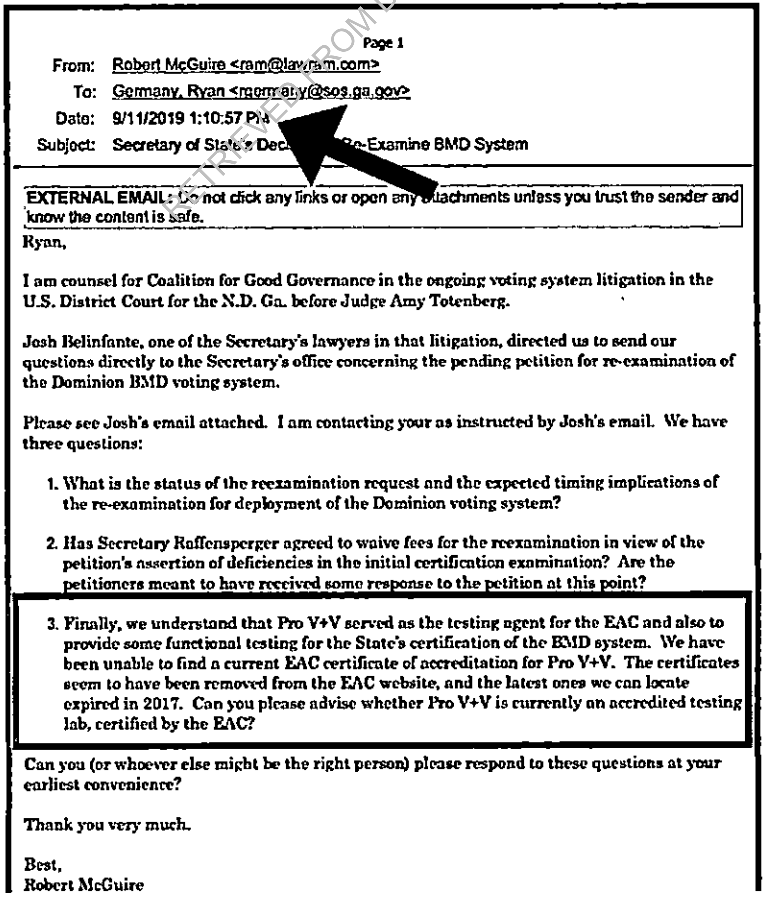
A. FABRICATION OF DOCUMENTS

On September 11, 2019, an attorney representing the Coalition for Good Governance in a pending federal lawsuit (Curling v. Raffensperger), sent an email to Ryan Germany, General Counsel for the Georgia Secretary of State. The email inquired about the accreditation status of Pro V&V who had tested Georgia's Dominion Democracy Suite 5.5A(G) voting system that the EAC had subsequently certified. Specifically, the email states in part:

> *"3. Finally, we understand that Pro V+V served as the testing agent for the EAC and also to provide some functional testing for the State's certification of the BMD system. We have been unable to find a current EAC certificate of accreditation for Pro V+V. The certificates seem to have been removed from the EAC website, and the latest ones we can locate expired in 2017. Can you please advise whether Pro V+V is an accredited testing lab, certified by the EAC?"*

Knowingly

RETRIEVED FROM DEMOCRACYDOCKET.COM



Page 1

From: Robert McGuire <ram@lawram.com>
To: Germany, Ryan <rgermany@sos.ga.gov>
Date: 9/11/2019 1:10:57 PM
Subject: Secretary of State's Dec [illegible] Re-Examine BMD System

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Ryan,

I am counsel for Coalition for Good Governance in the ongoing voting system litigation in the U.S. District Court for the N.D. Ga. before Judge Amy Totenberg.

Josh Belinfante, one of the Secretary's lawyers in that litigation, directed us to send our questions directly to the Secretary's office concerning the pending petition for re-examination of the Dominion BMD voting system.

Please see Josh's email attached. I am contacting your as instructed by Josh's email. We have three questions:

1. What is the status of the reexamination request and the expected timing implications of the re-examination for deployment of the Dominion voting system?

2. Has Secretary Raffensperger agreed to waive fees for the reexamination in view of the petition's assertion of deficiencies in the initial certification examination? Are the petitioners meant to have received some response to the petition at this point?

3. Finally, we understand that Pro V+V served as the testing agent for the EAC and also to provide some functional testing for the State's certification of the BMD system. We have been unable to find a current EAC certificate of accreditation for Pro V+V. The certificates seem to have been removed from the EAC website, and the latest ones we can locate expired in 2017. Can you please advise whether Pro V+V is currently an accredited testing lab, certified by the EAC?

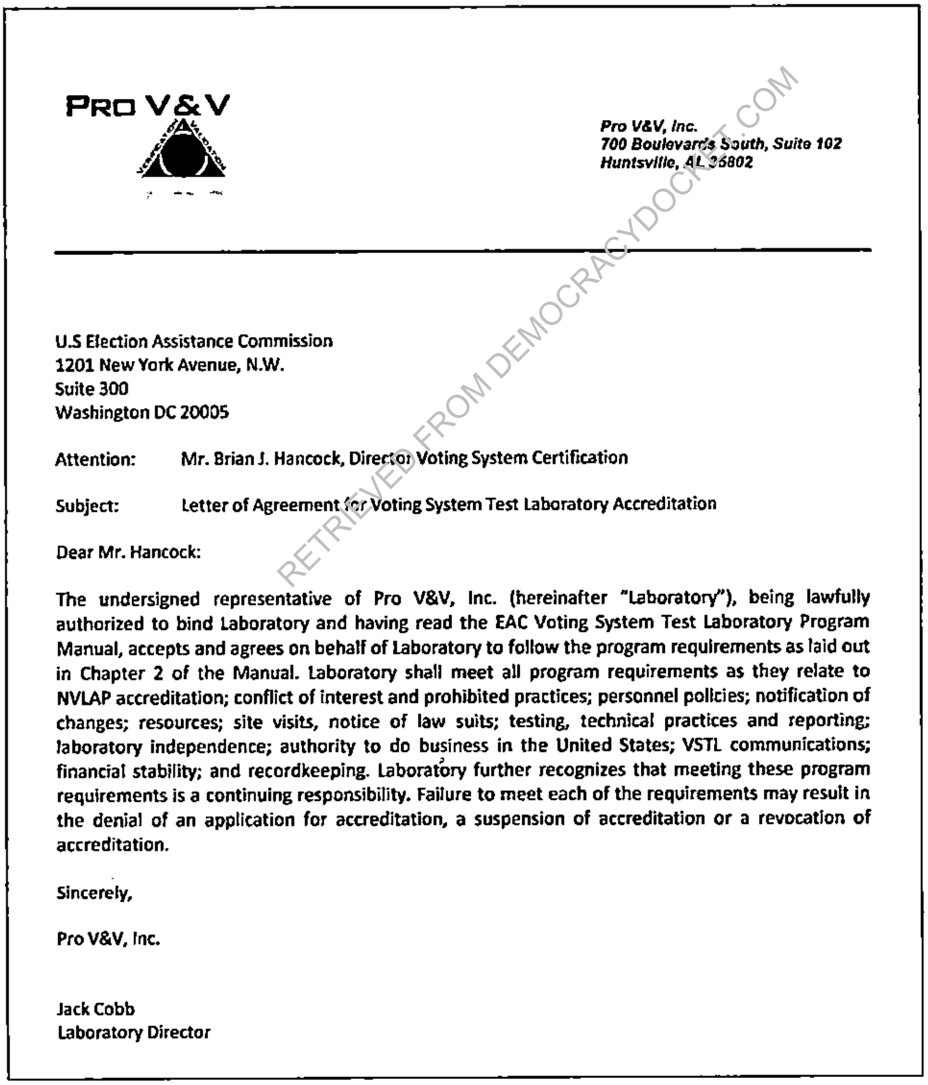
Can you (or whoever else might be the right person) please respond to these questions at your earliest convenience?

Thank you very much.

Best,
Robert McGuire

As Mr. McGuire states in the email above, the EAC website showed only one certificate of accreditation for Pro V&V which was issued in February of 2015 and expired in February of 2017.

A review of Pro V&V's records posted on the EAC's website revealed a document which was not posted until ***after*** the inquiry noted above. Complainants downloaded the document with the filename "Pro V&V Letter of Agreement.pdf" which is posted below (An electronic copy is also attached for your independent review):



PRO V&V

Pro V&V, Inc.
700 Boulevards South, Suite 102
Huntsville, AL 35802

U.S Election Assistance Commission
1201 New York Avenue, N.W.
Suite 300
Washington DC 20005

Attention: Mr. Brian J. Hancock, Director Voting System Certification

Subject: Letter of Agreement for Voting System Test Laboratory Accreditation

Dear Mr. Hancock:

The undersigned representative of Pro V&V, Inc. (hereinafter "Laboratory"), being lawfully authorized to bind Laboratory and having read the EAC Voting System Test Laboratory Program Manual, accepts and agrees on behalf of Laboratory to follow the program requirements as laid out in Chapter 2 of the Manual. Laboratory shall meet all program requirements as they relate to NVLAP accreditation; conflict of interest and prohibited practices; personnel policies; notification of changes; resources; site visits, notice of law suits; testing, technical practices and reporting; laboratory independence; authority to do business in the United States; VSTL communications; financial stability; and recordkeeping. Laboratory further recognizes that meeting these program requirements is a continuing responsibility. Failure to meet each of the requirements may result in the denial of an application for accreditation, a suspension of accreditation or a revocation of accreditation.

Sincerely,

Pro V&V, Inc.

Jack Cobb
Laboratory Director

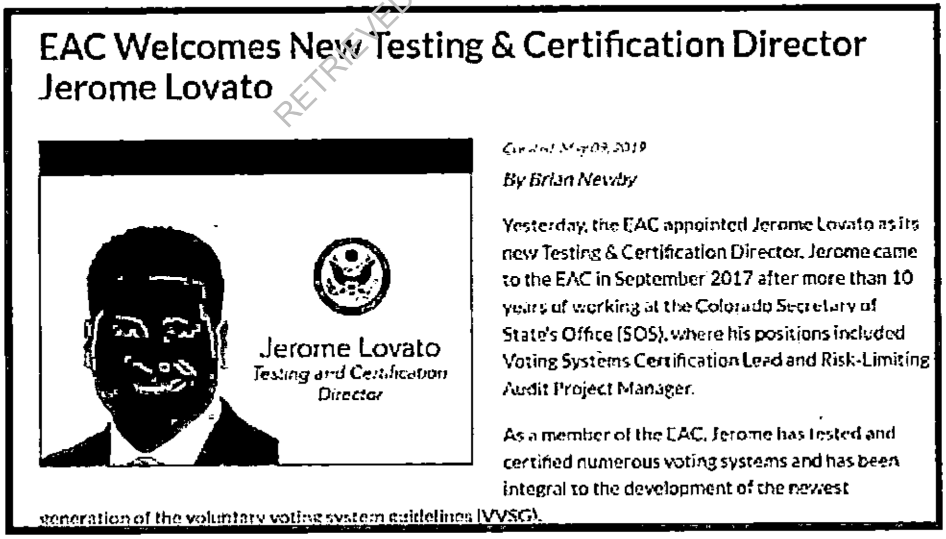
RETRIEVED FROM DEMOCRACYDOCKET.COM

Pro V&V's "Letter of Agreement" was addressed to Mr. Brian J. Hancock, the former Director of Voting System Certification for the EAC. Interestingly, there is no date nor signature which the rules adopted by the EAC specifically require:

> ***Submission of Documents.*** *Any documents submitted pursuant to the requirements of this Manual shall be submitted:*
>
> *with a proper signature when required by this Manual. Documents that require an authorized signature may be signed with an electronic representation or image of the signature of an authorized management representative.*
>
> *3.4.2. Letter of Agreement. The applicant laboratory must submit a signed letter of agreement as part of its application. To that end, applicant laboratories are required to submit a Letter of Application requesting accreditation. The letter shall be addressed to the Testing and Certification Program Director and attach (in either hard copy or on CD/DVD) (1) all required information and documentation; (2) a signed letter of agreement; and (3) a signed certification of conditions and practices.*

RETRIEVED FROM DEMOCRACYDOCKET.COM

Due to the suspect circumstances surrounding the document, we decided to view the file's metadata. This shows the document posted on the EAC's website was created six (6) days after the email seeking the status of Pro V&V's accreditation.



EAC Welcomes New Testing & Certification Director Jerome Lovato

Created May 08, 2019

By Brian Newby

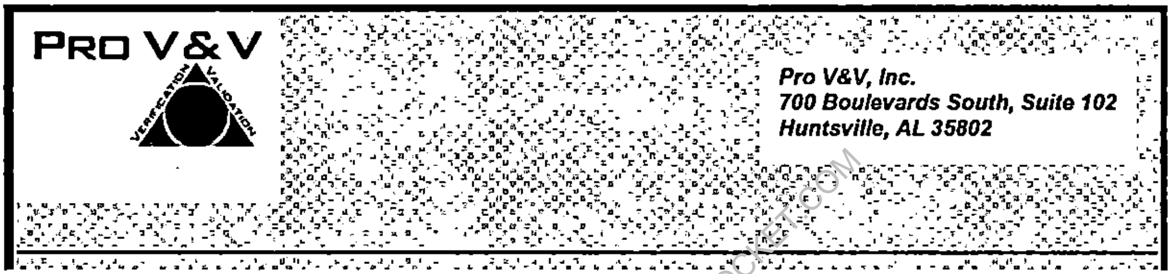
Yesterday, the EAC appointed Jerome Lovato as its new Testing & Certification Director. Jerome came to the EAC in September 2017 after more than 10 years of working at the Colorado Secretary of State's Office (SOS), where his positions included Voting Systems Certification Lead and Risk-Limiting Audit Project Manager.

As a member of the EAC, Jerome has tested and certified numerous voting systems and has been integral to the development of the newest generation of the voluntary voting system guidelines (VVSG).

What's more, the Letter of Agreement that Mr. Lovato seemingly created on September 17, 2019, was addressed to Mr. Brian J. Hancock. The problem is that Mr. Hancock had retired in February of 2019, or nearly seven months before the letter was created.

Additionally, the file's metadata shows that the document was not authored by Jack Cobb of Pro V&V, but by the EAC's own Testing and Certification Director, Jerome Lovato. Perhaps there's a good explanation, or at least a plausible one; however, there are other problems. When the document was opened in Photoshop, it revealed that the letterhead was not one image as one would expect, but images that had been cut and pasted:

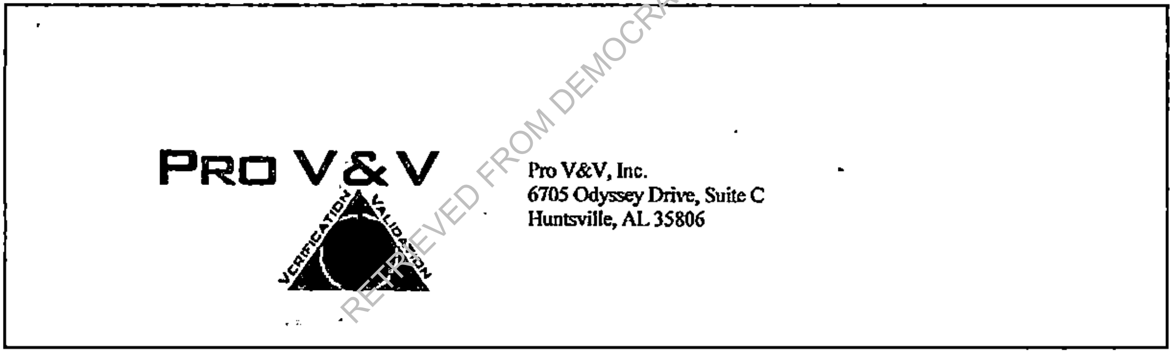
Document Header from the Letter of Agreement added by Jerome Lovato as shown in Adobe Photoshop:



PRO V&V

Pro V&V, Inc.
700 Boulevards South, Suite 102
Huntsville, AL 35802

Document Header from the 2020 Letter of Agreement as shown in Adobe Photoshop using the same process:

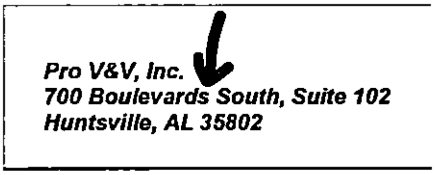


PRO V&V

Pro V&V, Inc.
6705 Odyssey Drive, Suite C
Huntsville, AL 35806

RETRIEVED FROM DEMOCRACYDOCKET.COM

If the Letter of Agreement was in-fact created by Pro V&V, they didn't include their phone number, email, and misspelled their own address on their "letterhead":



Pro V&V, Inc.
700 Boulevards South, Suite 102
Huntsville, AL 35802

Also, the EAC's address changed from that of the letter (1201 New York Ave, DC) to 1335 East West Highway, MD on October 22, 2013, or before the date to which the letter was attributed.

No matter the provenance of the Letter of Agreement, without a date or signature it fails to meet any acceptable standard. The same is acknowledged by the fact that the document was not publicly posted as required until 6 days after the email cited above inquiring about Pro V&V's accreditation status. Lastly, the EAC never issued a Certificate of Accreditation for 2017 when Pro V&V's 2015 accreditation expired.

B. EAC Misrepresented Status of Pro V&V

After the 2020 General election the EAC went so far as to surreptitiously cover-up the fact that Pro V&V was not accredited and had not been for years. Pro V&V was granted EAC accreditation as a Voting Systems Testing Laboratory (VSTL) on February 24, 2015 and was effective through February 24, 2017. From the Voting System Test Laboratory Program Manual, Version 2.0

> *3.8 Expiration and Renewal of Accreditation. A grant of accreditation is valid for a period not to exceed two years. A VSTL's accreditation expires on the date annotated on the Certificate of Accreditation. VSTLs in good standing shall renew their accreditation by submitting an application package to the Program Director, consistent with the procedures of Section 3.4 of this Chapter, no earlier than 60 days before the accreditation expiration date and no later than 30 days before that date. Laboratories that timely file the renewal application package shall retain their accreditation while the review and processing of their application is pending. VSTLs in good standing shall also retain their accreditation should circumstances leave the EAC without a quorum to conduct the vote required under Section 3.5.5.*

There is no record whatsoever of Pro V&V renewing their accreditation in 2017, despite the requirement that all associated documents *shall* be posted on the EAC's website:

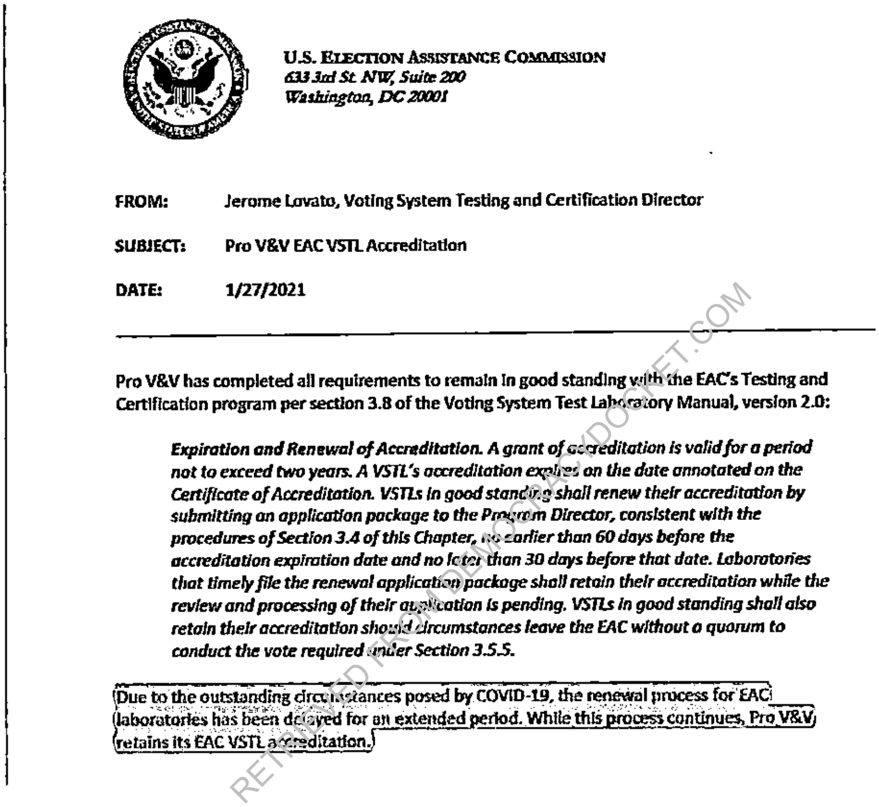
> *3.6.2. Post Information on Web Site. The Program Director shall make information pertaining to each accredited laboratory available to the public on EAC's Web site. This information shall include (but is not limited to):*
>
> *3.6.2.1. NIST's Recommendation Letter;*
> *3.6.2.2. The VSTL's Letter of Agreement;*
> *3.6.2.3. The VSTL's Certification of Conditions and Practices;*
> *3.6.2.4. The Commissioner's Decision on Accreditation; and 3.6.2.5. The Certificate of Accreditation.*

There is also no record of Pro V&V renewing their accreditation in 2019. It isn't until after the 2020 general election that Pro V&V's accreditation is renewed.

1. Pandemic Excuse

RETRIEVED FROM DEMOCRACYDOCKET.COM

On January 27, 2021, Jerome Lovato of the EAC issued the following memo attempting to use the pandemic somehow as cause for Pro V&V's "questionable" accreditation status:



U.S. Election Assistance Commission
633 3rd St. NW, Suite 200
Washington, DC 20001

FROM: Jerome Lovato, Voting System Testing and Certification Director

SUBJECT: Pro V&V EAC VSTL Accreditation

DATE: 1/27/2021

Pro V&V has completed all requirements to remain in good standing with the EAC's Testing and Certification program per section 3.8 of the Voting System Test Laboratory Manual, version 2.0:

> ***Expiration and Renewal of Accreditation.** A grant of accreditation is valid for a period not to exceed two years. A VSTL's accreditation expires on the date annotated on the Certificate of Accreditation. VSTLs in good standing shall renew their accreditation by submitting an application package to the Program Director, consistent with the procedures of Section 3.4 of this Chapter, no earlier than 60 days before the accreditation expiration date and no later than 30 days before that date. Laboratories that timely file the renewal application package shall retain their accreditation while the review and processing of their application is pending. VSTLs in good standing shall also retain their accreditation should circumstances leave the EAC without a quorum to conduct the vote required under Section 3.5.5.*

Due to the outstanding circumstances posed by COVID-19, the renewal process for EAC laboratories has been delayed for an extended period. While this process continues, Pro V&V retains its EAC VSTL accreditation.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Lovato states:

> *Pro V&V has completed all requirements to remain in good standing with the EAC's Testing and Certification program per section 3.8 of the Voting System Test Laboratory Manual, version 2.0:*

The statement above is false by any metric. Lovato would have us believe that Pro V&V's accreditation was somehow current despite the required submissions and Certificates of Accreditation missing from the EAC's website (The EAC is required to post the documents). Then Lovato claims that the pandemic is the cause of any accreditation deficiency:

> *Due to the outstanding circumstances posed by COVID-19, the renewal process for EAC laboratories has been delayed for an extended period. While this process continues, Pro V&V retains its EAC VSTL accreditation.*

Interestingly, Lovato specifically names Pro V&V and doesn't mention the other VSTL, SLI

Compliance. Furthermore, the EAC's pandemic excuse is refuted simply by referencing a calendar. Pro V&V's accreditation expired in February of 2017, three years before the pandemic. Even if we were to accept the cryptic, undated and unsigned Letter of Agreement of questionable origin and attribute it to 2017, the accreditation would have expired in 2019, a year before COVID-19 was deemed a national emergency.

2. Clerical Error excuse

The pandemic excuse is not retroactive to a time before the pandemic, a fact which was evidently brought to the attention of the EAC and what precipitated the release of the next memo (attached hereto as "Exhibit C") which states:

> *Due to administrative error during 2017-2019, the EAC did not issue an updated certificate to Pro V&V causing confusion with some people concerning their good standing status. Even though the EAC failed to reissue the certificate, Pro V&V's audit was completed in 2018 and again in early 2021 as the scheduled audit of Pro V&V in 2020 was postponed due to COVID-19 travel restrictions. Despite the challenges outlined above, throughout this period, Pro V&V and SLI Compliance remained in good standing with the requirements of our program and retained their accreditation. In addition, the EAC has placed appropriate procedures and qualified staff to oversee this aspect of the program ensuring the continued quality monitoring of the Testing and Certification program is robust and in place.*

RETRIEVED FROM DEMOCRACYDOCKET.COM

Again, even if we were to accept the highly suspect Letter of Agreement and attribute it to 2017, along with the EAC's explanation of administrative error in failing to issue a Certificate of Accreditation in 2017, the accreditation would have expired in February of 2019 without exception (*3.8. Expiration and Renewal of Accreditation. A grant of accreditation is valid for a period not to exceed two years*). The EAC conveniently ignores the irrefutable fact that Pro V&V is lacking ***two*** Certificates for Accreditation- one for 2017 and another for 2019. Also missing from the record and the EAC's website are Pro V&V's filings for accreditation renewal for both 2017 *and* 2019.

3. Revocation Excuse

In the same memo cited above, Mr. Lovato disingenuously attempts to address the concerns of *expiration* with the prospect of *revocation*. From the memo:

> *The VSTL accreditation does not get revoked unless the commission votes to revoke accreditation; and by that same token, EAC generated certificates or lack thereof do not determine the validity of a VSTL's accreditation status.*
>
> *Pro V&V was accredited by the EAC on February 24, 2015, and SLI Compliance was accredited by the EAC on February 28, 2007. Federal law provides that EAC accreditation of a voting system test laboratory cannot be revoked unless the EAC Commissioners vote to revoke the accreditation: "The accreditation of a laboratory for purposes of this section may not be revoked unless the revocation is approved by a vote of the Commission." 52 U.S. Code § 20971(c)(2). The EAC has never voted to revoke the accreditation of Pro V&V. Pro V&V has undergone continuing accreditation assessments and had new accreditation certificate issued on February 1, 2021.*

The EAC raises the matter of revocation and that such action requires a "vote of the Commission". It goes on to say "*The EAC has never voted to revoke the accreditation of Pro V&V*". The EAC is conflating the matters of *revocation* with that of *expiration.* Suggesting that simply because the Commission has never voted to revoke Pro V&V's accreditation, then it remains active by default. The prospect defies logic. The term "Expired" is defined as:

***Expired**- cease to be valid after a fixed period of time.*

The term "Revocation" is defined as:

***Revoked**- put an end to the validity or operation of.*

Expiration is automatic, as in when the term is up. Revocation requires an affirmative act to end something. Like a driver's license can be expired or revoked, the two are different and have different causes and meanings. A driver's license can be expired and therefore invalid without being revoked. Mr. Lovato's assertion is analogous to claiming that your expired driver's license is valid simply because it's not revoked. This rationale is ludicrous. Furthermore, to accept such a prospect would require ignoring the clearly defined prescription of time "...not to exceed two years.".

The bright lines of the rules regarding accreditation renewal and expiration are clear; therefore, this is an effort of either deception or ignorance. Considering that Mr. Lovato cites the plain language detailing expiration in his January 21, 2021 memo (above), the possibility of ignorance is removed.

Also removed is a page from the EAC's website with the heading, "Labs with Expired Accreditation" that can be found archived here:

Voting System Test Laboratories (VSTL) - Voting Equipment | US Election Assistance Commission (archive.org)

RETRIEVED FROM DEMOCRACYDOCKET.COM

The fact that the category, "Labs with Expired Accreditation" existed on the EAC's website is damning to Lovato's assertion as it establishes the EAC's own acknowledgement that VSTL accreditations do expire *without* revocation. The removal of the page suggests that the EAC realized the same and acted to conceal that which would lift the thin veil of plausible deniability.

What's more, we know from the email to the Georgia Secretary of State's general counsel that the Secretary of State and the EAC were both made aware of Pro V&V's long-expired accreditation over a year before the 2020 general election. Instead of properly addressing the deficiency at the time, the EAC presumably elected to create a fraudulent record on behalf of Pro V&V. Regardless, they knowingly chose to fraudulently misrepresent Pro V&V's accreditation status and attempted to cover-up the facts with a litany of excuses that just don't hold water.

3. Georgia's Voting System was never properly certified

Pro V&V performed the testing on Georgia's Dominion Democracy Suite 5.5A(G) system and submitted the final report to the EAC on August 7, 2019. Because Pro V&V's VSTL accreditation expired in February of 2017 (or February of 2019 if we accept the EAC's flawed excuses) and system certification requires testing by an EAC accredited VSTL, the EAC certification of Georgia's voting system is not valid.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Summary

As we mark the EAC's 20th year, we must acknowledge that the EAC has failed to develop and maintain voting system testing guidelines, failed to oversee the accreditation of testing labs, and failed to test our country's voting systems to a remotely reasonable standard. The fact is that EAC has miserably failed to perform not only its core mission, but all missions for its entire existence.

The actions of the EAC as detailed herein extend far beyond mere *failure*. The EAC has fabricated a fraudulent record for Pro V&V and has repeatedly, knowingly, and intentionally misrepresented the expired accreditation status of a Voting Systems Testing Laboratory to the American people. The EAC's deceptive practices have fostered a false sense of security and materially violated their responsibilities under the HAVA in both letter and spirit of the law.

The inherit standard of any established institution or industry does not exist with voting systems in the United States. There is no benchmark, no independent method of testing, no oversight, and therefore there is no alternative but for the States to perform their own due diligence in testing our voting systems.

Wherefore, the Georgia State Election Board must immediately suspend use of the Dominion voting systems until a thorough, review by a panel of independent experts can be performed.

RETRIEVED FROM DEMOCRACYDOCKET.COM

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit

"D"

RETRIEVED FROM DEMOCRACYDOCKET.COM

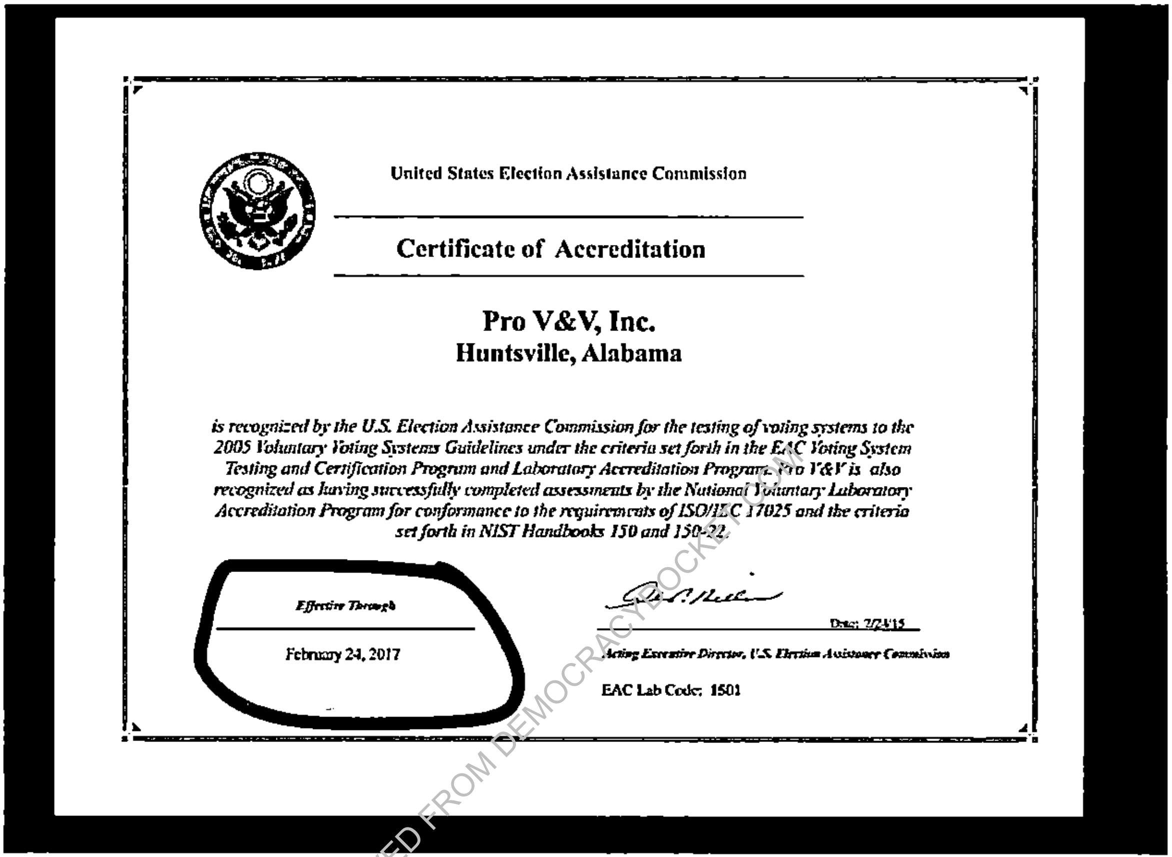
Declaration of Terpsehore P Maras

Pursuant to 28 U.S.C Section 1746, I, Terpsehore P Maras, make the following declaration.

1. I am over the age of 21 years and I am under no legal disability, which would prevent me from giving this declaration.
2. I have been a private contractor with experience gathering and analyzing foreign intelligence and acted as a LOCALIZER during the deployment of projects and operations both OCONUS and CONUS. I am a trained Cryptolinguist, hold a completed degree in Molecular and Cellular Physiology and have FORMAL training in other sciences such as Computational Linguistics, Game Theory, Algorithmic Aspects of Machine Learning, Predictive Analytics among others.
3. I have operational experience in sources and methods of implementing operations during elections both CONUS and OCONUS
4. I am an amateur network tracer and cryptographer and have over two decades of mathematical modeling and pattern analysis.
5. In my position from 1999-2014 I was responsible for delegating implementation via other contractors sub-contracting with US or 9 EYES agencies identifying connectivity, networking and subcontractors that would manage the micro operations.
6. My information is my personal knowledge and ability to detect relationships between the companies and validate that with the cryptographic knowledge I know and attest to as well as evidence of these relationships.
7. In addition, I am WELL versed due to my assignments during my time as a private contractor of how elections OCONUS (for countries I have had an assignment at) and CONUS (well versed in HAVA ACT) and more.
8. On or about October 2017 I had reached out to the US Senate Majority Leader with an affidavit claiming that our elections in 2017 may be null and void due to lack of EAC certifications. In fact Sen. Wyden sent a letter to Jack Cobb on 31 OCT 2017 advising discreetly pointing out the importance of being CERTIFIED EAC had issued a certificate to

RETRIEVED FROM DEMOCRACYDOCKET.COM

Pro V & V and that expired on Feb 24, 2017. No other certification has been located.



United States Election Assistance Commission

Certificate of Accreditation

Pro V&V, Inc.
Huntsville, Alabama

is recognized by the U.S. Election Assistance Commission for the testing of voting systems to the 2005 Voluntary Voting Systems Guidelines under the criteria set forth in the EAC Voting System Testing and Certification Program and Laboratory Accreditation Program. Pro V&V is also recognized as having successfully completed assessments by the National Voluntary Laboratory Accreditation Program for conformance to the requirements of ISO/IEC 17025 and the criteria set forth in NIST Handbooks 150 and 150-22.

Effective Through

February 24, 2017

Date: 2/24/15

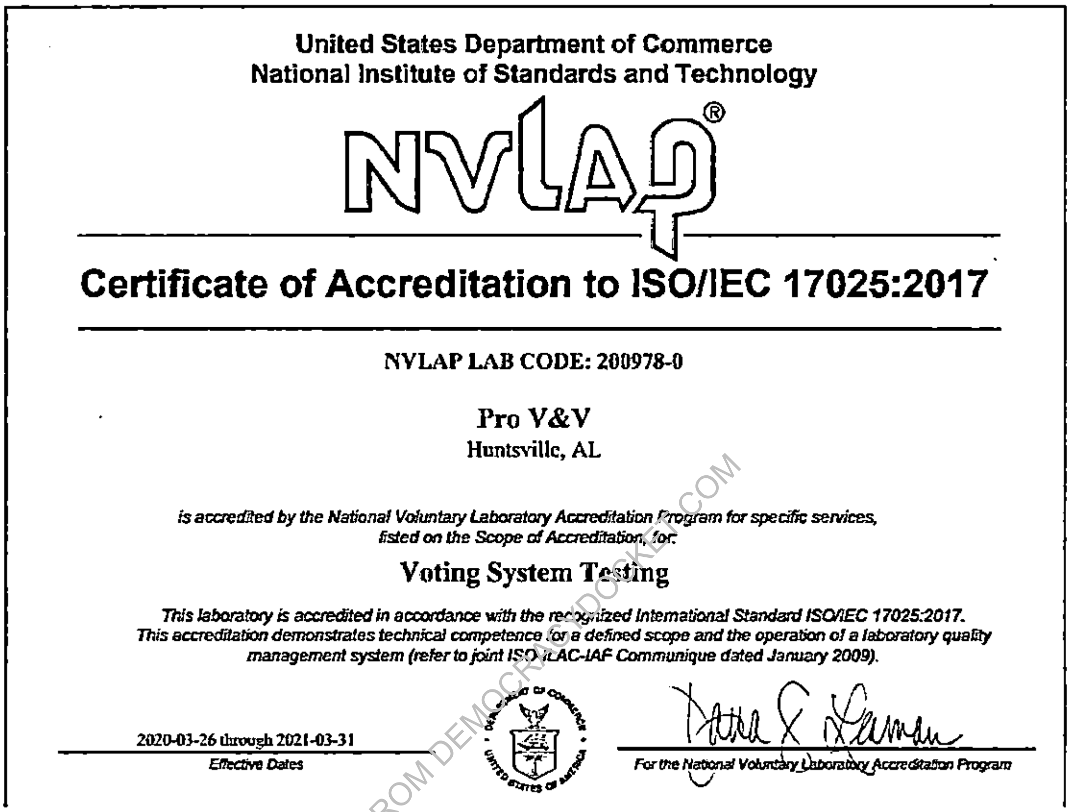
Acting Executive Director, U.S. Election Assistance Commission

EAC Lab Code: 1501

RETRIEVED FROM DEMOCRACYDOCKET.COM

9. Section 231(b) of the Help America Vote Act (HAVA) of 2002 (42 U.S.C. §15371(b)) requires that the EAC provide for the accreditation and revocation of accreditation of independent, non-federal laboratories qualified to test voting systems to Federal standards. Generally, the EAC considers for accreditation those laboratories evaluated and recommended by the National Institute of Standards and Technology (NIST) pursuant to HAVA Section 231(b)(1). However, consistent with HAVA Section 231(b)(2)(B), the Commission may also vote to accredit laboratories outside of those recommended by NIST upon publication of an explanation of the reason for any such accreditation.

10.



United States Department of Commerce
National Institute of Standards and Technology

NVLAP®

Certificate of Accreditation to ISO/IEC 17025:2017

NVLAP LAB CODE: 200978-0

Pro V&V
Huntsville, AL

is accredited by the National Voluntary Laboratory Accreditation Program for specific services, listed on the Scope of Accreditation, for:

Voting System Testing

This laboratory is accredited in accordance with the recognized International Standard ISO/IEC 17025:2017. This accreditation demonstrates technical competence for a defined scope and the operation of a laboratory quality management system (refer to joint ISO-ILAC-IAF Communique dated January 2009).

2020-03-26 through 2021-03-31
Effective Dates

For the National Voluntary Laboratory Accreditation Program

RETRIEVED FROM DEMOCRACYDOCKET.COM

11. VSTL's are VERY important because equipment vulnerabilities allow for deployment of algorithms and scripts to intercept, alter and adjust voting tallies.

12. There are only TWO accredited VSTLs (VOTING SYSTEM TEST LABORATORIES). In order to meet its statutory requirements under HAVA §15371(b), the EAC has developed the EAC's Voting System Test Laboratory Accreditation Program. The procedural requirements of the program are established in the proposed information collection, the EAC <u>Voting System Test Laboratory Accreditation Program Manual</u>. Although participation in the program is voluntary, adherence to the program's procedural requirements is mandatory for participants. The procedural requirements of this Manual will supersede any prior laboratory accreditation requirements issued by the EAC. This manual shall be read in conjunction with the EAC's <u>Voting System Testing and Certification Program Manual</u> (OMB 3265-0019).

MICHIGAN

State Participation:

Requires Testing by an Independent Testing Authority. MI requires that voting systems are certified by an independent testing authority accredited by NASED and the board of state canvassers.

Applicable Statute(s):

"An electronic voting system shall not be used in an election unless it is approved by the board of state canvassers ... and unless it meets 1 of the following conditions: (a) Is certified by an independent testing authority accredited by the national association of state election directors and by the board of state canvassers. (b) In the absence of an accredited independent testing authority, is certified by the manufacturer of the voting system as meeting or exceeding the performance and test standards referenced in subdivision (a) in a manner prescribed by the board of state canvassers." MICH. COMP. LAWS ANN § 168.795a (2009).

Applicable Regulation(s):

MI does not have a regulation regarding the federal certification process.

State Certification Process:

The Secretary of State accepts requests from persons/corporations wishing to have their voting system examined. The requestor must pay the Secretary of State an application fee of $1,500.00, file a report listing all of the states in which the voting system has been approved and any reports that these states have made regarding the performance of the voting system. The Board of State Canvassers conducts a field test involving Michigan electors and election officials in simulated election day conditions. The Board of State Canvassers shall approve the voting system if it meets all of the state requirements. MICH. COMP. LAWS ANN § 168.795a (2009).

Fielded Voting Systems:

[After the EAC completes and issues the 2008 Election Administration and Voting Survey, information about fielded voting systems will be added to this document. In the meantime, readers may find information on the voting systems at the following website (if available)].
http://www.michigan.gov/sos/0,1607,7-127-1633_8716_45458---,00.html

RETRIEVED FROM DEMOCRACYDOCKET.COM

13.

WISCONSIN

State Participation:

Requires Testing by a Federally Accredited Laboratory. WI requires that its voting systems receive approval from an independent testing authority accredited by NASED verifying that the voting systems meet all of the recommended FEC standards.

Applicable Statute(s):

"No ballot, voting device, automatic tabulating equipment or relating equipment and materials to be used in an electronic voting system may be utilized in this state unless it is approved by the board [of election commissioners]." WIS. STAT.ANN. § 5.91 (West 2009).

Applicable Regulation(s):

"An application for approval of an electronic voting system shall be accompanied by all of the following ... [r]eports from an independent testing authority accredited by the national association of state election directors (NASED) demonstrating that the voting system conforms to all the standards recommended by the federal elections commission." WIS. ADMIN. CODE GAB § 7.01 (2009).

State Certification Process:

The Board of Election Commissioners accepts applications for the approval of electronic voting systems. Once the application is completed, the vendor must set up the voting system for three mock elections using: (1) offices, (2) referenda questions and (3) candidates. A panel of local election officials can assist the Board in the review of the voting system. The Board conducts the test using a mock election for the partisan primary, general election, and nonpartisan election. The Board may also require that the voting system be used in an actual election as a condition of the approval. WIS. ADMIN. CODE GAB §§ 7.01, 7.02 (2009).

Fielded Voting Systems:

[After the EAC completes and issues the 2008 Election Administration and Voting Survey, information about fielded voting systems will be added to this document. In the meantime, readers may find information on the voting systems at the following website (if available)].
http://elections.state.wi.us/section.asp?linkid=643&locid=47

RETRIEVED FROM DEMOCRACYDOCKET.COM

14.

GEORGIA

State Participation:

Requires Federal Certification. GA requires that its voting systems are tested to EAC standards by EAC accredited labs and certified by the EAC.

Applicable Statute(s):

"Any person or organization owning, manufacturing, or selling, or being interested in the manufacture or sale of, any voting machine may request the Secretary of State to examine the machine. Any ten or more electors of this state may, at any time, request the Secretary of State to reexamine any voting machine previously examined and approved by him or her. Before any such examination or reexamination, the person, persons, or organization requesting such examination or reexamination shall pay to the Secretary of State the reasonable expenses of such examination; provided, however, that in the case of a request by ten or more electors the examination fee shall be $ 250.00. The Secretary of State may, at any time, in his or her discretion, reexamine any voting machine." GA CODE ANN. § 21-2-324 (2008).

Applicable Regulation(s):

"Prior to submitting a voting system for certification by the State of Georgia, the proposed voting system's hardware, firmware, and software must have been issued Qualification Certificates from the EAC. These EAC Qualification Certificates must indicate that the proposed voting system has successfully completed the EAC Qualification testing administered by EAC approved ITAs. If for any reason, this level of testing is not available, the Qualification tests shall be conducted by an agency designated by the Secretary of State. In either event, the Qualification tests shall comply with the specifications of the *Voting Systems Standards* published by the EAC." GA. COMP. R. & RES. 590-8-1-.01 (2009).

State Certification Process:

After the voting system has passed EAC Qualification testing, the vendor of the voting system submits a letter to the Office of the Secretary of State requesting certification for the voting system along with a technical data package to the certification agent. An evaluation proposal is created by the certification agent after a preliminary view of the Technical Data Package and sent to the vendor. Any additional EAC ITA testing identified in the evaluation proposal is arranged by the vendor and the certification agent will perform all other tests identified in the evaluation proposal. The certification agent submits a report of their findings to the Secretary of State. Based on these findings the Secretary of State will make a final determination on whether to certify the voting system. GA. COMP. R. & RES. 590-8-1-.01 (2009).

Fielded Voting Systems:

[After the EAC completes and issues the 2008 Election Administration and Voting Survey, information about fielded voting systems will be added to this document. In the meantime, readers may find information on the voting systems at the following website (if available)].
http://www.sos.georgia.gov/Elections/

RETRIEVED FROM DEMOCRACYDOCKET.COM

PENNSYVANIA

State Participation:

Requires Testing by a Federally Accredited Laboratory. PA requires that its voting systems are approved by a federally recognized independent testing laboratory as meeting federal voting system standards.

Applicable Statute(s):

"Any person or corporation owning, manufacturing or selling, or being interested in the manufacture or sale of, any electronic voting system, may request the Secretary of the Commonwealth to examine such system if the voting system has been examined and approved by a federally recognized independent testing authority and if it meets any voting system performance and test standards established by the Federal Government." 25 PA. CONS. STAT. ANN. Code § 3031.5 (West 2008).

Applicable Regulation(s):

PA does not have a regulation regarding the federal certification process.

State Certification Process:

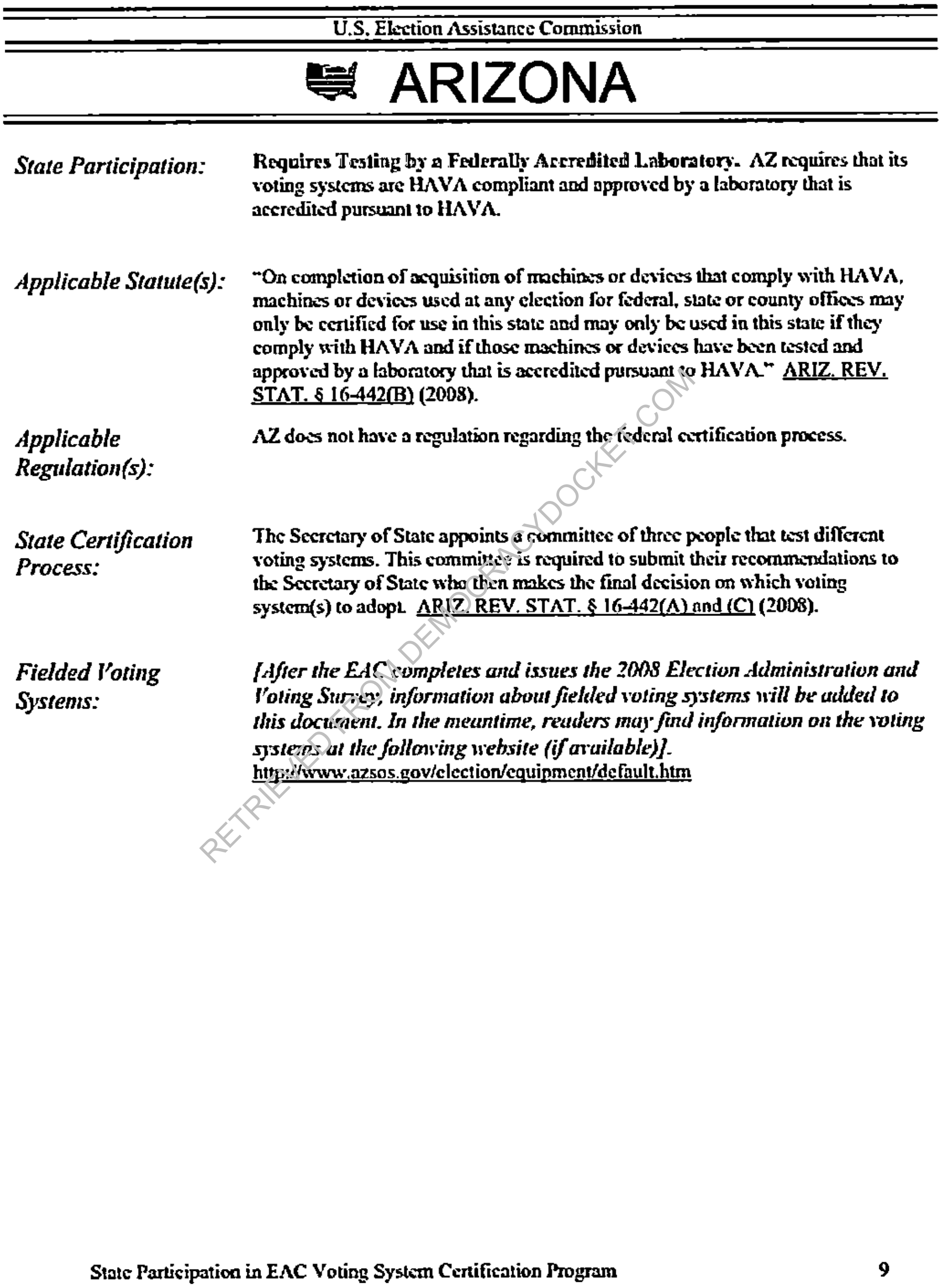
The Secretary of State examines voting systems, upon request, once the voting systems have received approval by a federally recognized independent testing authority. The person(s) requesting the examination of the voting system are responsible for the cost of the examination. After the examination, the Secretary of State issues a report stating whether or not the voting systems are safe and compliant with state and federal requirements. If the voting systems are deemed safe and compliant by the Secretary of State then the systems may be adopted and approved for use in elections by each county through a majority vote of its qualified electors. 25 PA. CONS. STAT. ANN. Code §§ 3031.5, 3031.2 (West 2008).

Fielded Voting Systems:

[After the EAC completes and issues the 2008 Election Administration and Voting Survey, information about fielded voting systems will be added to this document. In the meantime, readers may find information on the voting systems at the following website (if available)].
http://www.votespa.com/HowtoVote/tabid/74/language/en-US/Default.aspx

RETRIEVED FROM DEMOCRACYDOCKET.COM

16.



U.S. Election Assistance Commission

ARIZONA

State Participation: **Requires Testing by a Federally Accredited Laboratory.** AZ requires that its voting systems are HAVA compliant and approved by a laboratory that is accredited pursuant to HAVA.

Applicable Statute(s): "On completion of acquisition of machines or devices that comply with HAVA, machines or devices used at any election for federal, state or county offices may only be certified for use in this state and may only be used in this state if they comply with HAVA and if those machines or devices have been tested and approved by a laboratory that is accredited pursuant to HAVA." ARIZ. REV. STAT. § 16-442(B) (2008).

Applicable Regulation(s): AZ does not have a regulation regarding the federal certification process.

State Certification Process: The Secretary of State appoints a committee of three people that test different voting systems. This committee is required to submit their recommendations to the Secretary of State who then makes the final decision on which voting system(s) to adopt. ARIZ. REV. STAT. § 16-442(A) and (C) (2008).

Fielded Voting Systems: *[After the EAC completes and issues the 2008 Election Administration and Voting Survey, information about fielded voting systems will be added to this document. In the meantime, readers may find information on the voting systems at the following website (if available)].* http://www.azsos.gov/election/equipment/default.htm

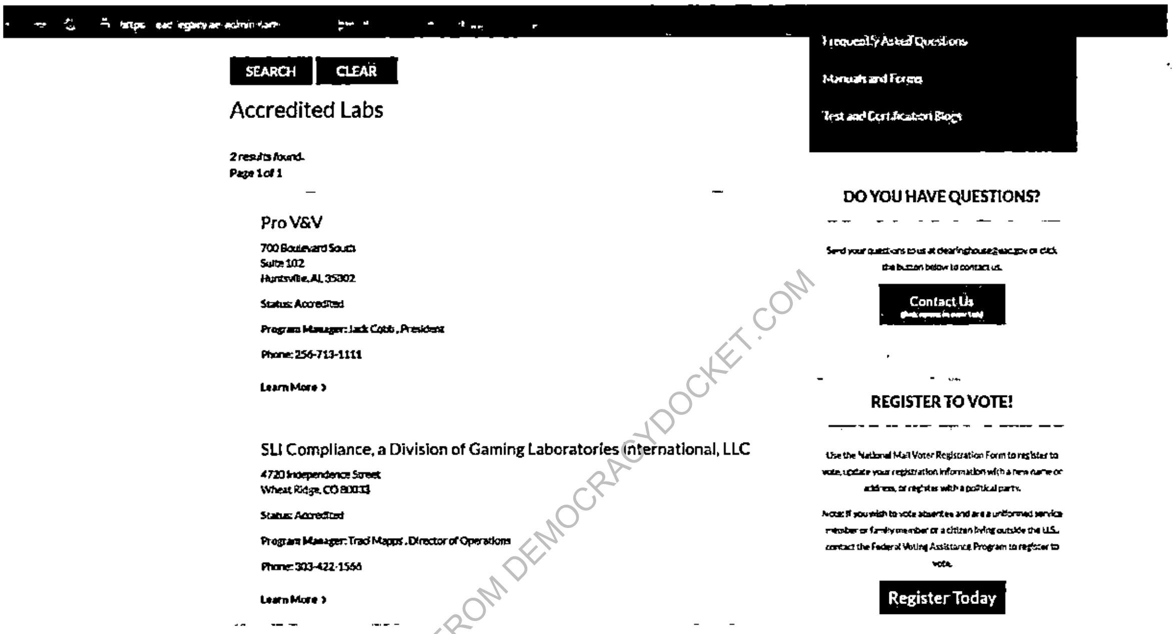
State Participation in EAC Voting System Certification Program 9

RETRIEVED FROM DEMOCRACYDOCKET.COM

17.

18. **Pro V& V and SLI Gaming** both lack evidence of EAC Accreditation as per the Voting System Testing and Certification Manual.

19. **Pro V& V** is owned and Operated by Jack Cobb. Real name is Ryan Jackson Cobb. The company ProV&V was founded and run by Jack Cobb who formerly worked under the entity of Wyle Laboratories which is an AEROSPACE DEFENSE CONTRACTING ENTITY. The address information on the EAC, NIST and other entities for Pro V& V are different than that of what is on ProV&V website. The EAC and NIST (ISO CERT) issuers all have another address.



SEARCH CLEAR

Accredited Labs

2 results found.
Page 1 of 1

Pro V&V
700 Boulevard South
Suite 102
Huntsville, AL 35802

Status: Accredited

Program Manager: Jack Cobb , President

Phone: 256-713-1111

Learn More ›

SLI Compliance, a Division of Gaming Laboratories International, LLC
4720 Independence Street
Wheat Ridge, CO 80033

Status: Accredited

Program Manager: Traci Mapps , Director of Operations

Phone: 303-422-1566

Learn More ›

Frequently Asked Questions

Manuals and Forms

Test and Certification Blogs

DO YOU HAVE QUESTIONS?

Send your questions to us at clearinghouse@eac.gov or click the button below to contact us.

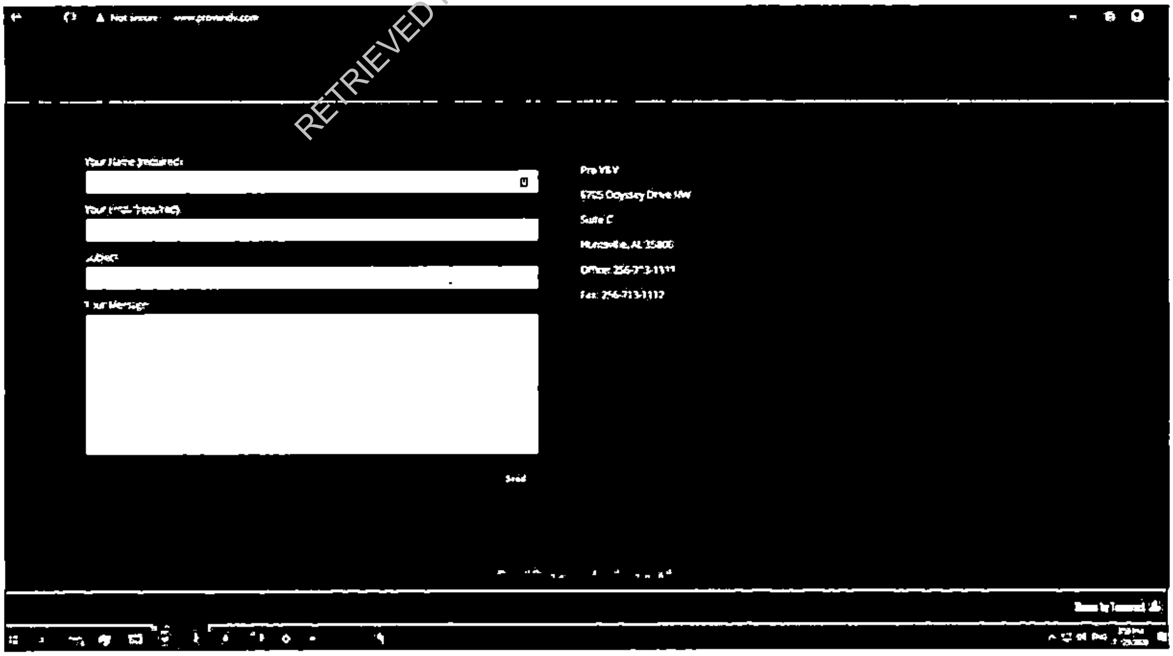
Contact Us

REGISTER TO VOTE!

Use the National Mail Voter Registration Form to register to vote, update your registration information with a new name or address, or register with a political party.

Note: If you wish to vote absentee and are a uniformed service member or family member or a citizen living outside the U.S., contact the Federal Voting Assistance Program to register to vote.

Register Today



Not secure www.provandv.com

Your Name (required)

Your Email (required)

Subject

Your Message

Send

Pro V&V
6705 Odyssey Drive NW
Suite C
Huntsville, AL 35806
Office: 256-713-1111
Fax: 256-713-1112

RETRIEVED FROM DEMOCRACYDOCKET.COM

20. VSTLs are the most important component of the election machines as they examine the use of COTS (Commercial Off–The-Shelf)

21. "Wyle became involved with the testing of electronic voting systems in the early 1990's and has tested over 150 separate voting systems. Wyle was the first company to obtain accreditation by the National Association of State Election Directors (NASED). Wyle is accredited by the Election Assistance Commission (EAC) as a Voting System Testing Laboratory (VSTL). Our scope of accreditation as a VSTL encompasses all aspects of the hardware and software of a voting machine. Wyle also received NVLAP accreditation to ISO/IEC 17025:2005 from NIST." Testimony of Jack Cobb 2009

22. COTS are preferred by many because they have been tried and tested in the open market and are most economic and readily available. COTS are also the SOURCE of vulnerability therefore VSTLs are VERY important. COTS components by voting system machine manufacturers can be used as a "Black Box" and changes to their specs and hardware make up change continuously. Some changes can be simple upgrades to make them more efficient in operation, cost efficient for production, end of life (EOL) and even complete reworks to meet new standards. They key issue in this is that MOST of the COTS used by Election Machine Vendors like Dominion, ES&S, Hart Intercivic, Smartmatic and others is that such manufacturing for COTS have been outsourced to China which if implemented in our Election Machines make us vulnerable to BLACK BOX antics and backdoors due to hardware changes that can go undetected. This is why VSTL's are VERY important.

23. The proprietary voting system software is done so and created with cost efficiency in mind and therefore relies on 3rd party software that is AVAILABLE and HOUSED on the HARDWARE. This is a vulnerability. Exporting system reporting using software like Crystal Reports, or PDF software allows for vulnerabilities with their constant updates.

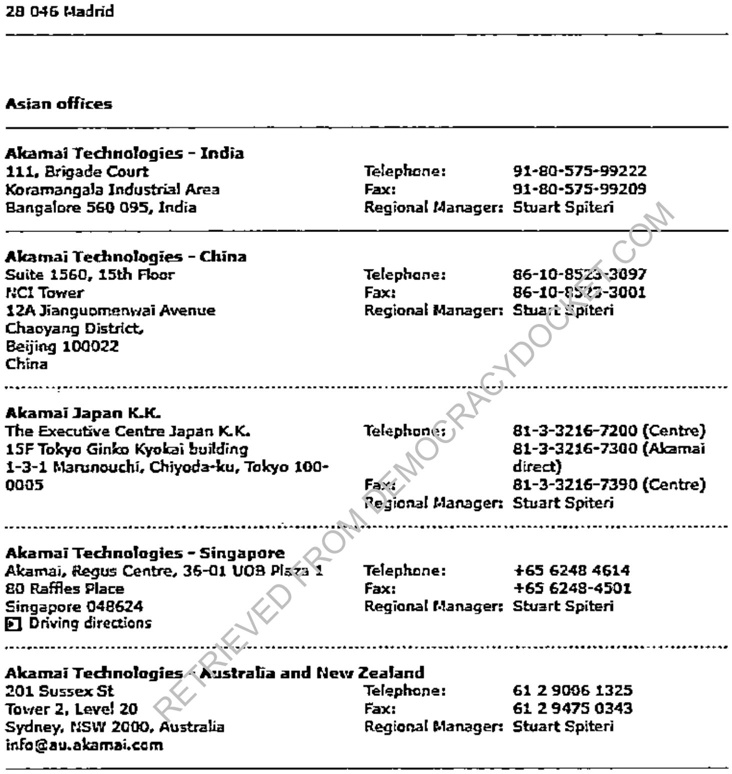
24. As per the COTS hardware components that are fixed, and origin may be cloaked under proprietary information a major vulnerability exists since once again third-party support software is dynamic and requires FREQUENT updates. The hardware components of the computer components, and election machines that are COTS may have slight updates that can be overlooked as they may be like those designed that support the other third -party software. COTS origin is important and the US Intelligence Community report in 2018 verifies that.

25. The Trump Administration made it clear that there is an absence of a major U.S. alternative to foreign suppliers of networking equipment. This highlights the growing dominance of

RETRIEVED FROM DEMOCRACYDOCKET.COM

Chinese manufacturers like Huawei that are the world's LARGEST supplier of telecom and other equipment that endangers national security.

26. China, is not the only nation involved in COTS provided to election machines or the networking but so is Germany via a LAOS founded Chinese linked cloud service company that works with SCYTL named Akamai Technologies that have offices in China and are linked to the server that Dominion Software.



28 046 Madrid

Asian offices

Akamai Technologies - India
111, Brigade Court
Koramangala Industrial Area
Bangalore 560 095, India

Telephone:	91-80-575-99222
Fax:	91-80-575-99209
Regional Manager:	Stuart Spiteri

Akamai Technologies - China
Suite 1560, 15th Floor
NCI Tower
12A Jianguomenwai Avenue
Chaoyang District,
Beijing 100022
China

Telephone:	86-10-8523-3097
Fax:	86-10-8523-3001
Regional Manager:	Stuart Spiteri

Akamai Japan K.K.
The Executive Centre Japan K.K.
15F Tokyo Ginko Kyokai building
1-3-1 Marunouchi, Chiyoda-ku, Tokyo 100-0005

Telephone:	81-3-3216-7200 (Centre) 81-3-3216-7300 (Akamai direct)
Fax:	81-3-3216-7390 (Centre)
Regional Manager:	Stuart Spiteri

Akamai Technologies - Singapore
Akamai, Regus Centre, 36-01 UOB Plaza 1
80 Raffles Place
Singapore 048624
Driving directions

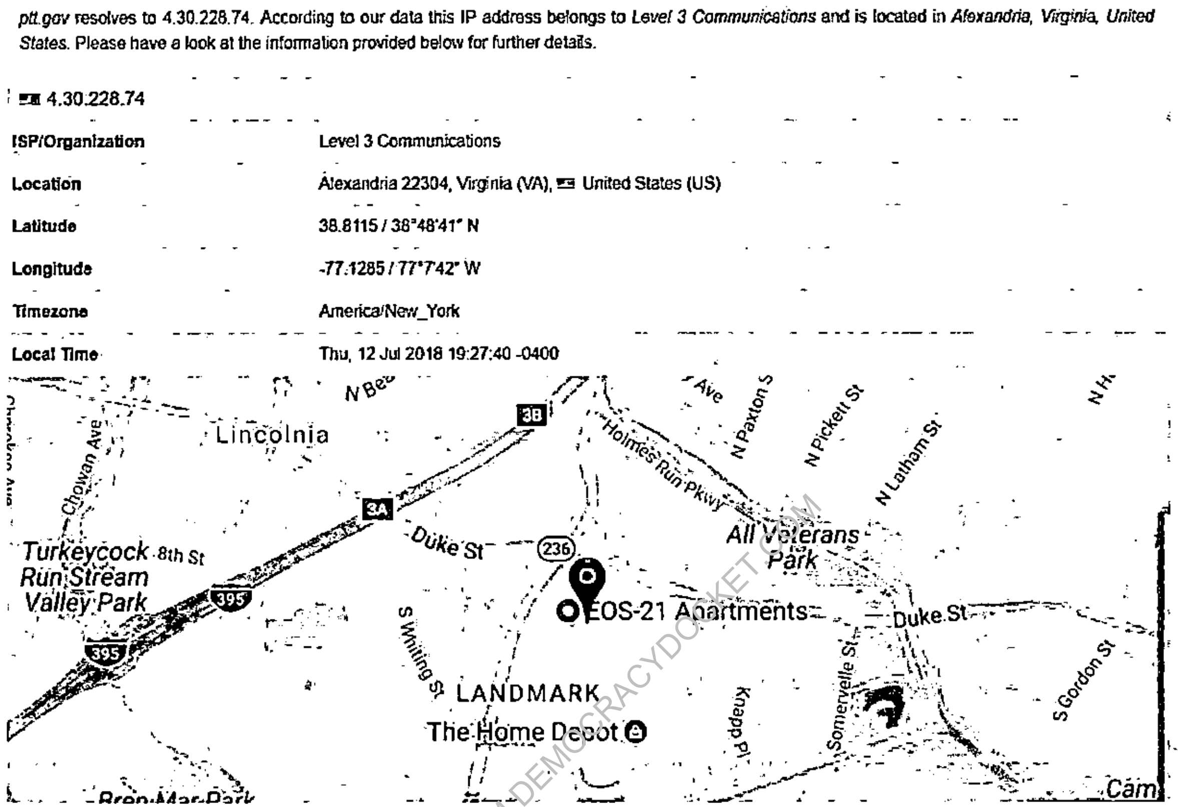
Telephone:	+65 6248 4614
Fax:	+65 6248-4501
Regional Manager:	Stuart Spiteri

Akamai Technologies - Australia and New Zealand
201 Sussex St
Tower 2, Level 20
Sydney, NSW 2000, Australia
info@au.akamai.com

Telephone:	61 2 9006 1325
Fax:	61 2 9475 0343
Regional Manager:	Stuart Spiteri

RETRIEVED FROM DEMOCRACYDOCKET.COM

27.

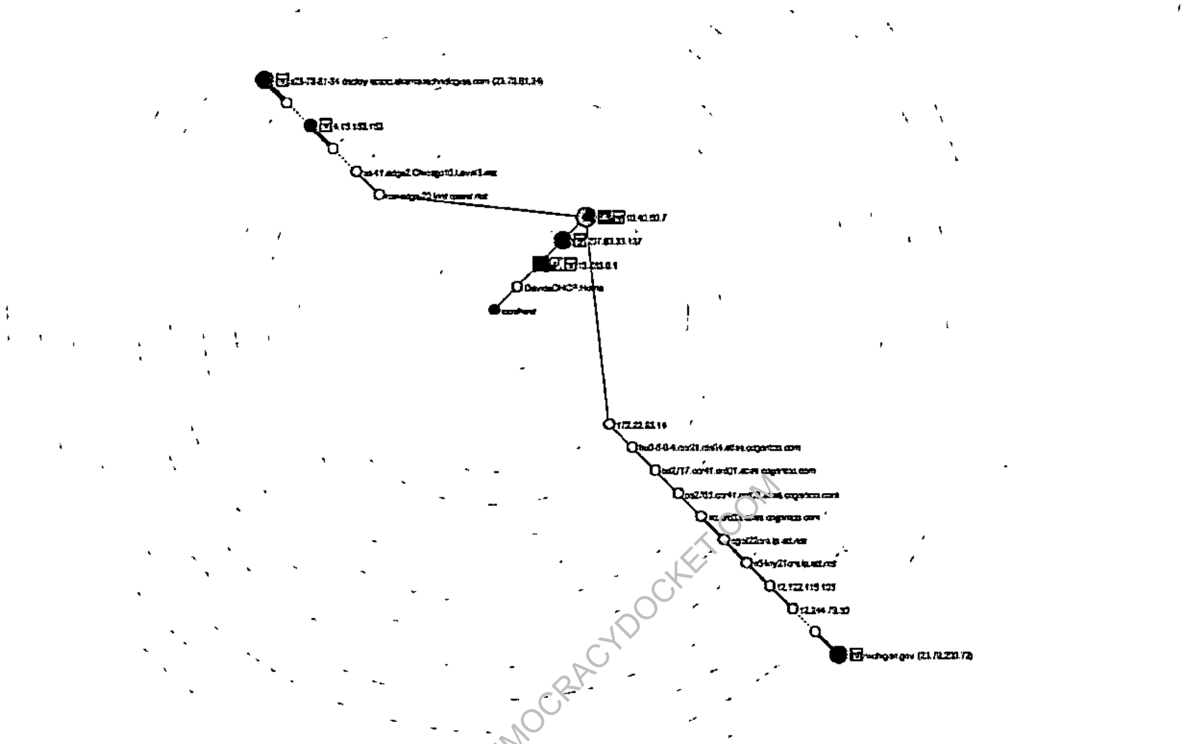


ptt.gov resolves to 4.30.228.74. According to our data this IP address belongs to *Level 3 Communications* and is located in *Alexandria, Virginia, United States*. Please have a look at the information provided below for further details.

4.30.228.74	
ISP/Organization	Level 3 Communications
Location	Alexandria 22304, Virginia (VA), United States (US)
Latitude	38.8115 / 38°48'41" N
Longitude	-77.1285 / 77°7'42" W
Timezone	America/New_York
Local Time	Thu, 12 Jul 2018 19:27:40 -0400

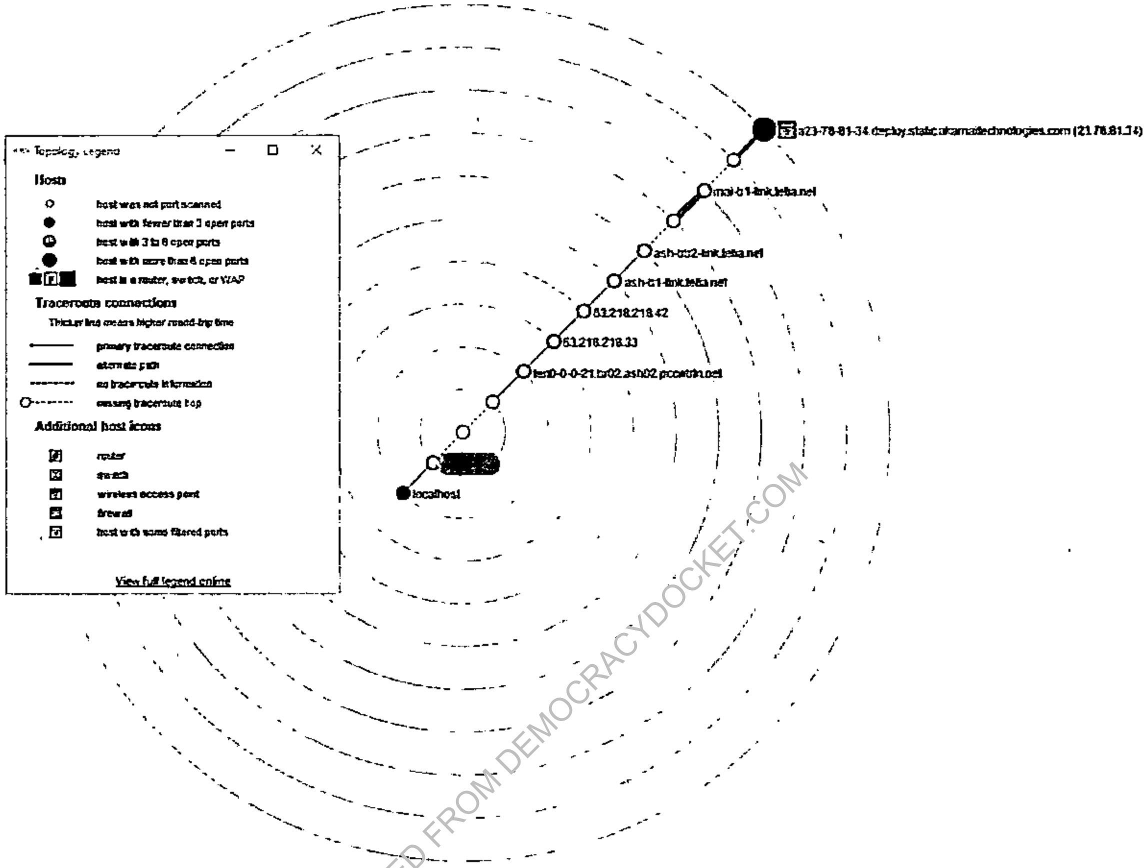
RETRIEVED FROM DEMOCRACYDOCKET.COM

28. L3 Level Communications is federal contractor that is partially owned by foreign lobbyist George Soros. An article that AP ran in 2010 – spoke out about the controversy of this that has been removed. (LINK) "As for the company's other political connections, it also appears that none other than George Soros, the billionaire funder of the country's liberal political infrastructure, owns 11,300 shares of OSI Systems Inc., the company that owns Rapiscan. Not surprisingly, OSI's stock has appreciated considerably over the course of the year. Soros certainly is a savvy investor." Washington Examiner re-write.


a23-73-81-34.deploy.static.akamaitechnologies.com (23.73.81.34)
4.15.153.153
ae-41.edge2.Chicago10.Level3.net
10.40.50.7
DeviceDHCP.Home
172.22.83.16
12.122.115.133
12.244.73.30
michigan.gov (23.78.230.73)

29.

RETRIEVED FROM DEMOCRACYDOCKET.COM


Topology Legend
Hosts
○ host was not port scanned
● host with fewer than 3 open ports
● host with 3 to 6 open ports
● host with more than 6 open ports
host is a router, switch, or WAP
Traceroute connections
Thicker line means higher round-trip time
primary traceroute connection
alternate path
no traceroute information
○ missing traceroute hop
Additional host icons
router
switch
wireless access point
firewall
host with some filtered ports
View full legend online
a23-78-81-34.deploy.static.akamaitechnologies.com (23.78.81.34)
mai-b1-link.telia.net
ash-bb2-link.telia.net
ash-b1-link.telia.net
63.218.218.42
63.218.218.33
ten0-0-0-21.tr02.ash02.pccwbtn.net
[redacted]
localhost

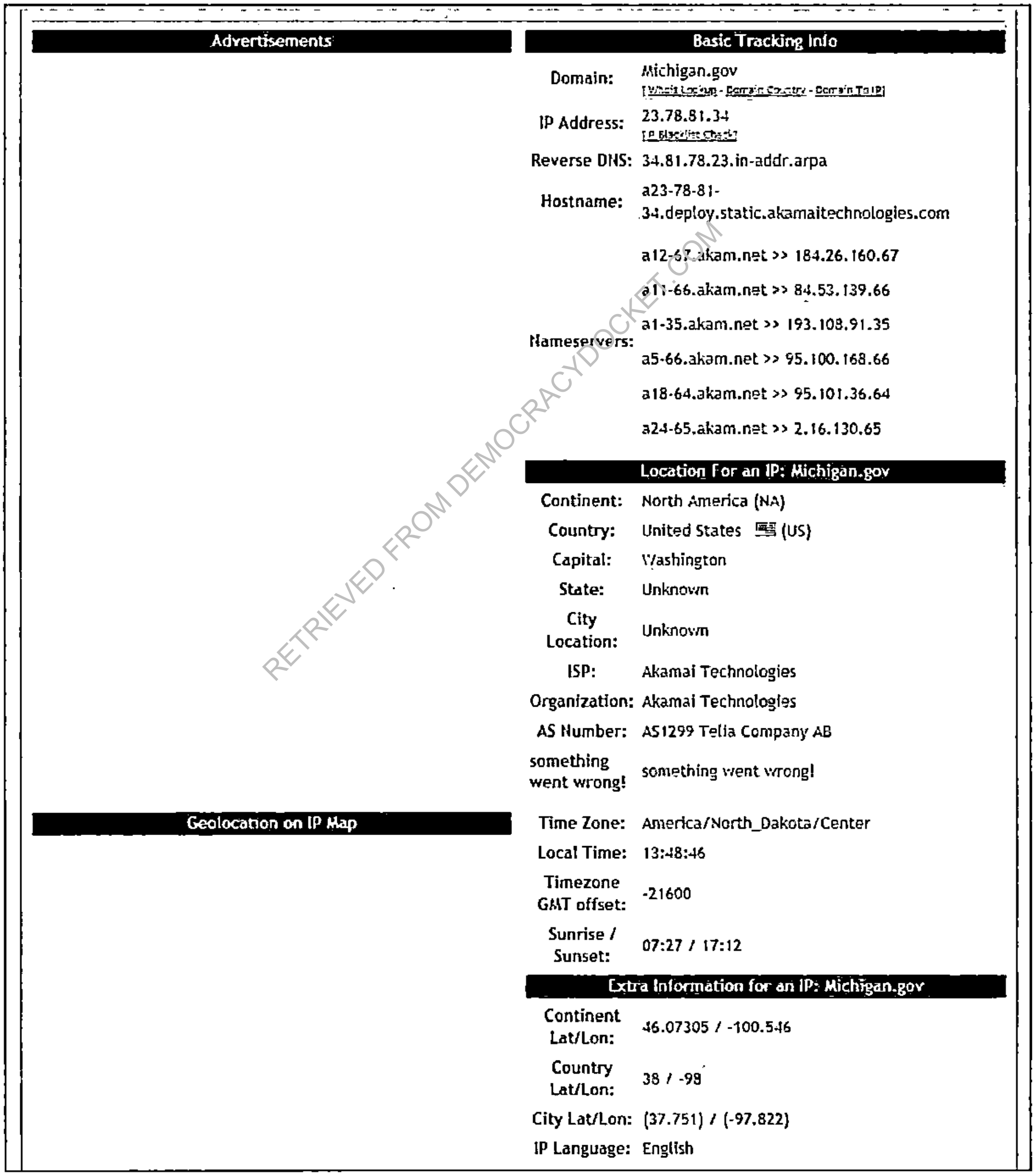
RETRIEVED FROM DEMOCRACYDOCKET.COM

30.

31. **L-3 Communication** Systems-East designs, develops, produces and integrates communication systems and support equipment for space, air, ground, and naval applications, including C4I systems and products; integrated Navy communication systems; integrated space communications and RF payloads; recording systems; secure communications, and information security systems. In addition, their site claims that MARCOM is an integrated communications system and The Marcom® is the foundation of the Navy's newest digital integrated voice / data switching system for affordable command and control equipment supporting communications and radio room automation. The MarCom® uses the latest **COTS** digital technology and open systems standards to offer the command and control user a low cost, user friendly, solution to the complex voice, video and data communications needs of present and future joint / allied missions. Built in reliability, rugged construction, and fail-safe circuits ensure your call and messages will go through. Evidently a HUGE vulnerability.

32. Michigan's government site is thumped off Akamai Technologies servers which are housed on **TELIA AB** a foreign server located in Germany.

33. Scytl, who is contracted with AP that receives the results tallied BY Scytl on behalf of Dominion – During the elections the AP reporting site had a disclaimer.
AP – powered by SCYTL.



Advertisements

Basic Tracking Info

Domain:	Michigan.gov [Whois Lookup - Domain Country - Domain To IP]
IP Address:	23.78.81.34 [IP Blacklist Check]
Reverse DNS:	34.81.78.23.in-addr.arpa
Hostname:	a23-78-81-34.deploy.static.akamaitechnologies.com
Nameservers:	a12-67.akam.net >> 184.26.160.67 a11-66.akam.net >> 84.53.139.66 a1-35.akam.net >> 193.108.91.35 a5-66.akam.net >> 95.100.168.66 a18-64.akam.net >> 95.101.36.64 a24-65.akam.net >> 2.16.130.65

Location For an IP: Michigan.gov

Continent:	North America (NA)
Country:	United States (US)
Capital:	Washington
State:	Unknown
City Location:	Unknown
ISP:	Akamai Technologies
Organization:	Akamai Technologies
AS Number:	AS1299 Telia Company AB
something went wrong!	something went wrong!

Geolocation on IP Map

Time Zone:	America/North_Dakota/Center
Local Time:	13:48:46
Timezone GMT offset:	-21600
Sunrise / Sunset:	07:27 / 17:12

Extra Information for an IP: Michigan.gov

Continent Lat/Lon:	46.07305 / -100.546
Country Lat/Lon:	38 / -98
City Lat/Lon:	(37.751) / (-97.822)
IP Language:	English

RETRIEVED FROM DEMOCRACYDOCKET.COM

34. "Scytl was selected by the Federal Voting Assistance Program of the U.S. Department of Defense to provide a secure online ballot delivery and onscreen marking systems under a program to support overseas military and civilian voters for the 2010 election cycle and beyond. Scytl was awarded 9 of the 20 States that agreed to participate in the program (New York, Washington, Missouri, Nebraska, Kansas, New Mexico, South Carolina, Mississippi and Indiana), making it the provider with the highest number of participating States." PDF

35. According to DOMINION : 1.4.1Software and Firmware The software and firmware employed by Dominion D-Suite 5.5-Aconsists of 2 types, custom and commercial off the shelf (COTS). COTS applications were verified to be pristine or were subjected to source code review for analysis of any modifications and verification of meeting the pertinent standards.

36. The concern is the HARDWARE and the NON – ACCREDITED VSTLs as by their own admittance use COTS.

37. The purpose of VSTL's being accredited and their importance in ensuring that there is no foreign interference/ bad actors accessing the tally data via backdoors in equipment software. The core software used by ALL SCYTL related Election Machine/Software manufacturers ensures "anonymity" .

38. Algorithms within the area of this "shuffling" to maintain anonymity allows for setting values to achieve a desired goal under the guise of "encryption" in the trap-door.

39. The actual use of trapdoor commitments in Bayer-Groth proofs demonstrate the implications for the verifiability factor. This means that no one can SEE what is going on during the process of the "shuffling" therefore even if you deploy an algorithms or manual scripts to fractionalize or distribute pooled votes to achieve the outcome you wish – you cannot prove they are doing it! See STUDY : "The use of trapdoor commitments in Bayer-Groth proofs and the implications for the verifiability of the Scytl-SwissPost Internet voting system"

40. **Key Terms**

41. **UNIVERSAL VERIFIABILITY**: Votes cast are the votes counted and integrity of the vote is verifiable (the vote was tallied for the candidate selected) . **SCYTL FAILS UNIVERSAL VERIFIABILITY** because no mathematical proofs can determine if any votes have been manipulated.

42. **INDIVIDUAL VERIFIABILITY**: Voter cannot verify if their ballot got correctly counted. Like, if they cast a vote for ABC they want to verify it was ABC. That notion clearly discounts the need for anonymity in the first place.

RETRIEVED FROM DEMOCRACYDOCKET.COM

43. To understand what I observed during the 2020 I will walk you through the process of one ballot cast by a voter.

44. STEP 1 |Config Data | All non e-voting data is sent to Scytl (offshore) for configuration of data. All e-voting is sent to CONFIGURATION OF DATA then back to the e-voting machine and then to the next phase called CLEANSING. **CONCERNS**: Here we see an "OR PROOF" as coined by mathematicians – an "or proof" is that votes that have been pre-tallied parked in the system and the algorithm then goes back to set the outcome it is set for and seeks to make adjustments if there is a partial pivot present causing it to fail demanding manual changes such as block allocation and narrowing of parameters or self-adjusts to ensure the predetermined outcome is achieved.

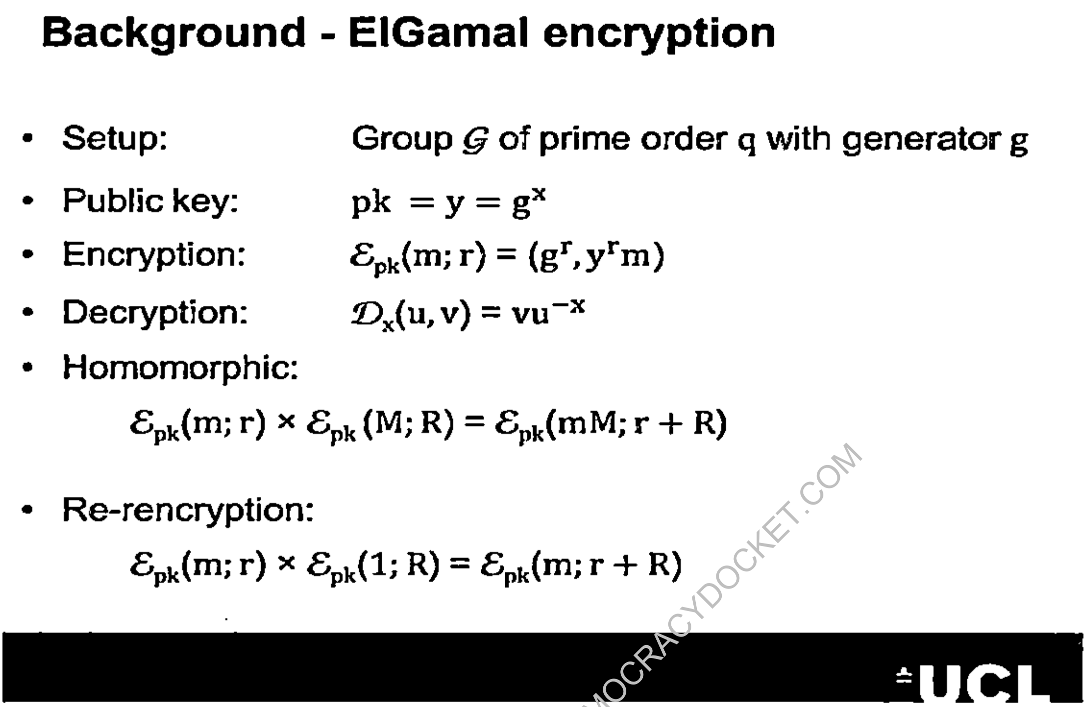
45. STEP 2|CLEANSING | The Process is when all the votes come in from the software run by Dominion and get "cleansed" and put into 2 categories: invalid votes and valid votes.

46. STEP 3|Shuffling /Mixing | This step is the most nefarious and exactly where the issues arise and carry over into the decryption phase. Simply put, the software takes all the votes, literally mixes them a and then re-encrypts them. This is where if ONE had the commitment key- TRAPDOOR KEY – one would be able to see the parameters of the algorithm deployed as the votes go into this mixing phase, and how algorithm redistributes the votes.

47. This published PAPER FROM University College London depicts how this shuffle works. In essence, when this mixing/shuffling occurs, then one doesn't have the ability to know that vote coming out on the other end is actually their vote; therefore, ZERO integrity of the votes when mixed.

RETRIEVED FROM DEMOCRACYDOCKET.COM

48.



Background - ElGamal encryption

- Setup: Group $\mathcal{G}$ of prime order q with generator g
- Public key: $pk = y = g^x$
- Encryption: $\mathcal{E}_{pk}(m; r) = (g^r, y^r m)$
- Decryption: $\mathcal{D}_x(u, v) = vu^{-x}$
- Homomorphic:

$$\mathcal{E}_{pk}(m; r) \times \mathcal{E}_{pk}(M; R) = \mathcal{E}_{pk}(mM; r + R)$$

- Re-rencryption:

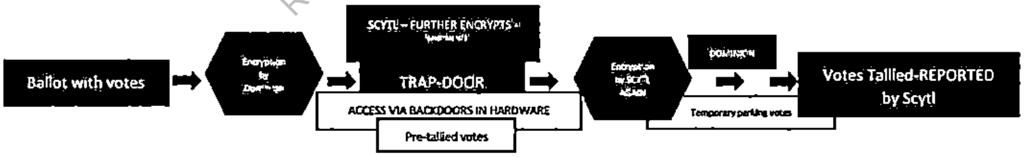
$$\mathcal{E}_{pk}(m; r) \times \mathcal{E}_{pk}(1; R) = \mathcal{E}_{pk}(m; r + R)$$

UCL

49. When this mixing/shuffling occurs, then one doesn't have the ability to know that vote coming out on the other end is actually their vote; therefore, ZERO integrity of the votes.

50. When the votes are sent to Scytl via Dominion Software EMS (Election Management System) the Trap Door is accessed by Scytl or TRAP DOOR keys (Commitment Parameters).

51.

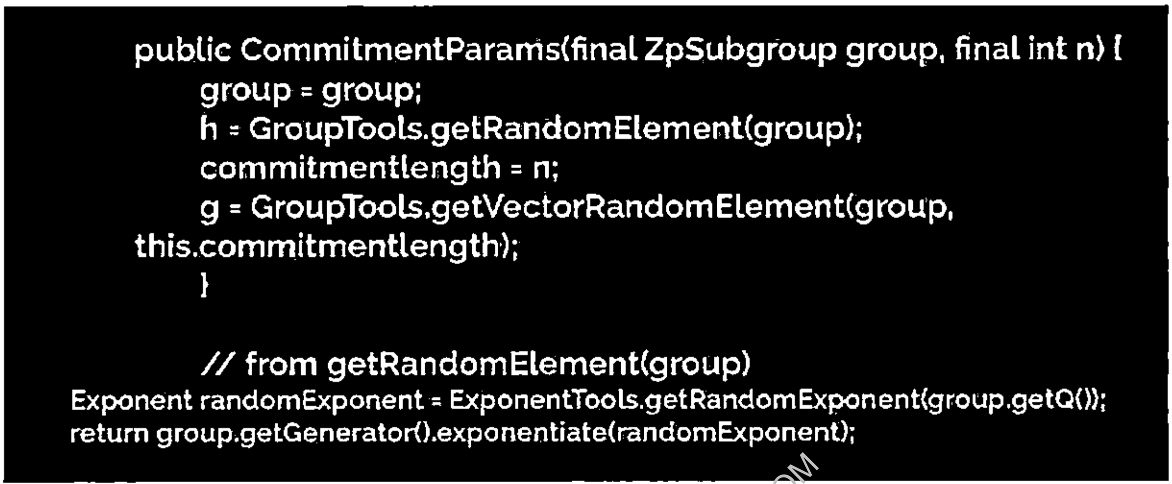


52. The encrypted data is shifted into Scytl's platform in the form of ciphertexts – this means it is encrypted and a key based on commitments is needed to read the data. The ballot data can only be read if the person has a key that is set on commitments.

53. A false sense of security is provided to both parties that votes are not being "REPLACED" during the mixing phase. Basically, Scytl re-encrypts the ballot data that comes in from Dominion (or any other voting software company) as ciphertexts. Scytl is supposed to prove that votes A, B, C are indeed X, Y, Z under their new re-encryption when sending back the votes that are tallied coding them respectively. This is done by Scytl and the Election Software company that agrees to certain

RETRIEVED FROM DEMOCRACYDOCKET.COM

"Generators" and therefore together build "commitments."

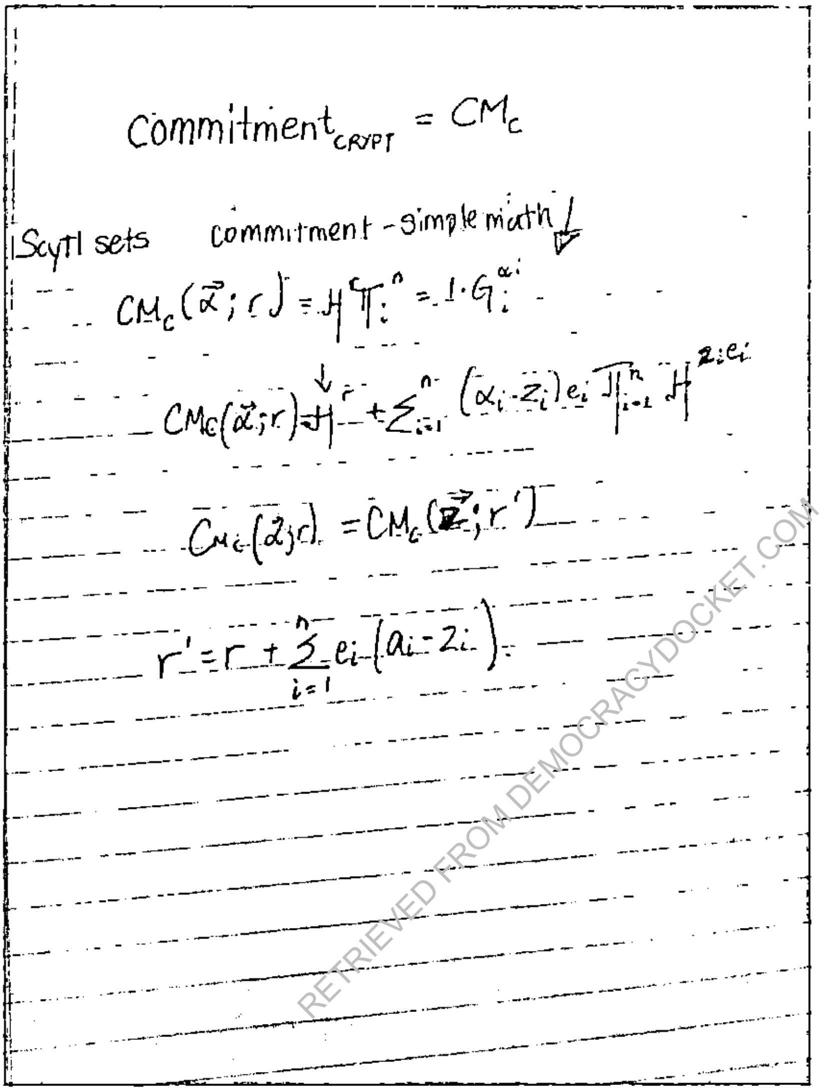


```
        public CommitmentParams(final ZpSubgroup group, final int n) {
            group = group;
            h = GroupTools.getRandomElement(group);
            commitmentlength = n;
            g = GroupTools.getVectorRandomElement(group,
        this.commitmentlength);
            }

            // from getRandomElement(group)
    Exponent randomExponent = ExponentTools.getRandomExponent(group.getQ());
    return group.getGenerator().exponentiate(randomExponent);
```

54. Scytl and Dominion have an agreement – only the two would know the parameters. This means that access is able to occur through backdoors in hardware if the parameters of the commitments are known in order to alter the range of the algorithm deployed to satisfy the outcome sought in the case of algorithm failure.

55. Trapdoor is a cryptotech term that describes a state of a program that knows the commitment parameters and therefore is able change the value of the commitments however it likes. In other words, Scytl or anyone that knows the commitment parameters can take all the votes and give them to any one they want. If they have a total of 1000 votes an algorithm can distribute them among all races as it deems necessary to achieve the goals it wants. (Case Study: Estonia)

RETRIEVED FROM DEMOCRACYDOCKET.COM



$$\text{Commitment}_{CRYPT} = CM_c$$

Scytl sets commitment - simple math ↓

$$CM_c(\vec{\alpha}; r) = H^{r}\prod_{i=1}^{n} G_i^{\alpha_i}$$

$$CM_c(\vec{\alpha}; r) = \overset{\downarrow}{H}^{r+\sum_{i=1}^{n}(\alpha_i - z_i)e_i}\prod_{i=1}^{n} H^{z_i e_i}$$

$$CM_c(\vec{\alpha}; r) = CM_c(\vec{z}; r')$$

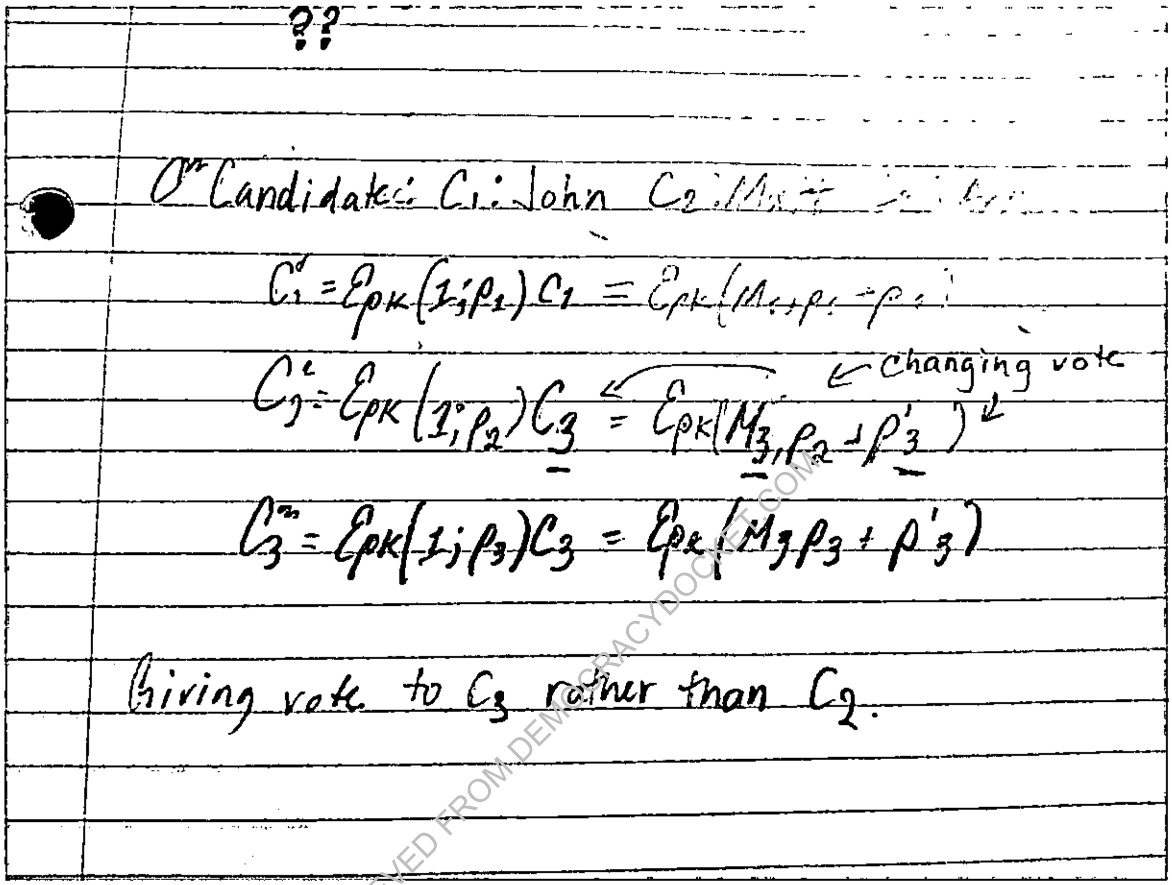
$$r' = r + \sum_{i=1}^{n} e_i(a_i - z_i)$$

RETRIEVED FROM DEMOCRACYDOCKET.COM

56.

57. Within the trapdoor this is how the algorithm behaves to move the goal posts in elections without being detected by this proof. During the mixing phase this is the algorithm you would use to

"reallocate" votes via an algorithm to achieve the goal set.



??

Or Candidate: C_1: John C_2: M[illegible]

$C_1' = \mathcal{E}_{pK}(1; \rho_1) C_1 = \mathcal{E}_{pK}(M_1, \rho_1 + \rho_1')$

$C_2' = \mathcal{E}_{pK}(1; \rho_2) \underline{C_3} = \mathcal{E}_{pK}(M_{\underline{3}}, \rho_2 + \rho_{\underline{3}}')$ ← changing vote

$C_3'' = \mathcal{E}_{pK}(1; \rho_3) C_3 = \mathcal{E}_{pK}(M_3 \rho_3 + \rho_3')$

Giving vote to C_3 rather than C_2.

RETRIEVED FROM DEMOCRACYDOCKET.COM

58. STEP 4|Decryption would be the decryption phase and temporary parking of vote tallies before reporting. In this final phase before public release the tallies are released from encrypted format into plain text. As previously explained, those that know the trapdoor can easily change any votes that the randomness is applied and used to generate the tally vote ciphertext. Thus in this case, Scytl who is the mixer can collude with their vote company clients or an agency (-------) to change votes and get away with it. This is because the receiver doesn't have the decryption key so they rely solely on Scytl to be ***honest*** or free from any foreign actors within their backdoor or the Election Company (like Dominion) that can have access to the key.
59. In fact, a study from the University of Bristol made claim that interference can be seen when there is a GREAT DELAY in reporting and finalizing numbers University of Bristol : How not to Prove Yourself: Pitfalls of the Fiat-Shamir Heuristic and Applications to Helios
60. "Zero-knowledge proofs of knowledge allow a prover to convince a verifier that she holds information satisfying some desirable properties without revealing anything else." David Bernhard, Olivier Pereira,and Bogdan Warinschi.

61. Hence, you can't prove anyone manipulated anything. The TRAP DOOR KEY HOLDERS can offer you enough to verify to you what you need to see without revealing anything and once again indicating the inability to detect manipulation. **ZERO PROOF of INTEGRITY OF THE VOTE.**

62. Therefore, if decryption is challenged, the administrator or software company that knows the trap door key can provide you proof that would be able to pass verification (blind). This was proven to be factually true in the case study by The University of Melbourne in March. White Hat Hackers purposely altered votes by knowing the parameters set in the commitments and there was no way to prove they did it – or any way to prove they didn't.

63. IT'S THE PERFECT THREE CARD MONTY. That's just how perfect it is. They fake a proof of ciphertexts with KNOWN "RANDOMNESS" .This rolls back to the integrity of the VOTE. The vote is not safe using these machines not only because of the method used for ballot "cleansing" to maintain anonymity but the EXPOSURE to foreign interference and possible domestic bad actors.

64. In many circumstances, manipulation of the algorithm is NOT possible in an undetectable fashion. This is because it is one point heavy. Observing the elections in 2020 confirm the deployment of an algorithm due to the BEHAVIOR which is indicative of an algorithm in play that had no pivoting parameters applied.

65. The behavior of the algorithm is that one point (B) is the greatest point within the allocated set. It is the greatest number within the A B points given. Point A would be the smallest. Any points outside the A B points are not necessarily factored in yet can still be applied.

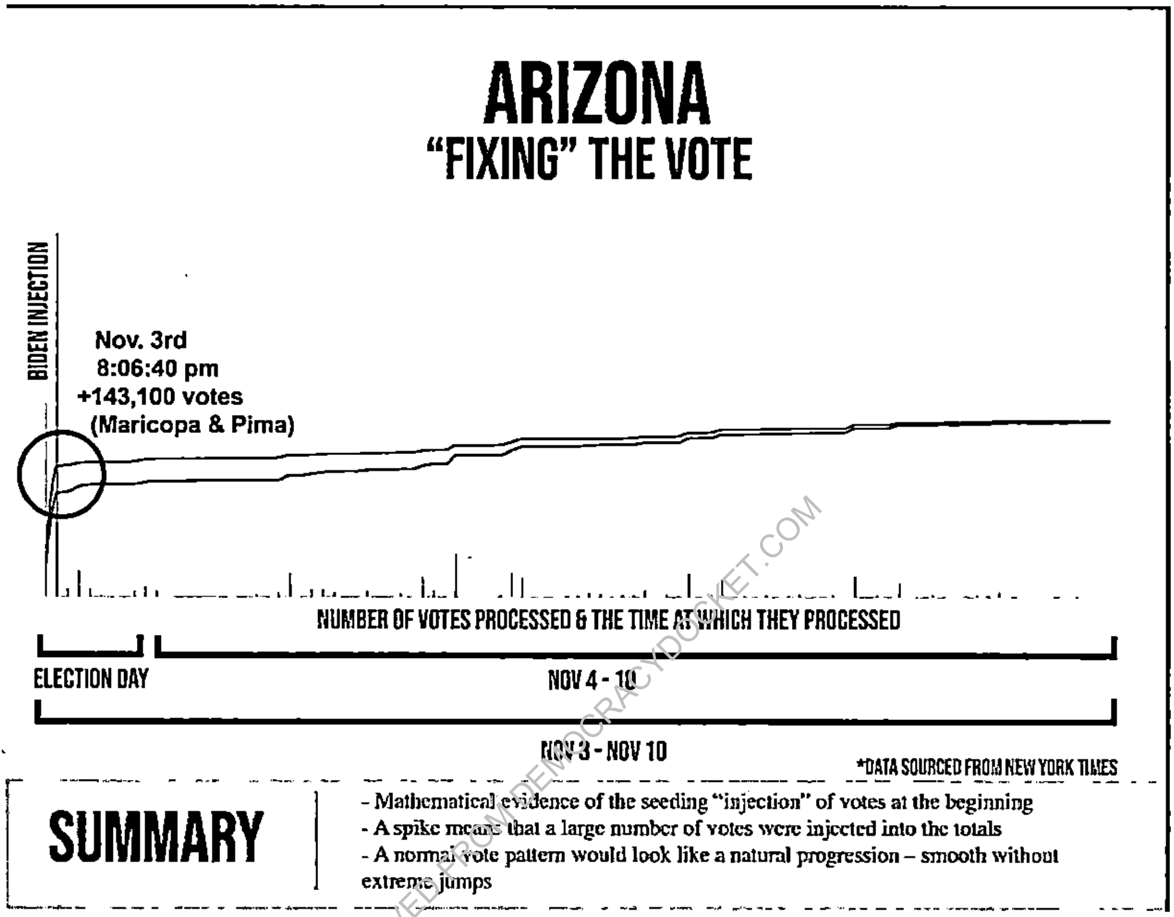
66. The points outside the parameters can be utilized to a certain to degree such as in block allocation.

67. The algorithm geographically changed the parameters of the algorithm to force blue votes and ostracize red.

68. Post block allocation of votes the two points of the algorithm were narrowed ensuring a BIDEN win hence the observation of NO Trump Votes and some BIDEN votes for a period of time.

RETRIEVED FROM DEMOCRACYDOCKET.COM

69.



ARIZONA

“FIXING” THE VOTE

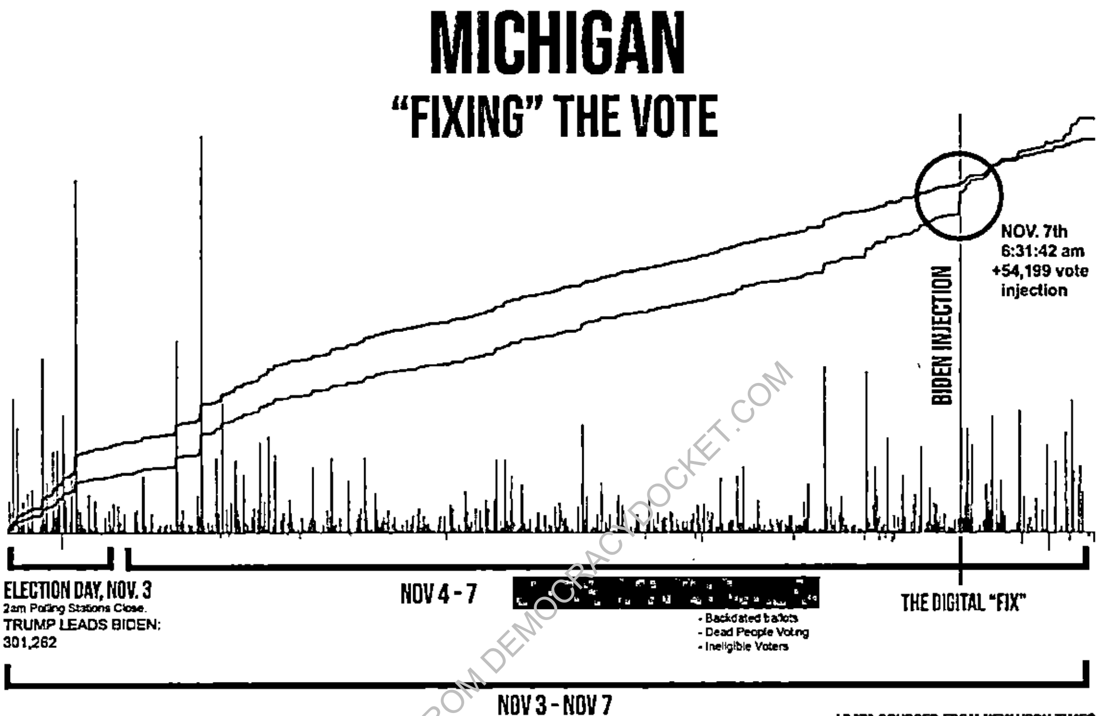
*DATA SOURCED FROM NEW YORK TIMES

SUMMARY

- Mathematical evidence of the seeding “injection” of votes at the beginning
- A spike means that a large number of votes were injected into the totals
- A normal vote pattern would look like a natural progression – smooth without extreme jumps

RETRIEVED FROM DEMOCRACYDOCKET.COM

70. Gaussian Elimination without pivoting explains how the algorithm would behave and the election results and data from Michigan confirm FAILURE of algorithm.



*DATA SOURCED FROM NEW YORK TIMES

SUMMARY

- Trump wins on election night / Polling locations in Detroit shut down at 2am
- Ballot counters told to go home / Voting station windows covered
- Dominion Exec shows up in Detroit polling station after midnight
- Trump's election night lead disappears / Biden "INJECTION" appears

RETRIEVED FROM DEMOCRACYDOCKET.COM

71. The "Digital Fix" observed with an increased spike in VOTES for Joe Biden can be determined as evidence of a pivot. Normally it would be assumed that the algorithm had a Complete Pivot. Wilkinson's demonstrated the guarantee as :

$$\frac{\|U\|_\infty}{\|A\|_\infty} \leq n^{\frac{1}{2}\log(n)}$$

72.

73. Such a conjecture allows the growth factor the ability to be upper bound by values closer to n. Therefore, complete pivoting can't be observed because there would be too many floating points. Nor can partial as the partial pivoting would overwhelm after the "injection" of votes. Therefore, external factors were used which is evident from the "DIGITAL FIX"

74. Observing the elections, after a review of Michigan's data a spike of 54,199 votes to Biden. Because it is pushing and pulling and keeping a short distance between the 2 candidates; but then a spike, which is how an algorithm presents; - and this spike means there was a pause and an insert was made, where they insert an algorithm. Block spikes in votes for JOE BIDEN were NOT paper

ballots being fed or THUMB DRIVES. The algorithm block adjusted itself and the PEOPLE were creating the evidence to BACK UP the block allocation.

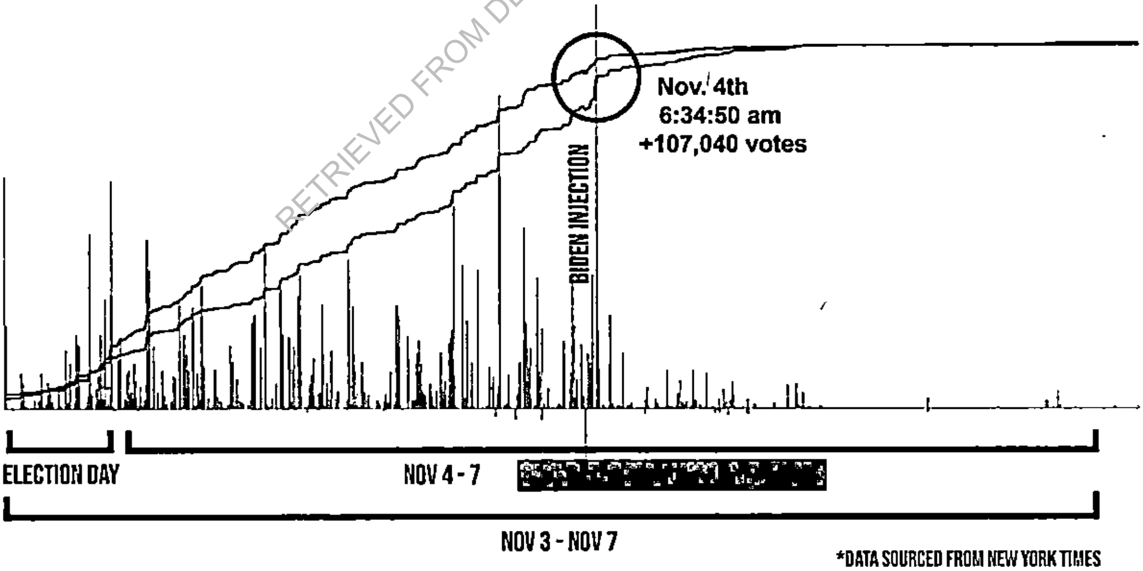
75. I have witnessed the same behavior of the election software in countries outside of the United States and within the United States. In -----, the elections conducted behaved in the same manner by allocating BLOCK votes to the candidate "chosen" to win.

76. Observing the data of the contested states (and others) the algorithm deployed is identical to that which was deployed in 2012 providing Barack Hussein Obama a block allocation to win the 2012 Presidential Elections.

77. The algorithm looks to have been set to give Joe Biden a 52% win even with an initial 50K+ vote block allocation was provided initially as tallying began (as in case of Arizona too). In the am of November 4, 2020 the algorithm stopped working, therefore another "block allocation" to remedy the failure of the algorithm. This was done manually as ALL the SYSTEMS shut down NATIONWIDE to avoid detection.

RETRIEVED FROM DEMOCRACYDOCKET.COM

GEORGIA
"FIXING" THE VOTE



SUMMARY

- The spike on the morning of Nov. 4 resulted in a net increase of 107,040 to Biden's total
- A spike means that a large number of votes were injected into the totals
- A normal vote pattern would look like a natural progression – smooth without

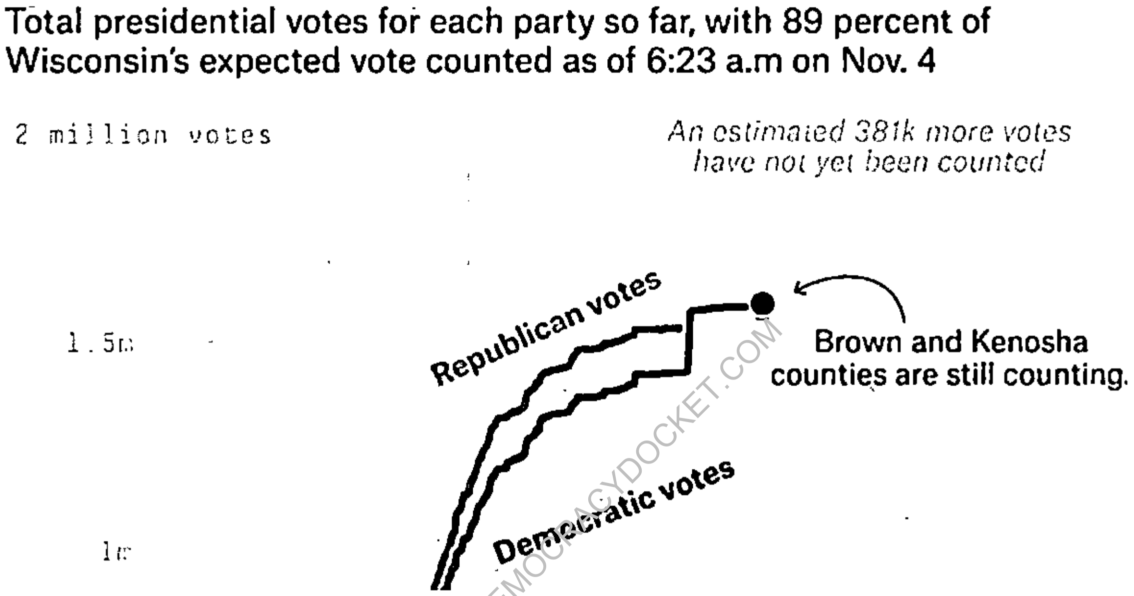
78.

79. In Georgia during the 2016 Presidential Elections a failed attempt to deploy the scripts to block allocate votes from a centralized location where the "trap-door" key lay an attempt by someone using

the DHS servers was detected by the state of GA. The GA leadership assumed that it was "Russians" but later they found out that the IP address was that of DHS.

80. In the state of Wisconsin, we observed a considerable BLOCK vote allocation by the algorithm at the SAME TIME it happened across the nation. All systems shut down at around the same time.

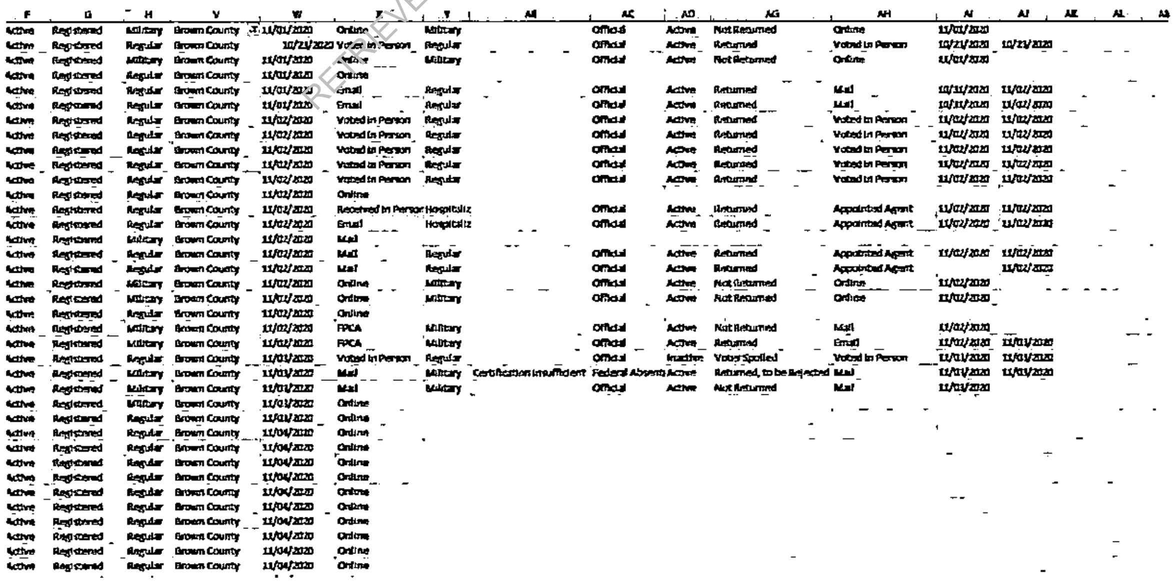
81.



Total presidential votes for each party so far, with 89 percent of Wisconsin's expected vote counted as of 6:23 a.m on Nov. 4

RETRIEVED FROM DEMOCRACYDOCKET.COM

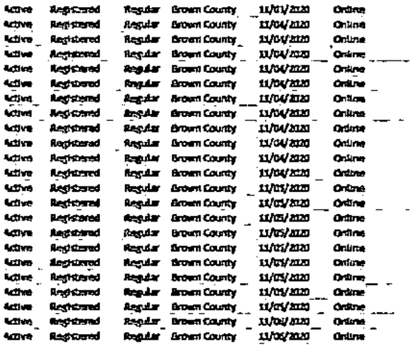
82. In Wisconsin there are also irregularities in respect to BALLOT requests. (names AND address Hidden for privacy)



F	G	H	V	W	X	Y	AB	AC	AD	AG	AH	AI	AJ	AK	AL	AM
Active	Registered	Military	Brown County	11/01/2020	Online	Military		Official	Active	Not Returned	Online	11/01/2020				
Active	Registered	Regular	Brown County	10/21/2020	Voted In Person	Regular		Official	Active	Returned	Voted In Person	10/21/2020	10/21/2020			
Active	Registered	Military	Brown County	11/01/2020	Online	Military		Official	Active	Not Returned	Online	11/01/2020				
Active	Registered	Regular	Brown County	11/01/2020	Online											
Active	Registered	Regular	Brown County	11/01/2020	Email	Regular		Official	Active	Returned	Mail	10/31/2020	11/02/2020			
Active	Registered	Regular	Brown County	11/01/2020	Email	Regular		Official	Active	Returned	Mail	10/31/2020	11/02/2020			
Active	Registered	Regular	Brown County	11/02/2020	Voted In Person	Regular		Official	Active	Returned	Voted In Person	11/02/2020	11/02/2020			
Active	Registered	Regular	Brown County	11/02/2020	Voted In Person	Regular		Official	Active	Returned	Voted In Person	11/02/2020	11/02/2020			
Active	Registered	Regular	Brown County	11/02/2020	Voted In Person	Regular		Official	Active	Returned	Voted In Person	11/02/2020	11/02/2020			
Active	Registered	Regular	Brown County	11/02/2020	Voted In Person	Regular		Official	Active	Returned	Voted In Person	11/02/2020	11/02/2020			
Active	Registered	Regular	Brown County	11/02/2020	Voted In Person	Regular		Official	Active	Returned	Voted In Person	11/02/2020	11/02/2020			
Active	Registered	Regular	Brown County	11/02/2020	Online											
Active	Registered	Regular	Brown County	11/02/2020	Received In Person	Hospitaliz		Official	Active	Returned	Appointed Agent	11/02/2020	11/02/2020			
Active	Registered	Regular	Brown County	11/02/2020	Email	Hospitaliz		Official	Active	Returned	Appointed Agent	11/02/2020	11/02/2020			
Active	Registered	Military	Brown County	11/02/2020	Mail											
Active	Registered	Regular	Brown County	11/02/2020	Mail	Regular		Official	Active	Returned	Appointed Agent	11/02/2020	11/02/2020			
Active	Registered	Regular	Brown County	11/02/2020	Mail	Regular		Official	Active	Returned	Appointed Agent		11/02/2020			
Active	Registered	Military	Brown County	11/02/2020	Online	Military		Official	Active	Not Returned	Online	11/02/2020				
Active	Registered	Military	Brown County	11/02/2020	Online	Military		Official	Active	Not Returned	Online	11/02/2020				
Active	Registered	Regular	Brown County	11/02/2020	Online											
Active	Registered	Military	Brown County	11/02/2020	FPCA	Military		Official	Active	Not Returned	Mail	11/02/2020				
Active	Registered	Military	Brown County	11/02/2020	FPCA	Military		Official	Active	Returned	Email	11/02/2020	11/03/2020			
Active	Registered	Regular	Brown County	11/03/2020	Voted In Person	Regular		Official	Inactive	Voter Spoiled	Voted In Person	11/03/2020	11/03/2020			
Active	Registered	Military	Brown County	11/03/2020	Mail	Military	Certification insufficient	Federal Absent	Active	Returned, to be Rejected	Mail	11/03/2020	11/03/2020			
Active	Registered	Military	Brown County	11/03/2020	Mail	Military		Official	Active	Not Returned	Mail	11/03/2020				
Active	Registered	Military	Brown County	11/03/2020	Online											
Active	Registered	Regular	Brown County	11/03/2020	Online											
Active	Registered	Regular	Brown County	11/04/2020	Online											
Active	Registered	Regular	Brown County	11/04/2020	Online											
Active	Registered	Regular	Brown County	11/04/2020	Online											
Active	Registered	Regular	Brown County	11/04/2020	Online											
Active	Registered	Regular	Brown County	11/04/2020	Online											
Active	Registered	Regular	Brown County	11/04/2020	Online											
Active	Registered	Regular	Brown County	11/04/2020	Online											
Active	Registered	Regular	Brown County	11/04/2020	Online											
Active	Registered	Regular	Brown County	11/04/2020	Online											
Active	Registered	Regular	Brown County	11/04/2020	Online											

83.

84.



Active	Registered	Regular	Brown County	11/03/2020	Online
Active	Registered	Regular	Brown County	11/04/2020	Online
Active	Registered	Regular	Brown County	11/04/2020	Online
Active	Registered	Regular	Brown County	11/04/2020	Online
Active	Registered	Regular	Brown County	11/04/2020	Online
Active	Registered	Regular	Brown County	11/04/2020	Online
Active	Registered	Regular	Brown County	11/04/2020	Online
Active	Registered	Regular	Brown County	11/04/2020	Online
Active	Registered	Regular	Brown County	11/04/2020	Online
Active	Registered	Regular	Brown County	11/04/2020	Online
Active	Registered	Regular	Brown County	11/04/2020	Online
Active	Registered	Regular	Brown County	11/04/2020	Online
Active	Registered	Regular	Brown County	11/05/2020	Online
Active	Registered	Regular	Brown County	11/05/2020	Online
Active	Registered	Regular	Brown County	11/05/2020	Online
Active	Registered	Regular	Brown County	11/05/2020	Online
Active	Registered	Regular	Brown County	11/05/2020	Online
Active	Registered	Regular	Brown County	11/05/2020	Online
Active	Registered	Regular	Brown County	11/05/2020	Online
Active	Registered	Regular	Brown County	11/05/2020	Online
Active	Registered	Regular	Brown County	11/05/2020	Online
Active	Registered	Regular	Brown County	11/06/2020	Online
Active	Registered	Regular	Brown County	11/06/2020	Online

85. I can personally attest that in 2013 discussions by the Obama / Biden administration were being had with various agencies in the deployment of such election software to be deployed in ---- in 2013.

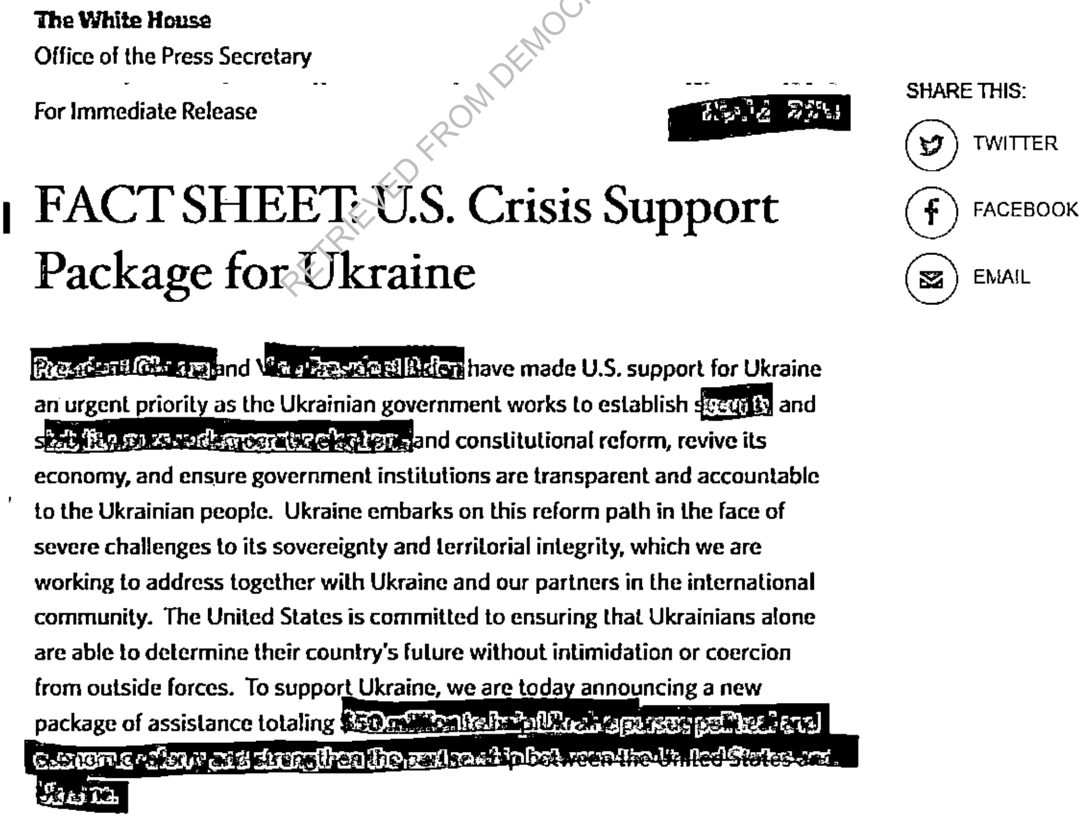
86. On or about April 2013 a one year plan was set to fund and usher elections in ----.

87. Joe Biden was designated by Barack Hussein Obama to ensure the ---- accepted assistance.

88. John Owen Brennan and James (Jim) Clapper were responsible for the ushering of the intelligence surrounding the elections in ----.

89. Under the guise of Crisis support the US Federal Tax Payers funded the deployment of the election software and machines in ------ signing on with Scytl.

RETRIEVED FROM DEMOCRACYDOCKET.COM



The White House
Office of the Press Secretary

For Immediate Release [redacted]

SHARE THIS:
TWITTER
FACEBOOK
EMAIL

FACT SHEET: U.S. Crisis Support Package for Ukraine

[redacted] and [redacted] have made U.S. support for Ukraine an urgent priority as the Ukrainian government works to establish [redacted] and [redacted] and constitutional reform, revive its economy, and ensure government institutions are transparent and accountable to the Ukrainian people. Ukraine embarks on this reform path in the face of severe challenges to its sovereignty and territorial integrity, which we are working to address together with Ukraine and our partners in the international community. The United States is committed to ensuring that Ukrainians alone are able to determine their country's future without intimidation or coercion from outside forces. To support Ukraine, we are today announcing a new package of assistance totaling [redacted]

90.

91. Right before the ----- elections it was alleged that CyberBerkut a pro-Russia group infiltrated --- central election computers and **deleted key files**. These actions supposedly rendered the vote-tallying system inoperable.

92. In fact, the KEY FILES were the Commitment keys to allow Scytl to tally the votes rather than the election machines. The group had disclosed emails and other documents proving that their election was rigged and that they tried to avoid a fixed election.

93. The elections were held on May 25, 2014 but in the early AM hours the election results were BLOCKED and the final tally was DELAYED flipping the election in favor of ----.

94. The claim was that there was a DDoS attack by Russians when in actual fact it was a mitigation of the algorithm to inject block votes as we observed was done for Joe Biden because the KEYS were unable to be deployed. In the case of -----, the trap-door key was "altered"/deleted/ rendered ineffective. In the case of the US elections, representatives of Dominion/ ES&S/ Smartmatic/ Hart Intercivic would have to manually deploy them since if the entry points into the systems seemed to have failed.

95. The vote tallying of all states NATIONWIDE stalled and hung for days – as in the case of Alaska that has about 300K registered voters but was stuck at 56% reporting for almost a week.

96. This "hanging" indicates a failed deployment of the scripts to block allocate remotely from one location as observed in ------ on May 26, 2014.

97. This would justify the presence of the election machine software representatives making physical appearances in the states where the election results are currently being contested.

98. A Dominion Executive appeared at the polling center in Detroit after midnight.

99. Considering that the hardware of the machines has NOT been examined in Michigan since 2017 by Pro V& V according to Michigan's own reporting. COTS are an avenue that hackers and bad actors seek to penetrate in order to control operations. Their software updates are the reason vulnerabilities to foreign interference in all operations exist.

100. The importance of VSTLs in underrated to protect up from foreign interference by way of open access via COTS software. Pro V& V who's EAC certification EXPIRED on 24 FEB 2017 was contracted with the state of WISCONSIN.

101. In the United States each state is tasked to conduct and IV& V (Independent Verification and Validation) to provide assurance of the integrity of the votes.

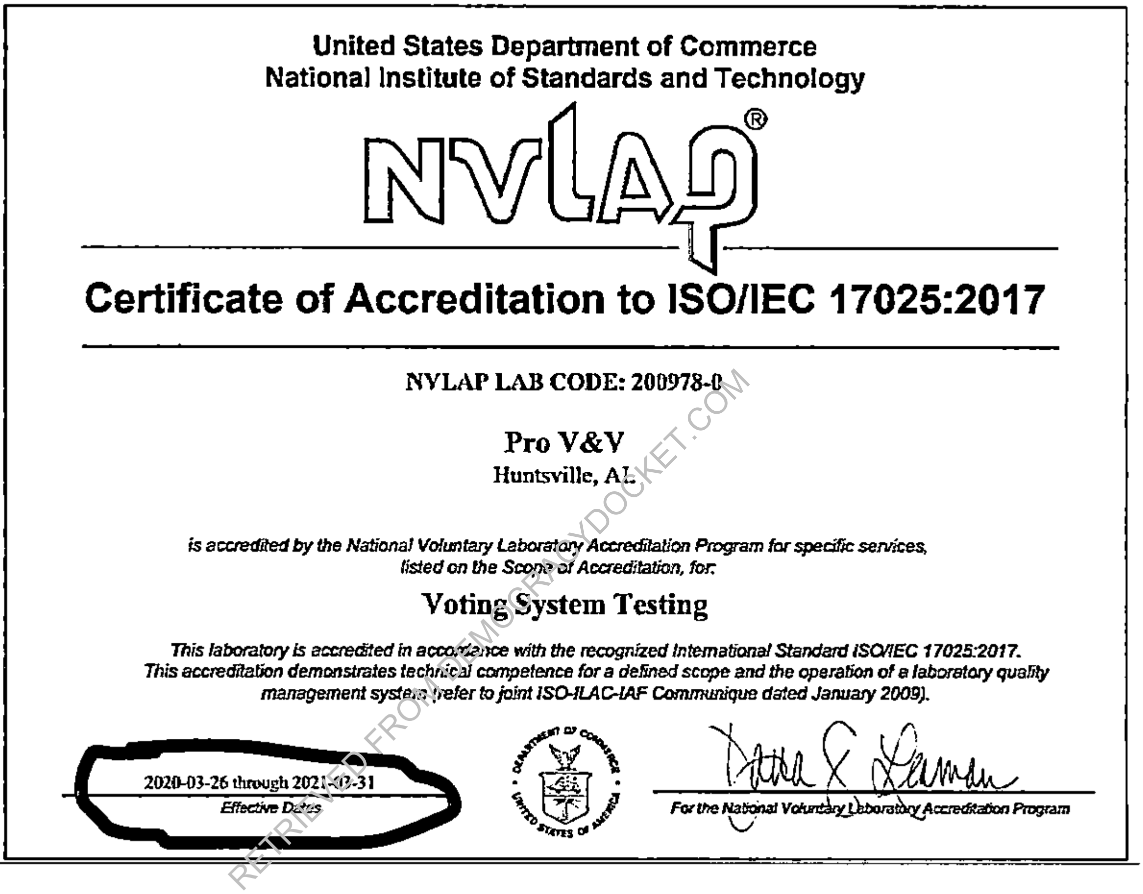
102. If the "accredited" non-federal entities have NOT received EAC accreditation this is a failure of the states to uphold their own states standards that are federally regulated.

103. In addition, if the entities had NIST certificates they are NOT sufficing according the HAVA ACT 2002 as the role of NIST is clear.

104. Curiously, both companies PRO V&V and SLI GAMING received NIST certifications OUTSIDE the 24 month scope.

RETRIEVED FROM DEMOCRACYDOCKET.COM

105. PRO V& V received a NIST certification on 26MAR2020 for ONE YEAR. Normally the NIST certification is good for two years to align with that of EAC certification that is good for two years.



United States Department of Commerce
National Institute of Standards and Technology

NVLAP®

Certificate of Accreditation to ISO/IEC 17025:2017

NVLAP LAB CODE: 200978-0

Pro V&V
Huntsville, AL

is accredited by the National Voluntary Laboratory Accreditation Program for specific services, listed on the Scope of Accreditation, for:

Voting System Testing

This laboratory is accredited in accordance with the recognized International Standard ISO/IEC 17025:2017. This accreditation demonstrates technical competence for a defined scope and the operation of a laboratory quality management system (refer to joint ISO-ILAC-IAF Communique dated January 2009).

2020-03-26 through 2021-03-31
Effective Dates

For the National Voluntary Laboratory Accreditation Program

106.

107. The last PRO V& V EAC accreditation certificate (Item 8) of this declaration expired in February 2017 which means that the IV & V conducted by Michigan claiming that they were accredited is false.

108. The significance of VSTLs being accredited and examining the HARDWARE is key. COTS software updates are the avenues of entry.

109. As per DOMINION'S own petition, the modems they use are COTS therefore failure to have an accredited VSTL examine the hardware for points of entry by their software is key.

RETRIEVED FROM DEMOCRACYDOCKET.COM

*Compact Flash Cards	***SanDisk Ultra: SDCFHS-004G SDCFHS-008G RiData: CFC-14A RDF8G-233XMCB2-1 RDF16G-233XMCB2-1 RDF32G-233XMCB2-1 SanDisk Extreme: SDCFX-016G SDCFX-032G SanDisk: SDFAA-008G		Memory device for ICP and ICE tabulators.
*Modems	Verizon USB Modem Pantech UMW190NCD USB Modem MultiTech MT9234MU CellGo Cellular Modem E-Device 3GPUSUS AT&T USB Modem MultiTech GSM MTD-H5 Fax Modem US Robotics 56K V.92.		Analog and wireless modems for transmitting unofficial election night results.

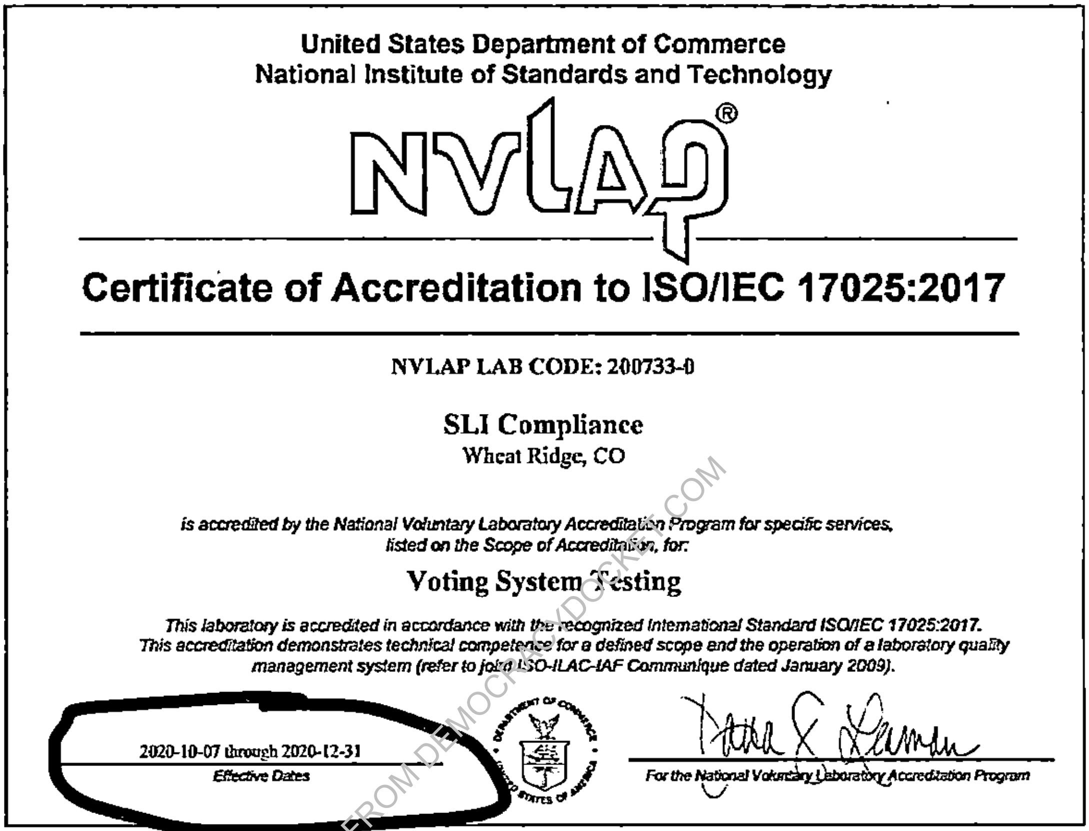
110.

111. For example and update of Verizon USB Modem Pantech undergoes multiple software updates a year for it's hardware. That is most likely the point of entry into the systems.

112. During the 2014 elections in ---- it was the modems that gave access to the systems where the commitment keys were deleted.

113. SLI Gaming is the other VSTL "accredited" by the EAC BUT there is no record of their accreditation. In fact, SLI was NIST ISO Certified 27 days before the election which means that PA IV&V was conducted without NIST cert for SLI being valid.

RETRIEVED FROM DEMOCRACYDOCKET.COM



United States Department of Commerce
National Institute of Standards and Technology

NVLAP®

Certificate of Accreditation to ISO/IEC 17025:2017

NVLAP LAB CODE: 200733-0

SLI Compliance
Wheat Ridge, CO

is accredited by the National Voluntary Laboratory Accreditation Program for specific services, listed on the Scope of Accreditation, for:

Voting System Testing

This laboratory is accredited in accordance with the recognized International Standard ISO/IEC 17025:2017. This accreditation demonstrates technical competence for a defined scope and the operation of a laboratory quality management system (refer to joint ISO-ILAC-IAF Communique dated January 2009).

2020-10-07 through 2020-12-31
Effective Dates

For the National Voluntary Laboratory Accreditation Program

RETRIEVED FROM DEMOCRACYDOCKET.COM

114.

115. In fact SLI was NIST ISO Certified for less than 90 days.

116. I can personally attest that high-level officials of the Obama/Biden administration and large private contracting firms met with a software company called GEMS which is ultimately the software ALL election machines run now running under the flag of DOMINION.

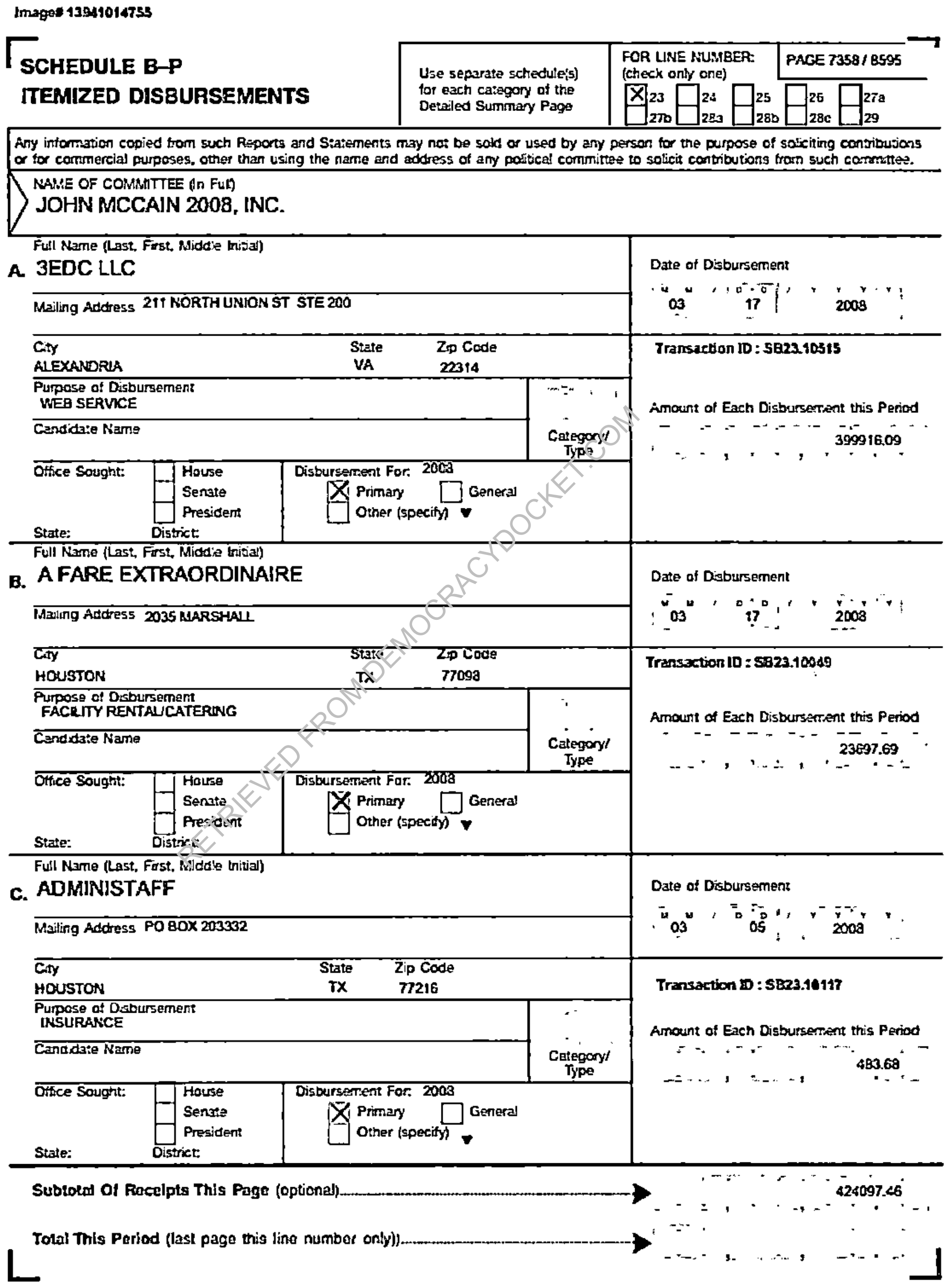
117. GEMS was manifested from SOE software purchased by SCYTL developers and US Federally Funded persons to develop it.

118. The only way GEMS can be deployed across ALL machines is IF all counties across the nation are housed under the same server networks.

119. GEMS was tasked in 2009 to a contractor in Tampa, Fl.

120. GEMS was also fine-tuned in Latvia, Belarus, Serbia and Spain to be localized for EU deployment as observed during the Swissport election debacle.

121. John McCain's campaign assisted in FUNDING the development of GEMS web monitoring via WEB Services with 3EDC and Dynology.



Image# 13941014755

SCHEDULE B-P
ITEMIZED DISBURSEMENTS

Use separate schedule(s) for each category of the Detailed Summary Page

FOR LINE NUMBER: (check only one)
☒ 23 □ 24 □ 25 □ 26 □ 27a
□ 27b □ 28a □ 28b □ 28c □ 29

PAGE 7358 / 8595

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)
JOHN MCCAIN 2008, INC.

A. Full Name (Last, First, Middle Initial)
3EDC LLC
Mailing Address 211 NORTH UNION ST STE 200
City ALEXANDRIA State VA Zip Code 22314
Purpose of Disbursement WEB SERVICE
Candidate Name
Category/Type
Office Sought: □ House □ Senate □ President
State: District:
Disbursement For: 2008 ☒ Primary □ General □ Other (specify)
Date of Disbursement 03 17 2008
Transaction ID : SB23.10515
Amount of Each Disbursement this Period 399916.09

B. Full Name (Last, First, Middle Initial)
A FARE EXTRAORDINAIRE
Mailing Address 2035 MARSHALL
City HOUSTON State TX Zip Code 77098
Purpose of Disbursement FACILITY RENTAL/CATERING
Candidate Name
Category/Type
Office Sought: □ House □ Senate □ President
State: District:
Disbursement For: 2008 ☒ Primary □ General □ Other (specify)
Date of Disbursement 03 17 2008
Transaction ID : SB23.10049
Amount of Each Disbursement this Period 23697.69

C. Full Name (Last, First, Middle Initial)
ADMINISTAFF
Mailing Address PO BOX 203332
City HOUSTON State TX Zip Code 77216
Purpose of Disbursement INSURANCE
Candidate Name
Category/Type
Office Sought: □ House □ Senate □ President
State: District:
Disbursement For: 2008 ☒ Primary □ General □ Other (specify)
Date of Disbursement 03 05 2008
Transaction ID : SB23.10117
Amount of Each Disbursement this Period 483.68

Subtotal Of Receipts This Page (optional) 424097.46

Total This Period (last page this line number only))

RETRIEVED FROM DEMOCRACYDOCKET.COM

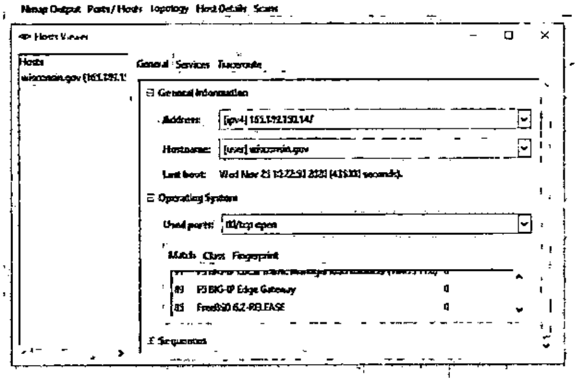
122.

123.

124. AKAMAI Technologies services SCYTL.

125. AKAMAI Technologies Houses ALL foreign government sites. (Please see White Paper by Akamai.)

126. AKAMAI Technologies houses ALL .gov state sites. (ref Item 123 Wisconsin.gov Example)



Hosts
wisconsin.gov (165.189.1!

⊟ General information

Address: [ipv4] 165.189.150.147

Hostname: [user] wisconsin.gov

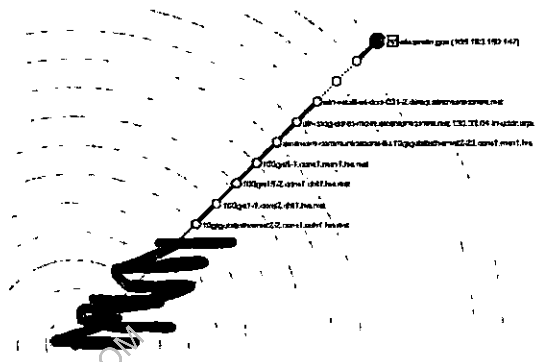
Last boot: Wed Nov 25 13:22:51 2020 (415333 seconds).

⊟ Operating System

Used ports: 80/tcp open

Match	Class	Fingerprint
89	F5 BIG-IP Edge Gateway	0
85	FreeBSD 6.2-RELEASE	0

⊞ Sequences

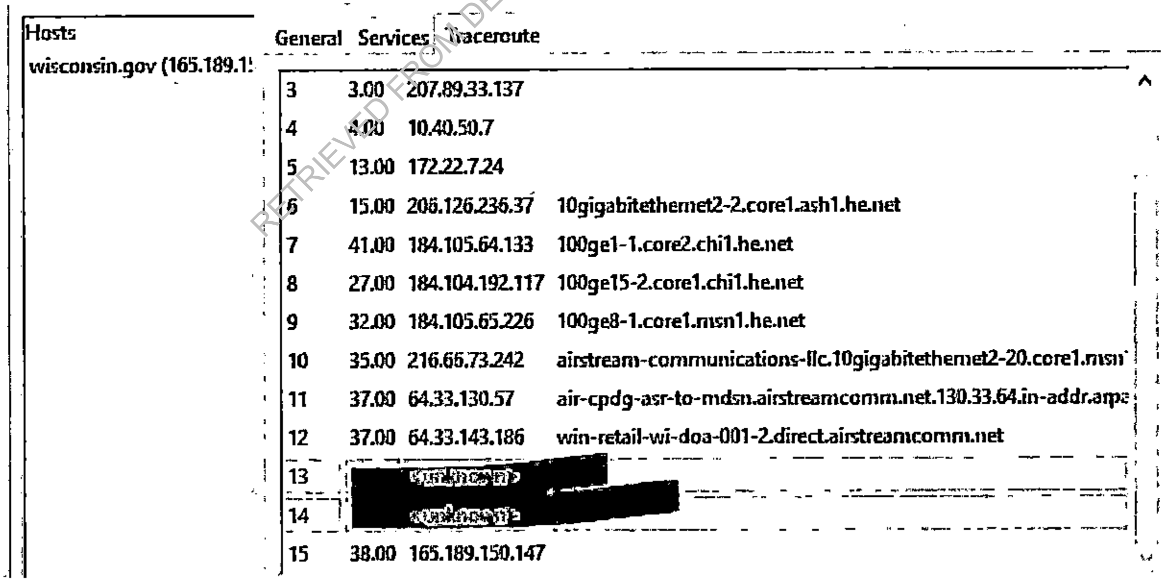

wisconsin.gov (165.189.150.147)
100ge8-1.core1.msn1.he.net
100ge15-2.core1.chi1.he.net
100ge1-1.core2.chi1.he.net

[redacted]

127.

128. Wisconsin has EDGE GATEWAY port which is AKAMAI TECHNOLOGIES based out of GERMANY.

129. Using AKAMAI Technologies is allowing .gov sites to obfuscate and mask their systems by way of HURRICANE ELECTRIC (he.net) Kicking it to anonymous (AKAMAI Technologies) offshore servers.



Hosts
wisconsin.gov (165.189.1!

3	3.00	207.89.33.137	
4	4.00	10.40.50.7	
5	13.00	172.22.7.24	
6	15.00	206.126.236.37	10gigabitethernet2-2.core1.ash1.he.net
7	41.00	184.105.64.133	100ge1-1.core2.chi1.he.net
8	27.00	184.104.192.117	100ge15-2.core1.chi1.he.net
9	32.00	184.105.65.226	100ge8-1.core1.msn1.he.net
10	35.00	216.66.73.242	airstream-communications-llc.10gigabitethernet2-20.core1.msn
11	37.00	64.33.130.57	air-cpdg-asr-to-mdsn.airstreamcomm.net.130.33.64.in-addr.arp
12	37.00	64.33.143.186	win-retail-wi-doa-001-2.direct.airstreamcomm.net
13	[redacted]		
14	[redacted]		
15	38.00	165.189.150.147	

130.

131. AKAMAI Technologies has locations around the world.

132. AKAMAI Technologies has locations in China (ref item 22)

133. AKAMAI Technologies has locations in Iran as of 2019.

134. AKAMAI Technologies merged with UNICOM (CHINESE TELECOMM) in 2018.

135. AKAMAI Technologies house all state .gov information in GERMANY via TELIA AB.

136. In my professional opinion, this affidavit presents unambiguous evidence:

137. That there was Foreign interference, complicit behavior by the previous administrations from 1999 up until today to hinder the voice of the people and US persons knowingly and willingly colluding with foreign powers to steer our 2020 elections that can be named in a classified setting.

138. Foreign interference is present in the 2020 election in various means namely,

139. Foreign nationals assisted in the creation of GEMS (Dominion Software Foundation)

140. Akamai Technologies merged with a Chinese company that makes the COTS components of the election machines providing access to our electronic voting machines.

141. Foreign investments and interests in the creation of the GEMS software.

142. US persons holding an office and private individuals knowingly and willingly oversaw fail safes to secure our elections.

143. The EAC failed to abide by standards set in HAVA ACT 2002.

144. The IG of the EAC failed to address complaints since their appointment regarding vote integrity

145. Christy McCormick of the EAC failed to ensure that EAC conducted their duties as set forth by HAVA ACT 2002

146. Both Patricia Layfield (IG of EAC) and Christy McCormick (Chairwoman of EAC) were appointed by Barack Hussein Obama and have maintained their positions since then.

147. The EAC failed to have a quorum for over a calendar year leading to the inability to meet the standards of the EAC.

148. AKAMAI Technologies and Hurricane Electric raise serious concerns for NATSEC due to their ties with foreign hostile nations.

149. For all the reasons above a complete failure of duty to provide safe and just elections are observed.

150. For the people of the United States to have confidence in their elections our cybersecurity standards should not be in the hands of foreign nations.

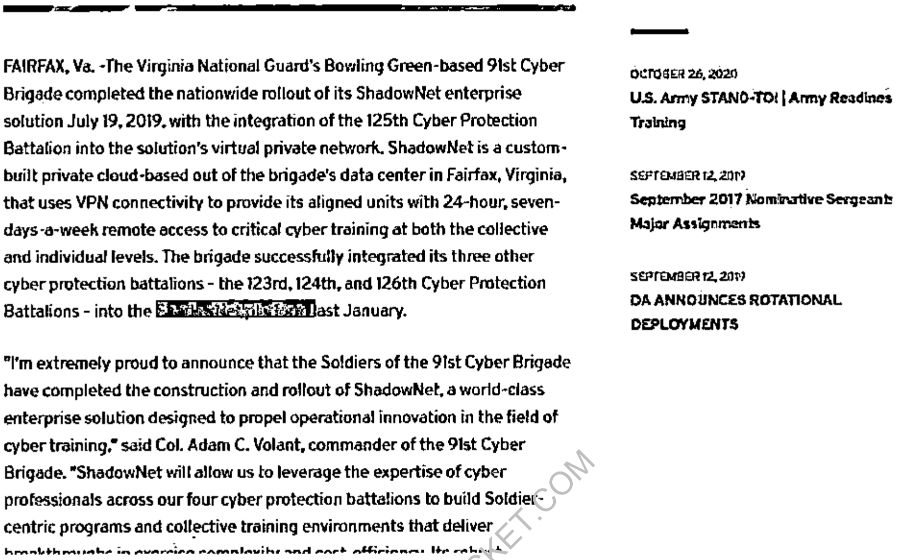
151. Those responsible within the Intelligence Community directly and indirectly by way of procurement of services should be held accountable for assisting in the development, implementation and promotion of GEMS.

152. GEMS ------ General Hayden.

153. In my opinion and from the data and events I have observed ------------------ with the assistance of SHADOWNET under the guise of L3-Communications which is MPRI. This is also confirmed by us.army.mil making the statement that shadownet has been deployed to 30 states which all

RETRIEVED FROM DEMOCRACYDOCKET.COM

happen to be using Dominion Machines.



FAIRFAX, Va. -The Virginia National Guard's Bowling Green-based 91st Cyber Brigade completed the nationwide rollout of its ShadowNet enterprise solution July 19, 2019, with the integration of the 125th Cyber Protection Battalion into the solution's virtual private network. ShadowNet is a custom-built private cloud-based out of the brigade's data center in Fairfax, Virginia, that uses VPN connectivity to provide its aligned units with 24-hour, seven-days-a-week remote access to critical cyber training at both the collective and individual levels. The brigade successfully integrated its three other cyber protection battalions - the 123rd, 124th, and 126th Cyber Protection Battalions - into the ShadowNet platform last January.

"I'm extremely proud to announce that the Soldiers of the 91st Cyber Brigade have completed the construction and rollout of ShadowNet, a world-class enterprise solution designed to propel operational innovation in the field of cyber training," said Col. Adam C. Volant, commander of the 91st Cyber Brigade. "ShadowNet will allow us to leverage the expertise of cyber professionals across our four cyber protection battalions to build Soldier-centric programs and collective training environments that deliver breakthroughs in exercise complexity and cost efficiency. Its robust

OCTOBER 26, 2020
U.S. Army STAND-TO! | Army Readines Training

SEPTEMBER 12, 2017
September 2017 Nominative Sergeants Major Assignments

SEPTEMBER 12, 2019
DA ANNOUNCES ROTATIONAL DEPLOYMENTS

154. Based on my research of voter data – it appears that there are approximately 23,000 residents of a Department of Corrections Prison with requests for absentee ballot in Wisconsin. We are currently reviewing and verifying the data and will supplement.

RETRIEVED FROM DEMOCRACYDOCKET.COM

	23230	Gutierrez	Mary	Jane		(262)994-9050	
23231	**23231**	Hansen	Luann	M		(262)994-9050	
23232	**23232**	Neberman	John	C		(262)994-9050	
23233	**23233**	Reynolds	Devi	J		(262)994-9050	
23234	**23234**	Rieckhoff	Kathryn	Susan		(262)994-9050	
23235	**23235**	Edwards	Mark	Landon		(262)994-9050	
23236	**23236**	Pfeiffer	Joseph	Patrick		(262)994-9050	
23237	**23237**	Hines	Dianna	K		(262)994-9050	
23238	**23238**	Beachem	Janice	F		(262)994-9050	
23239	**23239**	Blackstone	Thomas	Wayne		(262)994-9050	
23240	**23240**	Braun	Patricia	Ann		(262)994-9050	
23241	**23241**	Smith	Raymond	L		(262)994-9050	
23242	**23242**	Meyer	Steven	R		(262)994-9050	
23243	**23243**	Vincent	Herbert			(262)994-9050	
23244	**23244**	Guajardo	Juan	P		(262)994-9050	
23245	**23245**	Wallace	Kirk	R		(262)994-9050	
23246	**23246**	Kaplan	Bernard	L		(262)994-9050	
23247	**23247**	Bahrs	Michelle	M		(262)994-9050	
23248	**23248**	Shattuck	Elizabeth	L		(262)994-9050	
23249	**23249**	Munoz	Rosalio	S	JR	(262)994-9050	
23250	**23250**	Strunk	Amy	C		(262)994-9050	
23251	**23251**	Schendel	Michael	P	JR	(262)994-9050	
23252	**23252**	Mack	Kimberly	N		(262)994-9050	
23253	**23253**	Spikes	Debra	A		(262)994-9050	
23254	**23254**	Busarow	Suzanne	M		(262)994-9050	
23255	**23255**	Oliver	Timmy			(262)994-9050	
23256	**23256**	Wember	Jimmy	Dean		(262)994-9050	
23257	**23257**	Kosterman	Michael	Richard		(262)994-9050	
23258	**23258**	Szaradowski	Paul	M		(262)994-9050	
23259	**23259**	Oliver	Dale			(262)994-9050	
23260	**23260**	Derango	Nancy			(262)994-9050	
23261	**23261**	Smith	Arthur	J		(262)994-9050	SMITH24.3059@YAHOO
23262	**23262**	Brown	Michael	Edward		(262)994-9050	

155.

RETRIEVED FROM DEMOCRACYDOCKET.COM

I declare under penalty of perjury that the forgoing is true and correct to the best of my knowledge. Executed this November 29th, 2020.

Terpsehore P Maras

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit

“E”

RETRIEVED FROM DEMOCRACYDOCKET.COM

THE STATE OF GEORGIA

OFFICE OF SECRETARY OF STATE

I, Brad Raffensperger, Secretary of State of the State of Georgia, do hereby certify that

the Dominion Voting System (EAC Certification Number DVS-DemSuite5.5-A), consisting of the Democracy Suite 5.5-A Election Management System Version 5.5.12.1, EMS Adjudication Version 5.5.8.1, ImageCast X Prime (ICX BMD) Ballot Marking Device Version 5.5.10.30, ImageCast Precinct (ICP) Precinct Scanning Device Version 5.5.3-0002, and ImageCast Central (ICC) Central Scanning Device Versions 5.5.3-0002 and 5.5.3.3, manufactured by Dominion Voting Systems, Inc., 1201 18th Street, STE 210, Denver, Colorado 80202, has been thoroughly examined and tested and found to be in compliance with the applicable provisions of the Georgia Election Code and Rules of the Secretary of State, and as a result of this inspection, it is my opinion that this kind of voting system and its components can be safely used by the electors of this state in all primaries and elections as provided in Chapter 2 of Title 21 of the Official Code of Georgia; provided however, that I hereby reserve my opinion to reexamine this voting system and its components at anytime so as to ensure that it continues to be one that can be safely used by the voters of this state.

RETRIEVED FROM DEMOCRACYDOCKET.COM

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 19th day of February, in the year of our Lord Two Thousand and Twenty and of the Independence of the United States of America the Two Hundred and Forty-Fourth

Brad Raffensperger

THE STATE OF GEORGIA

OFFICE OF SECRETARY OF STATE

I, Brad Raffensperger, Secretary of State of the State of Georgia, do hereby certify that

the Dominion Voting System (EAC Certification Number DVS-DemSuite5.5-A), consisting of the Democracy Suite 5.5-A Election Management System Version 5.5.12.1, EMS Adjudication Version 5.5.8.1, ImageCast X Prime (ICX BMD) Ballot Marking Device Version 5.5.10.30, ImageCast Precinct (ICP) Precinct Scanning Device Version 5.5.3-0002, and ImageCast Central (ICC) Central Scanning Device Versions 5.5.3-0002 and 5.5.3.3, manufactured by Dominion Voting Systems, Inc., 1201 18th Street, STE 210, Denver, Colorado 80202, has been thoroughly examined and tested and found to be in compliance with the applicable provisions of the Georgia Election Code and Rules of the Secretary of State, and as a result of this inspection, it is my opinion that this kind of voting system and its components can be safely used by the electors of this state in all primaries and elections as provided in Chapter 2 of Title 21 of the Official Code of Georgia; provided however, that I hereby reserve my opinion to reexamine this voting system and its components at anytime so as to ensure that it continues to be one that can be safely used by the voters of this state.

RETRIEVED FROM DEMOCRACYDOCKET.COM

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 19th day of February, in the year of our Lord Two Thousand and Twenty and of the Independence of the United States of America the Two Hundred and Forty-Fourth

Brad Raffensperger

Brad Raffensperger, Secretary of State

THE STATE OF GEORGIA

OFFICE OF SECRETARY OF STATE

I, Brad Raffensperger, Secretary of State of the State of Georgia, do hereby certify that

RETRIEVED FROM DEMOCRACYDOCKET.COM

the Dominion Voting System (EAC Certification Number DVS-DemSuite5.5-A), consisting of the Democracy Suite 5.5-A Election Management System Version 5.5.12.1, EMS Adjudication Version 5.5.8.1, ImageCast X Prime (ICX BMD) Ballot Marking Device Version 5.5.10.32, ImageCast Precinct (ICP) Precinct Scanning Device Version 5.5.3-0002, and ImageCast Central (ICC) Central Scanning Device Versions 5.5.3-0002 and 5.5.3.3, manufactured by Dominion Voting Systems, Inc., 1201 18th Street, STE 210, Denver, Colorado 80202, has been thoroughly examined and tested and found to be in compliance with the applicable provisions of the Georgia Election Code and Rules of the Secretary of State, and as a result of this inspection, it is my opinion that this kind of voting system and its components can be safely used by the electors of this state in all primaries and elections as provided in Chapter 2 of Title 21 of the Official Code of Georgia; provided however, that I hereby reserve my opinion to reexamine this voting system and its components at anytime so as to ensure that it continues to be one that can be safely used by the voters of this state.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 5th day of October, in the year of our Lord Two Thousand and Twenty and of the Independence of the United States of America the Two Hundred and Forty-Fourth

Brad Raffensperger

Brad Raffensperger, Secretary of State

THE STATE OF GEORGIA

OFFICE OF SECRETARY OF STATE

I, Brad Raffensperger, Secretary of State of the State of Georgia, do hereby certify that

RETRIEVED FROM DEMOCRACYDOCKET.COM

the Georgia Voter Registration System is being maintained in a manner consistent with the standards set forth in section (b) of Georgia Rule 590-8-3-.01 and that the standards set forth in said rule have been reviewed to ensure that they remain generally consistent with industry standards.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 31st day of December, in the year of our Lord Two Thousand and Nineteen and of the Independence of the United States of America the Two Hundred and Forty-Fourth

STATE OF GEORGIA 1776

Brad Raffensperger

Brad Raffensperger, Secretary of State

THE STATE OF GEORGIA

OFFICE OF SECRETARY OF STATE

I, Brad Raffensperger, Secretary of State of the State of Georgia, do hereby certify that

RETRIEVED FROM DEMOCRACYDOCKET.COM

pursuant to the authority granted to the Secretary of State by Title 21, Chapter 2 of the Official Code of Georgia, the AccuVote Voting System, consisting of the Global Election Management System (GEMS), AccuVotc TS R6 DRE Voting Station, AccuVote TSX DRE Voting Station, AccuVote OS Optical Scanner, ExpressPoll 4000 Electronic Poll Book, and ExpressPoll 5000 Electronic Poll Book, can no longer be lawfully used in Georgia beginning on January 1, 2020. Therefore, the previous certifications for the aforementioned system arc hereby revoked, and the system is no longer certified for use in any primaries or elections in this state.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 30th day of December, in the year of our Lord Two Thousand and Nineteen and of the Independence of the United States of America the Two Hundred and Forty-Fourth

Brad Raffensperger

Brad Raffensperger, Secretary of State

THE STATE OF GEORGIA

OFFICE OF SECRETARY OF STATE

I, Brad Raffensperger, Secretary of State of the State of Georgia, do hereby certify that

the attached one (1) page constitutes a true and correct copy of the decertification of the AccuVote Voting System, consisting of the Global Election Management System (GEMS), AccuVote TS R6 DRE Voting Station, AccuVote TSX DRE Voting Station, AccuVote OS Optical Scanner, ExpressPoll 4000 Electronic Poll Book, and ExpressPoll 5000 Electronic Poll Book, as signed by the Secretary of State on December 30, 2019, all as the same appear on file in this office.

RETRIEVED FROM DEMOCRACYDOCKET.COM

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 30th day of December, in the year of our Lord Two Thousand and Nineteen and of the Independence of the United States of America the Two Hundred and Forty-Fourth.

Brad Raffensperger

Brad Raffensperger, Secretary of State

Exhibit

"F"

RETRIEVED FROM DEMOCRACYDOCKET.COM

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DONNA CURLING, ET AL.,
Plaintiffs,

v.

BRAD RAFFENSPERGER, ET AL.,
Defendants.

DECLARATION OF
J. ALEX HALDERMAN

Civil Action No. 1:17-CV-2989-AT

Pursuant to 28 U.S.C. § 1746, J. ALEX HALDERMAN declares under penalty of perjury that the following is true and correct:

1. I hereby incorporate my previous declarations as if fully stated herein. I have personal knowledge of the facts in this declaration and, if called to testify as a witness, I would testify under oath to these facts.

2. I have reviewed the expert disclosures prepared by Dr. Juan Gilbert and Dr. Benjamin Adida for State Defendants. Neither Dr. Gilbert not Dr. Adida offers any rebuttal to the numerous, critical vulnerabilities in Georgia's BMDs that I described in my July 1, 2021 expert report. Dr. Adida did not respond to my report at all; State Defendants reissued prior declarations from him previously provided in this litigation. Neither of them disputes the presence of any of the serious

RETRIEVED FROM DEMOCRACYDOCKET.COM

vulnerabilities I detail in my report or the steps I describe for exploiting those vulnerabilities to alter individual votes and election outcomes in Georgia. Nor does either of them claim to have examined any of the voting equipment used in Georgia to evaluate whether the vulnerabilities I identified—or others—have been exploited in any past election. Although each of them presumably could do this with the permission of State Defendants, who I understand engaged them as experts in this case, there is no indication either has undertaken any such inquiry or asked to do so. As a result, neither Dr. Gilbert nor Dr. Adida has anything to say about the reliability of the voting equipment used in Georgia elections. This is surprising, given that they have had at least the last year to examine Georgia's voting equipment.

3. State Defendants urgently need to engage with the findings in my report and address the vulnerabilities it describes before attackers exploit them. Nothing in Dr. Gilbert's or Dr. Adida's responses indicates that State Defendants understand the seriousness of these problems or have taken any measures to address them and their implications for the Plaintiffs' individual votes in future elections. Established practice in the security field would require State Defendants to promptly subject Georgia's voting system to rigorous testing in response to my report, to assess the extent and significance of each of the vulnerabilities I described, and to identify and *promptly implement* specific measures (where possible) to eliminate or mitigate each

RETRIEVED FROM DEMOCRACYDOCKET.COM

of those vulnerabilities. Neither Dr. Gilbert nor Dr. Adida indicates any such efforts on their own part or on the part of State Defendants or anyone else. Again, Dr. Adida did not respond to my report.

4. In my report—a 25,000-word document that is the product of twelve weeks of intensive testing of the Dominion equipment provided by Fulton County—I find that Georgia's BMDs contains multiple severe security flaws. Attackers could exploit these flaws to install malicious software, either with temporary physical access (such as that of voters in the polling place) or remotely from election management systems. I explain in detail how such malware, once installed, could alter voters' votes while subverting all the procedural protections practiced by the State, including acceptance testing, hash validation, logic and accuracy testing, external firmware validation, and risk-limiting audits (RLAs). Finally, I describe working proof-of-concept malware that I am prepared to demonstrate in court.

RETRIEVED FROM DEMOCRACYDOCKET.COM

5. My report concludes, *inter alia*, that Georgia's BMDs are not sufficiently secured against technical compromise to withstand vote-altering attacks by bad actors who are likely to target future elections in the state; that the BMDs' vulnerabilities compromise the auditability of Georgia's paper ballots; that the BMDs can be compromised to the same extent as or more easily than the DREs they replaced; and that using these vulnerable BMDs for all in-person voters, as Georgia

does, greatly magnifies the level of security risk compared to using hand-marked paper ballots and providing BMDs to voters who need or request them.

Reply to Declaration of Dr. Juan Gilbert

6. Rather than engage with the facts in my report, Dr. Gilbert responds largely with vague generalities. He gives no indication that he has ever used an ICX BMD, let alone tested its security. He begins by conceding that "any computer can be hacked," but he contends that "this general statement is largely irrelevant," because hand-marked paper ballot systems use computers too (to scan the ballots) (¶ 6). His position is inconsistent with accepted standards for election security and with the facts of the particular voting system used in Georgia.

7. My testing has shown that the BMDs used in Georgia suffer from specific, highly exploitable vulnerabilities that allow attackers to change votes despite the State's purported defenses. There is no evidence that Georgia's ballot scanners suffer from the same extraordinary degree of exploitability, nor does Dr. Gilbert contend they do. He ignores the relative ease with which Georgia's BMDs can be hacked, including by a voter in a voting booth in mere minutes. That extreme difference in security as compared to other voting technologies, particularly hand-marked paper ballots, is far from "irrelevant" as Dr. Gilbert implies.

RETRIEVED FROM DEMOCRACYDOCKET.COM

8. Furthermore, even if the scanners were just as insecure as the BMDs, Georgia's practice of requiring essentially all in-person voters to use highly vulnerable BMDs would needlessly give attackers *double* the opportunity to change the personal votes of individual Georgia voters, since malware could strike either the BMDs or the scanners. Accepted standards in election security compel reducing points of attack for bad actors, not unnecessarily expanding them—a point Dr. Gilbert ignores.

9. Lastly, Dr. Gilbert also ignores that accepted election security protocols include an effective measure to protect against hacks of ballot scanners when the ballots are hand-marked rather than generated by BMDs—namely, reliable risk-limiting audits (RLAs), which would have a high probability of detecting any outcome-changing attack on the scanners. Not only do Georgia's BMDs defeat the efficacy of RLAs, but Dr. Gilbert continues to ignore the fact that Georgia requires an RLA of just one statewide contest every two years (and, to my knowledge, has not adopted specific, adequate procedures to ensure a reliable RLA for that one audit every other year).

10. Dr. Gilbert goes on to discuss issues related to voter verification of BMD ballots (which I respond to below). Yet he fails to address the potential for attackers to cheat by changing only the QR codes printed by Georgia's BMDs.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Voters cannot read the QR codes, but they are the only part of the ballots that the scanners count. My report details several routes by which malicious hardware or software can manipulate the QR codes and cause the recorded votes to differ from voters' selections. In principle, a rigorous risk-limiting audit would be likely to detect such an attack if the attacker changed enough votes to alter the outcome of the contest being audited, but again Georgia rules require such an audit in only a single statewide contest once every two years. As my report explains, this leaves the vast majority of elections and contests in Georgia vulnerable to QR code (and others) attacks, yet Dr. Gilbert says nothing about this threat.

11. Instead, Dr. Gilbert focuses exclusively on a different threat: attacks that change *both* the QR codes and the ballot text. In addition to the barcode-only attacks I just discussed, my report demonstrates that Georgia's BMDs can be manipulated so that both the barcodes and the printed text indicate the same fraudulent selections. No audit or recount can catch such fraud, because all records of the voter's intent would be wrong. The only reliable way to detect it would be if enough voters carefully reviewed their ballots, noticed that one or more selections differed from their intent, and reported the problems to election officials, *and* if Georgia officials then discerned from the pattern of voter reports that the BMDs were systematically misbehaving. Thus, Dr. Gilbert is mistaken when he contends that the distinction

RETRIEVED FROM DEMOCRACYDOCKET.COM

between "voter-verifiable" and "voter-verified" paper ballots "only matters in principle" (¶ 7). All BMD ballots are potentially voter-verifiable, but unless enough BMD ballots are actually voter-*verified*, BMD-based attacks could alter election outcomes even in the rare instances where the State conducts a risk-limiting audit. And unless *every* BMD ballot is actually voter-*verified*, BMD-based attacks could alter individual voters' selections without detection..

12. A large body of recent scientific evidence has established that few voters are likely to catch errors caused by malicious BMDs. I have reviewed this evidence in previous declarations.[1] It comes from both field observations (which report how long real voters review their ballots during real elections) and laboratory tests (which report the fraction of errors that subjects detect when voting on hacked BMDs in simulated elections). These methodologies are complementary, and results to-date from all studies of both kinds point to a low rate of voter-verification.

13. Dr. Gilbert criticizes field observations because "[t]ime spent reviewing a ballot has little to do with whether it was actually verified" (¶ 9). This claim is inconsistent with accepted election security principles. Of course, they are not exactly the same question, but obviously the time spent reviewing a ballot can

RETRIEVED FROM DEMOCRACYDOCKET.COM

[1] *Halderman decl.* (Dec. 16, 2019), Dkt. 682 at 23-33; *Halderman decl.* (Sept. 1, 2020) Dkt. 855-1 at 6-8, 55.

provide important insight into whether it was likely verified. For example, we can conclude that a voter who spends only a second or two reviewing a lengthy, complicated ballot is unlikely to have reliably verified each of their selections on the ballot. And of course, the same is true for a voter who spends no time at all reviewing their ballot. Review time is both practical to measure and clearly correlated with the error detection success, making it a valuable and relevant metric, as multiple studies confirm.

14. Dr. Gilbert seems to contend, without evidence, that a casual glance is sufficient to review Georgia-style ballots because selections are printed together with party affiliations (¶ 9). He cites no research (and I am unaware of any) that supports this conclusion, particularly when, as in Georgia, the party affiliations are printed in small type and in a different horizontal position for each contest. A real BMD ballot is reproduced on page 15 of my expert report. This is just one example of such a ballot; they can be longer and more confusing. Dr. Gilbert provides no basis for believing that voters would likely catch deliberate errors caused by compromised BMDs when voting such a ballot.

15. Dr. Gilbert references my award-winning peer-reviewed study about voter verification behavior, which found very poor rates of error detection and

RETRIEVED FROM DEMOCRACYDOCKET.COM

reporting in a mock election using BMDs that my team hacked (¶ 10).[2] He contends that my study "ignores the reaction to such manipulation in an actual election, particularly one as heated in the public domain as the 2020 Election." (¶ 11). He does not explain how or why such circumstances would be expected to materially increase voter verification of their respective BMD ballots, nor does he cite any support for his claim to believe they would. And, just last week, the Atlanta Journal-Constitution obtained a study (under the Georgia Open Records Act) commissioned by the Secretary of State's Office in which researchers from the University of Georgia observed Georgia voters during the November 2020 election and reported how long they spent reviewing their BMD ballots.[3] Although it appears the Secretary of State had this study at the time of Dr. Gilbert's response to my report, he does not address or acknowledge it. The new study suggests that voters in the real world review their ballots *even less carefully* than voters in recent laboratory studies—despite the reminders election workers are supposed to give them to carefully review

RETRIEVED FROM DEMOCRACYDOCKET.COM

[2] Matthew Bernhard, Allison McDonald, Henry Meng, Jensen Hwa, Nakul Bajaj, Kevin Chang, and J. Alex Halderman, "Can Voters Detect Malicious Manipulation of Ballot Marking Devices?" In *41st IEEE Symposium on Security and Privacy* (May 2020). Available at https://ieeexplore.ieee.org/document/9152705.

[3] Mark Niesse, "Under half of Georgia voters checked their paper ballots, study shows," *Atlanta Journal-Constitution* (July 27, 2021). Available at https://www.ajc.com/politics/under-half-of-georgia-voters-checked-their-paper-ballots-study-shows/6HSVHHFOBRBDPODRZXLIBTUS64/.

their ballots at the polling sites, which Dr. Gilbert emphasizes as a remedy for poor voter verification of BMD ballots.[4]

16. The University of Georgia researchers report that 20% of voters they observed did not check their ballots at all.[5] Only about 49% examined their ballots for at least one second, and only 19% did so for more than five seconds. This is significantly worse performance than observed in my study, which found that when voters were verbally prompted to review their ballots before casting them, as should occur in Georgia, 63% of voters reviewed their ballots for only *two* seconds or more, compared to 19-49% in the new study.

17. This suggests that laboratory studies like mine tend to *overestimate* the rate at which real Georgia voters would detect errors on their BMD ballots. Since real Georgia voters were observed to review their ballots even less carefully than the

RETRIEVED FROM DEMOCRACYDOCKET.COM

[4] Secretary Raffensperger appears to disagree with Dr. Gilbert about the value of measuring voter review time for assessing voter verification performance. He told the Atlanta Journal-Constitution that the new study "shows voters do indeed review their ballots for accuracy before casting them" and offers "proof the votes that were counted were for the candidates the voters intended." (*Id.*). I agree that the new study provides valuable insights about voter behavior, but, contrary to the Secretary's pronouncements, the results indicate that real Georgia voters are even less likely to detect errors caused by compromised BMDs than previous studies have suggested.

[5] Audrey A. Haynes and M.V. Hood III, "Georgia Voter Verification Study" (January 22, 2021). Available at https://s3.documentcloud.org/documents/21017815/gvvs-report-11.pdf.

participants in my study, it is reasonable to infer that real voters would catch an even smaller fraction of errors. The participants in my study who were similarly prompted to review their ballots caught 14% of errors. Therefore, real voters in Géorgia are likely to catch substantially less than 14% of errors.

18. How often would voters have to detect errors on their BMD ballots to effectively safeguard against attacks? The answer depends on the margin of victory, since an outcome-changing attack would need to change fewer votes in a close .contest. The model from my study shows that, given the margin of victory from the 2020 Presidential contest in Georgia, voters would need to have detected 46% of errors for there to be even one error report per 1000 voters, under a hypothetical scenario where the election outcome had been changed by hacked BMDs.[6] The University of Georgia observations show that barely 49% of voters looked at their ballots for even a second, let alone studied them carefully enough to reliably spot errors.

RETRIEVED FROM DEMOCRACYDOCKET.COM

[6] To reiterate, the November presidential race was the only state-wide contest subjected to a risk-limiting audit. In other contests, attackers could change the outcome by tampering with only the ballot QR codes, and voters would have no practical way to detect this manipulation regardless of how diligently they reviewed their ballots.

19. Dr. Gilbert performs a similar calculation using the baseline error detection rate measured in my study. He finds that an outcome changing attack on Georgia's Presidential contest would have resulted in only 832 voters noticing that their BMD ballots showed the wrong selection. Dr. Gilbert suggests that there have not been such complaints from any voters, and says he finds it implausible that so many voters would have "simply not said anything or otherwise simply corrected their ballot and thought nothing of it then or since" (¶ 12).

20. This is an oddly constructed hypothetical, since Curling Plaintiffs do not claim here that the Presidential outcome was altered by hacking the BMDs. And Dr. Gilbert does not indicate any effort to determine the total number of spoiled ballots in Georgia's Presidential contest, which he presumably could have explored with State Defendants. Neither does he provide any basis to believe there were only 832 or fewer spoiled ballots. But suppose for the sake of argument that the Presidential election outcome in Georgia had been altered by hacking the BMDs, and there *were* complaints from the 832 voters that Dr. Gilbert has calculated. What then? It seems all but certain that these complaints would have been dismissed or drowned out in the cacophonous aftermath of the election or simply disregarded by election workers at the polling sites as voter errors. Yet the official count, the risk-limiting audit, and the recount would all have found the wrong winner, and there would be no

RETRIEVED FROM DEMOCRACYDOCKET.COM

way to recover any altered vote or correct the election outcome short of rerunning the election. With a mere 832 complaints among 5 million participating voters (amidst a sea of other complaints, real and imagined), it is unlikely that poll workers or election officials, including State Defendants, would realize or even suspected there was a systemic problem with the BMDs, and it is completely implausible that they would take the drastic but necessary step of asking Georgians to vote again. Georgia's election system is susceptible to this extraordinary risk as long as it remains vulnerable to the attacks I described in my report (and potentially others).

21. To get to the point of making a decision to rerun an election, State Defendants (among others, perhaps) would first need to know how many voters discovered a problem when verifying their ballots. As Dr. Gilbert points out, the number of spoiled BMD ballots provides an upper bound on the number of voters who discovered and corrected an error (¶ 12). He does not say how many spoiled ballots there actually were in November 2020. If State Defendants knew the number was less than 832, they likely would have shared this fact with Dr. Gilbert, and he would have stated it in his report. It is reasonable to infer that either there were more than 832 spoiled ballots (and the attack is plausible) or State Defendants *do not know* how many BMD ballots were spoiled during the election, eight months later, despite

RETRIEVED FROM DEMOCRACYDOCKET.COM

what Dr. Gilbert acknowledges those ballots would suggest about the reliability of the election.

22. That State Defendants may not know this information is consistent with gaps in other important election data that Georgia counties report to the Secretary of State. State Defendants recently produced electronic data (election projects) that I understand were required to be returned to them by counties after the November 2020 and January 2021 elections. In both elections, a large fraction of counties failed to return any data, returned the wrong data, or omitted data necessary for assessing the security and integrity of the result, such as election databases or ballot images. More than six months after these elections, the Secretary of State has not been able to assemble these electronic records and has not indicated any effort or willingness to do so. Yet the only way that State Defendants could use the number of spoiled ballots as a defense against BMD-based cheating would be if the poll workers accurately tracked it, counties accurately aggregated it, and the Secretary's Office received such data from across the state before the election result was determined. Even then, it is unlikely that the Secretary would be prepared to react by *rerunning the election* if the number of spoiled ballots exceeded the number predicted in an outcome-changing attack.

RETRIEVED FROM DEMOCRACYDOCKET.COM

23. Given the ineffectiveness of such defenses and the critical security problems in Georgia's BMDs, I (like Dr. Appel) recommend that BMDs be reserved for voters who need or request them, as is the case in most states. Dr. Gilbert responds by claiming, without evidence, that "[d]isabled voters are even less likely to identify an error on their printed ballot" (¶ 14). I am unaware of any study that supports this sweeping indictment of voters with disabilities, which encompasses a vast array of disabilities that would not impact the ability of the voter to identify an error on their printed ballot in any way. He also contends that blind voters cannot detect errors on their ballot at all, but this is not true. Many blind voters use assistive technology to read printed text and likely could do so to verify their ballots. Moreover, only some voters who need BMDs are blind. For instance, those with motor impairments that prevent them from marking a ballot by hand would not necessarily have any greater difficulty verifying the printed text than any other voter. In any case, if BMDs are used primarily by voters with disabilities (as in most jurisdictions that use BMDs), they will represent a *much* smaller target,[7] and an

RETRIEVED FROM DEMOCRACYDOCKET.COM

[7] Although Dr. Gilbert cites a figure that would imply that 10% of Georgians who voted in 2020 were disabled, data from Maryland, where BMDs are available upon request, suggests that only about 1.8% of voters would request to use BMDs if they were offered a hand-marked ballot first. (*Halderman decl.*, Aug. 19, 2020, Dkt. 785-2 at 49.) Dr. Gilbert's citation to the number of all Georgia voters with disabilities is highly misleading since, again, very few of those voters would be

outcome-changing attack on any given election will be detectable with a much lower rate of voter error detection than when all in-person voters use BMDs as they do in Georgia today. This in turn creates a strong disincentive for bad actors to attempt hacking an election (the risk likely is not worth the reward when the outcome is highly unlikely to be changed), which means individual votes would be less likely to be altered by hacking.

24. In his only direct response to my expert report, Dr. Gilbert states that he is not aware that I have "provided equipment marred by 'undetectable' hacks to any other independent researcher" (¶ 15).[8] This is a curious and ironic criticism coming from Dr. Gilbert, since he evidently chose not to evaluate my findings through an examination of the voting equipment himself, which he does not explain. Moreover, Dr. Gilbert misreads my report. It does not claim that malicious software infecting a BMD would be undiscoverable by any possible means. If an individual BMD is

RETRIEVED FROM DEMOCRACYDOCKET.COM

unable to vote on a hand-marked paper ballot, consistent with the number reported in Maryland.

[8] Dr. Gilbert ignores that, as I understand it, State Defendants have objected to my report and the underlying work being shared with third parties (except Dominion), including other independent researchers, with whom I am eager to share my work for review. I am confident in my findings and believe they should be shared promptly with appropriate election security researchers and officials in an effort to mitigate the critical vulnerabilities in Georgia's voting equipment that I describe. I invite Dr. Gilbert to join me in seeking State Defendants' consent to do that.

known to contain malware, there will likely be some level of detailed forensic scrutiny that can detect where the malware is, perhaps requiring months of expert analysis per machine at extraordinary expense. It would be completely infeasible to perform this level of analysis on every machine before every election, much less between an election and the deadline for certification of its results. (And after manipulating ballots, malware could remove all traces of its presence from a machine, defeating any possible post-election examination of the device.) What my report shows is that vote-stealing malware of the type I have constructed would not be detected by any of the defenses that State Defendants purport to practice. I describe in detail how such malware would defeat QR code authentication, logic and accuracy testing, on-screen hash validation, and external APK validation (as was used by Pro V&V after the November election). Dr. Gilbert offers no rebuttal to these findings. He does not dispute them or even address them.

25. Moreover, there is already an example of an "undetectable" attack entered into testimony: exploitation of the Drupal vulnerability discovered by Logan Lamb in the Center for Election Systems server. As Lamb attested, the developers of the primary tool for detecting this vulnerability stated that "[n]either [the defensive tool] nor an expert can guarantee a website has *not* been compromised. They can only

RETRIEVED FROM DEMOCRACYDOCKET.COM

confirm with certainty a website *has* been compromised."[9] Furthermore, the Drupal developers state that any server running the vulnerable software after the initial disclosure of the vulnerability should be assumed to have been compromised unless it was patched within *hours* of disclosure. According to the timeline presented in Lamb's declaration, he found the KSU server to be in a vulnerable state on August 28, 2016, nearly two years after the initial announcement of the critical vulnerability (October 15, 2014).[10] The KSU server image also contains evidence that a second vulnerability, the so-called Shellshock flaw, was exploited on December 2, 2014.[11] This vulnerability was publicly disclosed more than two months earlier and widely publicized in the media as a critical vulnerability, yet the KSU server remained unpatched.

26. An attacker who compromised the KSU server could therefore have maintained undetected access to the compromised server. Since the server remained in a vulnerable state undetected for almost two years, it is highly likely that it was successfully attacked at some point in time. An attacker who did so would have been able to move laterally to other systems within the CES network and to other

RETRIEVED FROM DEMOCRACYDOCKET.COM

[9] *Lamb decl.*, Dkt. 258-1 at 19.
[10] See "Drupal Core - Highly Critical - Public Service announcement" (Oct. 29, 2014), available at https://www.drupal.org/PSA-2014-003.
[11] *Halderman decl.* (Sept. 1, 2020) Dkt. 855-1 at 23.

components of Georgia's voting system. As I have previously pointed out, many election system components that could have been compromised in this way are still in use in Georgia today, where they provide a means by which attackers could spread vote-stealing malware to the BMDs.

27. Rather than address the many threats to Georgia's voting system, Dr. Gilbert persists in drawing illogical comparisons between BMDs and hand-marked paper ballots. For instance, he questions why Plaintiffs have presented no research "regarding voters' proclivity to review [hand-marked paper ballots] to ensure their ballots are marked and will count as intended" (¶ 8). Much like Dr. Gilbert's earlier testimony that "[i]n essence, a BMD is nothing more than an ink pen,"[12] one does not need expertise in election security to find fault with this reasoning. Preventing voters from making accidental mistakes is a completely different problem from preventing their selections from being deliberately and systematically changed by an attacker who has compromised the BMDs. There is abundant evidence that voters do sometimes make errors whether filling out a ballot by hand or by machine. Bad ballot design exacerbates this problem with both voting modalities, but following ballot design best practices can greatly reduce it. Both

RETRIEVED FROM DEMOCRACYDOCKET.COM

[12] *Gilbert decl.*, Dkt. No. 658-3 at 60.

BMDs and scanners that count hand-marked ballots can also be configured to reject overvotes and to warn voters about undervotes, the most common kinds of voter errors. Moreover, unlike older technologies for counting hand-marked ballots, the scanners used in Georgia (when properly configured) can detect improperly or incompletely marked bubbles and present them to human operators to adjudicate whether the marks should count as votes. Election officials can use all of these options to help protect voters from their own mistakes, but none of them offers protection against a BMD that deliberately changes the selections printed on a voter's ballot (or those encoded in the ballot barcode). The central problem with Georgia's highly vulnerable BMD system—that attackers can change all records of the voter's intent without being detected by election officials—has no parallel in a hand-marked paper ballot system.

RETRIEVED FROM DEMOCRACYDOCKET.COM

28. Dr. Gilbert concludes as he started, with vague and sweeping generalities. "Simply put, BMD elections systems are no more insecure than [hand-marked] systems" (¶ 16). It is unclear whether he is claiming that *all* BMD systems are at least as secure as all hand-marked systems or merely that some specific BMD system (such as the one he recently developed himself to address some of the reliability problems that exist with Georgia's BMDs) is at least as secure as some hand-marked system, but this is of little consequence. The only BMD system that is

relevant here is the Dominion ICX as used in Georgia. As my expert report details, Georgia's BMD system suffers from numerous, severe vulnerabilities. These vulnerabilities would have little potential to change election outcomes if use of BMDs were limited to voters who need or request them, as Curling Plaintiffs desire, and they would be far less likely to affect the personal votes of individual Georgia voters.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Reply to Declarations of Dr. Benjamin Adida

29. The declarations by Dr. Adida that State Defendants have submitted predate my expert report, so Dr. Adida's opinions are not informed by the critical vulnerabilities in Georgia's BMD equipment that my analysis has revealed or by anything else in my lengthy, detailed report. Nor are they informed by any events that occurred in the year since he first provided these declarations, such as any aspect of the November 2020 election in Georgia or the Secretary of State's study indicating that few voters verified their respective ballots in that election.

30. Nevertheless, Dr. Adida's first declaration is correct that "Running a risk-limiting audit is one of the most important advances states can take in improving election integrity—without an RLA, we are effectively trusting computerized scanners to count our paper ballots" (Dkt. 834-2 at ¶ 5). This is true, but, as my expert report shows, without a risk-limiting audit Georgia is also trusting its critically

vulnerable BMDs to generate ballots with QR codes that correctly reflect voters' selections. Obviously compromised BMDs and compromised scanners could change individual votes and election outcomes. But again, nothing suggests that Georgia's scanners suffer from such easily exploitable critical vulnerabilities as the BMDs do.

31. Dr. Adida and I also agree that RLAs are important for discovering whether compromised BMDs have manipulated enough ballot QR codes to change the outcome of an election (¶ 12). Although RLAs are, as Dr. Adida says, "of the utmost importance" (¶ 6), Georgia does not require an RLA in the vast majority of elections and the vast majority of contests, leaving both election outcomes and individual voters' votes susceptible to manipulation via BMD malware. Additionally, it is insufficient for states to merely (in Dr. Adida's words) "take meaningful steps to implement RLAs"; rather, states have to *actually conduct* reliable RLAs, which Georgia does not intend to do for the vast majority of its elections (or perhaps any of its elections, depending on the reliability of the audit procedures it implements).

32. In his second declaration, Dr. Adida refers to a "dispute amongst academics regarding whether voters verify their ballots using ballot-marking devices" (Dkt. 912-1 at ¶ 11). This statement reflects a misunderstanding of the state of research today. I am not aware of any scientific research that supports the proposition that Georgia voters would likely detect more than a small fraction of

RETRIEVED FROM DEMOCRACYDOCKET.COM

errors caused by BMD malware. In contrast, the past two years have seen a wave of laboratory studies and multiple field observation studies addressing this question, all of which strongly indicate the opposite, that few voters carefully review their ballots and so the vast majority of errors caused by BMD malware would likely to go undiscovered and uncorrected. Although there once was uncertainty about whether most voters carefully verify their BMD ballots, there is no longer any serious scientific dispute that they do not. It is the hallmark of good science (and of good public policy) that it evolves based on new evidence, such as the University of Georgia study commissioned by the Secretary of State that I discussed above—which Dr. Adida has not addressed.

RETRIEVED FROM DEMOCRACYDOCKET.COM

33. Georgia's election system needs to evolve as well. Due to the critical vulnerabilities in Georgia's BMDs that are described in my expert report, Georgia voters face an extreme risk that BMD-based attacks could manipulate their individual votes and alter election outcomes. Even in the rare contests for which the State requires a risk-limiting audit, the scientific evidence about voter verification shows that attackers who compromise the BMDs could likely change individual votes and even the winner of a close race without detection. Georgia can eliminate or greatly mitigate these risks by adopting the same approach to voting that is practiced in most of the country: using hand-marked paper ballots and reserving

BMDs for voters who need or request them. Absent security improvements such as this, it is my opinion that Georgia's voting system does not satisfy accepted security standards. Neither Dr. Gilbert nor Dr. Adida offers a contrary opinion in their respective declarations, instead ignoring the critical issue of whether the *voting system used in Georgia*—which neither claims to have examined—reliably protects the right to vote for individual Georgia voters.

I declare under penalty of the perjury laws of the State of Georgia and the United States that the foregoing is true and correct and that this declaration was executed this 2nd day of August, 2021 in Rushland, Pennsylvania.

J. ALEX HALDERMAN

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit

“G”

RETRIEVED FROM DEMOCRACYDOCKET.COM

United States Election Assistance Commission
Report of Investigation

Dominion Voting Systems D-Suite 5.5-B
Williamson County, Tennessee

March 31, 2022

RETRIEVED FROM DEMOCRACYDOCKET.COM

Jonathon Panek
Director, Voting System Testing and Certification

U.S. ELECTION ASSISTANCE COMMISSION
633 3rd St. NW, Suite 200
Washington, DC 20001

Contents

RETRIEVED FROM DEMOCRACYDOCKET.COM

U.S. ELECTION ASSISTANCE COMMISSION
633 3rd St. NW, Suite 200
Washington, DC 20001

Introduction

In late 2002, Congress passed the Help America Vote Act of 2002 (HAVA), which created the U.S. Election Assistance Commission (EAC) and vested it with the responsibility of setting voting system standards and providing for the testing and certification of voting systems. This mandate represented the first time the Federal government provided for the voluntary testing, certification, and decertification of voting systems nationwide. In response to this HAVA requirement, the EAC has developed the Federal Voting System Testing and Certification Program.

The EAC's Testing and Certification Program includes several quality monitoring tools that help ensure that voting systems continue to meet the EAC's voting system standards as the systems are manufactured, delivered, and used in Federal elections. These aspects of the program enable the EAC to independently monitor the continued compliance of fielded voting systems. One of these tools is field anomaly reporting.

Election officials may submit notices of voting system anomalies directly to the EAC. An anomaly is defined as an irregular or inconsistent action or response from the voting system, or system component, which resulted in the system or component not functioning as intended or expected. Anomaly reports may indicate a voting system is not in compliance with the Voluntary Voting System Guidelines or the procedural requirements of this EAC Testing and Certification Program.

An informal inquiry is the first step taken when information of this nature is presented to the EAC. The sole purpose of the informal inquiry is to determine whether a formal investigation is warranted. The outcome of an informal inquiry is limited to a decision on referral for investigation. A formal investigation is an official investigation by the EAC to determine whether a voting system warrants decertification. The result of a formal investigation is a Report of Investigation.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Reported Anomaly

On November 3, 2021, the EAC received a report from the Tennessee Secretary of State's (TN SoS) office that they were planning an investigation into an anomaly observed in Williamson County, Tennessee during a municipal election held on October 26, 2021, regarding Dominion D-Suite 5.5-B ImageCast Precinct (ICP) tabulators. Close poll reports from 7 of the 18 ICP tabulators used during the election did not match the number of ballots scanned. Subsequent tabulation on the jurisdiction's ICC central count scanner provided the correct tally. The central count tabulation was confirmed via hand count of the paper ballot records on October 27, 2021.

Discussions with the TN SoS on December 17, 2021, and January 5, 2022, following their investigation, provided additional details to the EAC. The details of the anomaly were confirmed and reproduced during the state investigation, though the root cause of the anomaly was not determined.

Formal Investigation

Based upon the information obtained from the TN SoS, the EAC initiated a formal investigation into the matter to determine the necessary actions to obtain the root cause and remedy the issue. The investigation was conducted at the Williamson County Elections Commission facility on January 19 through January 22, 2022. This analysis was performed by both EAC accredited Voting System Test Laboratories (VSTL), Pro V&V and SLI Compliance. The EAC, Williamson County staff, TN SoS, and Dominion staff were present during the analysis.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Testing and Analysis

The first step of the VSTL analysis was verification of the system configuration. Hashes of all components involved were collected and compared to the repository of hashes for the EAC certified system. It was discovered that the system was installed with outdated versions of two configuration files when the system was upgraded from D-Suite 5.5 to D-Suite 5.5-B in January of 2021.

Next, a copy of the election definition used on election day was used to make Compact Flash (CF) cards for the ImageCast Precinct (ICP) scanners and ImageCast X (ICX) ballot marking devices. This election definition was imported into the D-Suite 5.5-B system from a definition originally created on the D-Suite 5.5 system.

Ballots were printed from the ICX and tabulated through the ICP scanners. Multiple ICP scanners were used for tabulation including some that originally exhibited the anomaly during the election and some that did not. Following tabulation, close poll reports and audit logs from the ICP scanners were examined. Results showed that the anomaly was recreated on each of the ICP scanners. This process was repeated several times to understand and isolate the details of exactly when the anomaly occurred and circumstances that may have led to the anomaly occurring.

Analysis of audit log information revealed entries that coincided with the manifestation of the anomaly, a security error "QR code signature mismatch" and a warning message "Ballot format or id is unrecognizable" indicating a QR code misread occurred. When these events were logged, the ballot was rejected. Subsequent resetting of the ICP scanners and additional tabulation demonstrated that each instance of the anomaly coincided with the previously mentioned audit log entries, though not every instance of those audit log entries resulted in the anomaly.

Further analysis of the anomaly behavior showed that the scanners correctly tabulated all ballots until the anomaly was triggered. Following the anomaly, ballots successfully scanned and tabulated by the ICP were not reflected in the close poll reports on the affected ICP scanners.

Additional iterations of testing were performed after updating the configuration files previously mentioned to the proper versions associated with the D-Suite 5.5-B system. The anomaly was recreated using the correct configuration files with the originally programmed election definition.

A final test was performed using an election definition recreated entirely on the D-Suite 5.5-B system with identical parameters to the definition used during the election and for prior testing. The anomaly was not observed during this test, and there were no instances of the security error "QR code signature mismatch" or warning message "Ballot format or id is unrecognizable" in the audit log.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Conclusion of Formal Investigation

The direct cause of the anomaly was inconclusive. Based on the investigation, it's reasonable to conclude that the anomaly is related to the imported D-Suite 5.5 election definition used on the D-Suite 5.5-B system.

On February 11, 2022, Dominion submitted a Root Cause Analysis (RCA) to the EAC. The report indicates that erroneous code is present in the EAC certified D-Suite 5.5-B and D-Suite 5.5-C systems. The RCA report states that when the anomaly occurs, it's due to a misread of the QR code. If the QR code misread affects a certain part of the QR code, the ICP scanner mistakenly interprets a bit in the code that marks the ballot as provisional. Once that misread happens, the provisional flag is not properly reset after that ballot's voting session. The result is that every ballot scanned and tabulated by the machine after that misread is marked as provisional and thus, not included in the tabulator's close poll report totals.

Dominion has submitted Engineering Change Orders (ECO)s for the ICP software in the D-Suite 5.5-B and D-Suite 5.5-C systems: ECO 100826 and ECO 100827. Modified ICP source code was submitted by Dominion that resets the provisional flag following each voting session. The ECO analysis included source code review to confirm the change to both systems and to ensure no other code is changed. A Trusted Build of the modified source code was performed to produce the updated ICP software. This software was then tested for accuracy by processing two thousand ballots printed by an ICX, utilizing the same election definition used in Williamson County, TN on October 26, 2021.

The analysis and testing of the ECOs has demonstrated that the anomaly was successfully fixed. No instance of the anomaly or the associated error or warning messages in the ICP audit logs were observed during the testing. The EAC has approved ECO 100826 and ECO 100827 on March 31, 2022.

HOW CAN SOMETHING BE SUCCESSFULLY FIXED IF THE CAUSE IS INCONCLUSIVE,

DOMINION 'FIXED IT' BY REMOVING THE FLAG.

Exhibit

“G1”

RETRIEVED FROM DEMOCRACYDOCKET.COM

Morgan Co. GA

```
Jun 13/2022 11:47:10    ScanVote Audit    Scanner transport error.
Jun 13/2022 11:47:10    ScanVote          Ballot has been reversed.
Jun 13/2022 11:47:18    Security Error    QR code Signature mismatch.
Jun 13/2022 11:47:18    ScanVote Warning  Ballot format or id is unrecognizable.
Jun 13/2022 11:47:19    ScanVote          Ballot has been reversed.
Jun 13/2022 11:47:27    ScanVote          Scan error (Err #5652), ioctl returns 0,
errno: 5.
Jun 13/2022 11:47:27    ScanVote          Motor steps: 39, max MotorSteps: 2000
Jun 13/2022 11:47:27    ScanVote          Table: 2, current index: 1
Jun 13/2022 11:47:27     Scanner          Current sensor state PS1[off] PS2[off]
PS3[off] PS4[off] PS5[off] PSDV[off] PSDSD[off]
Jun 13/2022 11:47:28    ScanVote          Actual scanning of ballot failed with
error [46023].
Jun 13/2022 11:47:28    ScanVote Audit    Scanner transport error.
Jun 13/2022 11:47:28    ScanVote          Ballot has been reversed.
Jun 13/2022 11:47:36    ScanVote          Ballot 104 processed successfully.
Jun 13/2022 11:47:36    ScanVote          Total number of ballots = 68.
Jun 13/2022 11:55:52    ScanVote          Scan error (Err #5654), ioctl returns 0,
errno: 5.
Jun 13/2022 11:55:52    ScanVote          Motor steps: 2001, max MotorSteps: 2000
Jun 13/2022 11:55:52    ScanVote          Table: 2, current index: 1
Jun 13/2022 11:55:52     Scanner          Current sensor state PS1[on] PS2[off]
PS3[off] PS4[off] PS5[off] PSDV[off] PSDSD[off]
Jun 13/2022 11:55:53    ScanVote          Actual scanning of ballot failed with
error [46022].
Jun 13/2022 11:55:53    ScanVote          Ballot's size exceeds maximum expected
ballot size.
Jun 13/2022 11:55:53    ScanVote          Ballot has been reversed.
Jun 13/2022 11:56:03    ScanVote          Ballot 101 processed successfully.
Jun 13/2022 11:56:03    ScanVote          Total number of ballots = 69.
Jun 13/2022 12:07:51    ScanVote          Ballot 104 processed successfully.
Jun 13/2022 12:07:51    ScanVote          Total number of ballots = 70.
Jun 13/2022 12:12:12    ScanVote          Scan error (Err #5652), ioctl returns 0,
errno: 5.
Jun 13/2022 12:12:12    ScanVote          Motor steps: 360, max MotorSteps: 470
Jun 13/2022 12:12:12    ScanVote          Table: 0, current index: 2
Jun 13/2022 12:12:12     Scanner          Current sensor state PS1[off] PS2[on]
PS3[off] PS4[off] PS5[off] PSDV[off] PSDSD[off]
Jun 13/2022 12:12:12    ScanVote          Actual scanning of ballot failed with
error [46023].
Jun 13/2022 12:12:12    ScanVote Audit    Scanner transport error.
Jun 13/2022 12:12:12    ScanVote          Ballot has been reversed.
Jun 13/2022 12:12:25    ScanVote          Ballot 101 processed successfully.
Jun 13/2022 12:12:25    ScanVote          Total number of ballots = 71.
Jun 13/2022 12:14:15    ScanVote          Ballot 101 processed successfully.
Jun 13/2022 12:14:15    ScanVote          Total number of ballots = 72.
Jun 13/2022 12:14:49    ScanVote          Ballot 101 processed successfully.
Jun 13/2022 12:14:49    ScanVote          Total number of ballots = 73.
```

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit

“G2”

RETRIEVED FROM DEMOCRACYDOCKET.COM

State of Tennessee

The Secretary of State
State Capitol
Nashville, Tennessee 37243-0305

Tre Hargett
Secretary of State

615-741-2819
Tre.Hargett@tn.gov

February 16, 2022

Commissioner Robert Brown
Chairman
Williamson County Election Commission
405 Downs Boulevard
Franklin, TN 37064

Dear Chairman Brown and members of the commission,

Due to the urgency of the pending May election, we wanted to inform you that it is our recommendation that Dominion voting machines not be used in Williamson County. As further discussed below, Dominion has not provided suitable service to the Williamson County Election Commission.

The Williamson County Election Commission purchased the Dominion D-Suite voting system in 2019. In the configuration used by Williamson County, the voter makes selections on an ImageCast X (ICX) ballot marking device, reviews their selections on a printed ballot, and inserts the ballot into an ImageCast Precinct (ICP) optical scanner to be counted. In 2021, the firmware was updated from version 5.5 to version 5.5-B.

As you are aware, an issue occurred in the 2021 Franklin City Election where the tapes from several scanners did not match the number of votes cast, but the centrally tabulated results contained all of the results. After identifying the issue on election night, you completed the count the next day by hand counting the ballots. The following summarizes information regarding the steps taken to determine the cause and a solution for the issue.

- **August 2021** – Dominion programs the election for the Franklin City Election. Williamson County Election Commission staff notifies Dominion that the election has been programed incorrectly. Dominion must reprogram the election because they initially based it on the 2019 election conducted prior to implementation of vote centers.

- **October 26, 2021 (Election Day)** – Tapes printed from 7 of 19 scanners used in the election did not contain all ballots cast on the scanner, but all ballots are counted in the central tabulation when results are delivered to the election commission office based off the hand count.

RETRIEVED FROM DEMOCRACYDOCKET.COM

- **October 27, 2021** – Williamson County Election Commission completes the unofficial count by hand counting paper ballots.

- **November and December 2021** – The state has discussions with the federal Election Assistance Commission regarding the Franklin City Election.

  State election officials, local election officials, and technical staff visit Williamson County to review equipment used in the election. The scanner audit logs show a high number of affected ballots.

  As part of the testing, ballots from one vote center are recreated and processed through several scanners. The issue is replicated randomly on multiple scanners. The tape printed from the scanner contains all results until the first affected ballot. For example, if a batch of 10 ballots was scanned and ballot 6 in the stack was affected, the tape would show only 6 votes.

- **December 2021** – Coordinator Goins notifies Williamson County that he is going to request further review from a federal voting system test laboratory (VSTL).

- **January 19-22, 2022** – Representatives from the EAC and both VSTLs (Pro V&V and SLI Compliance) conduct testing on the equipment in the presence of the Secretary of State and Division of Elections staff.

  The issue is once again replicated randomly. The following observations are made:

  - When the 2019 election project was copied to create the 2021 election project, the device configuration file (DCF) and machine configuration file (MCF) from 2019 were also copied. The 2019 configuration files are associated with D-Suite 5.5 instead of 5.5-B.

  - The configuration files did not match the firmware version of the ICX and ICP, resulting in a configuration that had not been previously tested for certification by the VSTLs. Neither the ICX nor the ICP displayed any kind of error notification about an improper configuration or about the mismatch between the number of ballots cast and the number of ballots on the tape.

  - When an election project is created from scratch in 5.5-B with the correct configuration files and loaded onto the ICX and ICP, limited testing showed no scanner errors.

Dominion representatives have complained about lack of access to the equipment since the Franklin City Election. At all times since the issue was identified, however, Dominion has had access to the election that they programmed for Williamson County and the ability to conduct their own testing.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Given the questions regarding the cause of the issue in the Franklin City Election, the voting system cannot be used in its current configuration in 2022. Although the May election is approaching quickly and poll workers need to be trained before early voting begins on April 13, it is our recommendation that you seek a new voting system for the elections this year.

We stand ready to assist you however we can, including with funds available through the Help America Vote Act. The immediate question will be one of process to determine the proper procurement process under the abbreviated time frame. A short-term lease may be the most feasible option.

We recognize the difficult position you are in. Please let us know how we can help you throughout this process, and thank you for your service to the voters of Williamson County.

Sincerely,

Tre Hargett
Secretary of State

Mark Goins

Mark Goins
Coordinator of Elections

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit

"H"

RETRIEVED FROM DEMOCRACYDOCKET.COM

Speckin Forensics, LLC

120 N. Washington Square, Suite 300
PMB 5068
Lansing, Michigan 48933
517-349-3528 • Fax 954-839-8219

Please Direct Correspondence & Payment Here:
2450 Hollywood Boulevard, Suite 700
Hollywood, Florida 33020
954-763-6134 • Fax 954-839-8219

www.4N6.com

Leonard A. Speckin
Retired Document Analyst

Michael J. Sinke
Retired Latent Print Specialist
Retired Crime Scene Reconstruction
Retired Forensic Document Analyst

Dr. George F. Jackson Ph.D.
Forensic Toxicologist

Erich J. Speckin
Forensic Document Analyst
Ink Dating Specialist

Phillip Matusiak
Computer & Graphics Specialist

Thomas K. Huard Ph.D.
DNA Analyst & Consultant

Marshaun Blake
Arson & Fire Specialist

Anthony A. Milone
Computer & Graphics Specialist
Forensic Document Specialist

Dr. Julie Howenstine
Serologist
DNA Analyst & Consultant
Crime Scene Reconstruction

September 15, 2022

RETRIEVED FROM DEMOCRACYDOCKET.COM

Speckin Forensics was retained to acquire forensic Images of hard drives in Fulton County, Pennsylvania. The images of the drives that are the subject of this report were created on July 13-14, 2022.

A total of six hard drives were tendered for copying and analysis. The hard drives were in the corresponding device and were removed for copying and analysis. The record of the drive and the corresponding machine was recorded. One of the hard drives was not operable at the time of our imaging and therefore was not copied. This can be attempted at a later time with a more time-consuming procedure but has not yet been attempted. The remaining five drives were copied during the time onsite in Pennsylvania. The forensic image of each drive was saved on its own new unused Western Digital 4TB USB hard drive. This allowed for later duplication and examination of the evidence.

Using forensically sound procedures we documented the service tag numbers for all machines and the serial numbers of the corresponding hard drives contained within. Photographs were taken to record this. The drives copied are labeled as follows:

	Service Tag	Computer Name	Serial Number	Machine Model
1	3095PY2	EMSSERVER	59PUPSi1T/ 59PUPSi0T	Dell Precision 3430
3	1FPLNY2	Adjudication01	59OUPRS2T	Dell OptiPlex 3050
4	1FNPHY2	Failed drive	59OUPRRRT	Dell OptiPlex 3050
5	30C4PY2	EMSCLIENT02	59PUPSHNT	Dell Precision 3430
6	30B4PY2	EMSCLIENT01	59PUPSI5T	Dell Precision 3430

The key findings are summarized below:

1. The security measures necessary to harden and secure the machines was not completed. The last update or security patch to the devices shows to be April 10, 2019, and no patches or updates were performed after this date.

2. External USB drives have been inserted on several occasions. We are unaware of any current list of approved external drives that could have been used. Therefore, there is no way to determine if any of the inserted USB drives was from an unauthorized source or if the USB drive further comprised the data or the system.
3. There have been substantial changes to the drives as seen with the inclusion of over 900 .dll files and links created since the date of installation of the Dominion software. This .dll additional pathway is a security breach because of the introduction of an unauthorized script.
4. There have also been no updates to the usernames or passwords as the passwords use default settings like "admin" and "guest". The group policies of the devices remain at default settings which in simple terms allows the username "admin" with password "admin"; complete access to the device.
5. The Adjudication01 workstation has a python script installed after the certification date of the system. This should not be added to the drive after a system has already been certified. This python script can exploit and create any number of vulnerabilities including, external access to the system, data export of the tabulations, or introduction of other metrics not part of or allowed by the certification process.
6. As expected and normal, each of the drives are interconnected in a system to one another. This would be required to provide sharing of data and counts between devices. Because of this networking, unauthorized access any one device, allows unauthorized access to any device connected to the network of devices.
7. An external IP address that is associated with Canada is found on the Adjudication 01. This shows that at least one of the network devices has connected to an external device on an external network. This is the same device that the post certification python script is found.

Procedure:

The hard drives from the computers were removed and connected them to a Forensic workstation. The hard drives were mounted as READ ONLY. Using FTK Imager a bit for bit copy was created using the Expert Witness file format. This is an industry standard format for storing forensic images. During the image creation process a hash value was computed to ensure the integrity of evidence. One of the main uses of hash values is to determine the integrity of data.

The copied data was analyzed using standard computer forensic software generally accepted in the field to search for the elements contained in this report.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Results:

Windows defender was found on the machines which dates to July 2016. No updates have been made since this time. Simply stated this means that viruses or malicious software components created after that date would not be combatted by this protection without the updates.

Further, Dominion published hardening procedures in 2019 that would reduce the chance of the system being compromised and provide additional security measures for the integrity of the system.

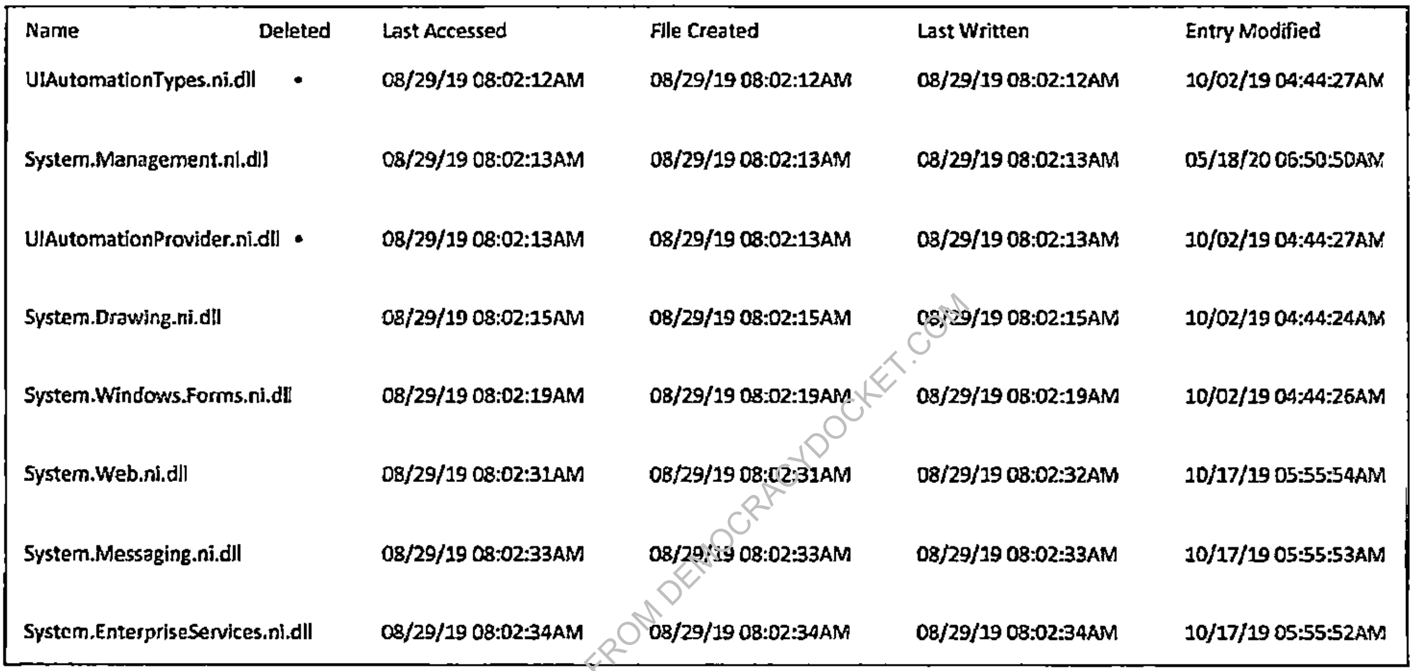
Below is a chart that shows external drives that have been connected to the devices examined.

The Dominion voting Systems software was installed on the devices on 04/10/19, 8/16/19 and 8/23/19. This last install date is consistent with the drives Generic, Canyon, and ScanDisk listed below. However, the 2021 drives do not fit this pattern and are unexplained at this point.

Computer Name	Device	Last Connection Date	Connection Time
3095PY2	PNY USB 2.0 Drive	2019-07-31	16:11
3095PY2	Generic USB Flash Drive	2019-08-23	16:54
3095PY2	Canyon USB Drive	2019-08-23	18:07
3095PY2	ScanDisk Cruzer FIT	2019-08-23	18:15
3095PY2	Samsung Flash Drive	2021-04-22	13:49
3095PY2	Kingston Data Traveler	2021-05-03	20:27
1FPLNY2	Samsung Flash Drive	2021-04-30	19:27
1FPLNY2	Kingston Data Traveler	2021-05-05	13:22

RETRIEVED FROM DEMOCRACYDOCKET.COM

The following chart shows a small sample of .dll activity after the installation date of the voting software.



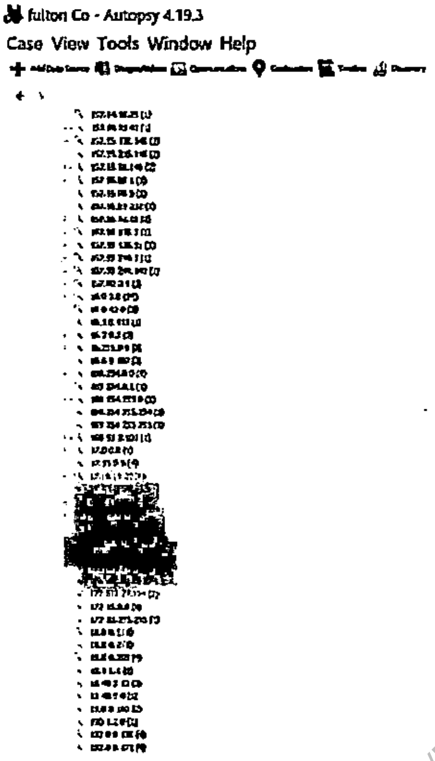
Name	Deleted	Last Accessed	File Created	Last Written	Entry Modified
UIAutomationTypes.ni.dll	•	08/29/19 08:02:12AM	08/29/19 08:02:12AM	08/29/19 08:02:12AM	10/02/19 04:44:27AM
System.Management.ni.dll		08/29/19 08:02:13AM	08/29/19 08:02:13AM	08/29/19 08:02:13AM	05/18/20 06:50:50AM
UIAutomationProvider.ni.dll	•	08/29/19 08:02:13AM	08/29/19 08:02:13AM	08/29/19 08:02:13AM	10/02/19 04:44:27AM
System.Drawing.ni.dll		08/29/19 08:02:15AM	08/29/19 08:02:15AM	08/29/19 08:02:15AM	10/02/19 04:44:24AM
System.Windows.Forms.ni.dll		08/29/19 08:02:19AM	08/29/19 08:02:19AM	08/29/19 08:02:19AM	10/02/19 04:44:26AM
System.Web.ni.dll		08/29/19 08:02:31AM	08/29/19 08:02:31AM	08/29/19 08:02:32AM	10/17/19 05:55:54AM
System.Messaging.ni.dll		08/29/19 08:02:33AM	08/29/19 08:02:33AM	08/29/19 08:02:33AM	10/17/19 05:55:53AM
System.EnterpriseServices.ni.dll		08/29/19 08:02:34AM	08/29/19 08:02:34AM	08/29/19 08:02:34AM	10/17/19 05:55:52AM

RETRIEVED FROM DEMOCRACYDOCKET.COM

At least six different user and administrator accounts on the devices still have the password "Dvscorp2018!!!". This is the default password for the software at the time of installation. It has never been updated nor was it set to expire as should be the case. This is a glaring issue as this is specifically addressed by the Pennsylvania Secretary of State and referencing NIST.

"All jurisdictions implementing the Democracy Suite 5.5x must ensure that no default passwords are used on any devices and that all passwords are complex and secured. Counties must implement an audit process to review and ensure that no default passwords are used upon equipment install/reinstall and routinely change passwords to avoid any password compromise. The passwords and permissions management must at a minimum comply to the password requirements outlined in NIST 800-63".

The log files for the Adjudication device shows an IP address, 172.102.16.22. This IP address comes back to a location in Quebec, Canada, this is a serious issue to be connected remotely to a Canadian system. We cannot determine when this connection occurred or what data was transmitted, but an external connection was made at some point.



fulton Co - Autopsy 4.19.3

[illegible]

[redacted]

[illegible]

RETRIEVED FROM DEMOCRACYDOCKET.COM

Donald A. Smith

Computer Data Specialist

Exhibit

“I”

RETRIEVED FROM DEMOCRACYDOCKET.COM

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

RETRIEVED FROM DEMOCRACYDOCKET.COM

CORECO JA'QAN PEARSON, VIKKI TOWNSEND CONSIGLIO; GLORIA KAY GODWIN; JAMES KENNETH CARROLL; CAROLYN HALL FISHER; CATHLEEN ALSTON LATHAM; and BRIAN JAY VAN GUNDY, Plaintiffs, v. BRIAN KEMP; BRAD RAFFENSPERGER; DAVID J. WORLEY; REBECCA N. SULLIVAN; MATTHEW MASHBURN; and ANH LE, Defendants.	CIVIL ACTION FILE NO. 1:20-cv-4809-TCB

ORDER

Plaintiffs have filed an emergency motion [6] for temporary injunctive relief. In their motion, Plaintiffs seek an order directing Defendants to allow Plaintiffs' expert(s) to inspect the Dominion voting machines in Cobb, Gwinnett, and Cherokee Counties. The Court conducted a Zoom hearing at 7:45 p.m. EST to consider Plaintiffs' motion.

During the hearing, Defendants' counsel argued that the secretary of state has no lawful authority over county election officials, citing *Jacobson v. Florida Secretary of State*, 974 F.3d 1236, 1256–58 (11th Cir. 2020). Plaintiffs' counsel responded that Plaintiffs could amend their complaint to add the elections officials in Cobb, Gwinnett, and Cherokee Counties, thus obviating the issue of whether the proper officials had been named as Defendants to this case.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Defendants' counsel also argued that allowing such forensic inspections would pose substantial security and proprietary/trade secret risks to Defendants. Plaintiffs' counsel responded that Defendants' concerns could be alleviated by an order from the Court (1) allowing Defendants' own expert(s) to participate in the requested inspections, which would be video-recorded, and (2) directing the experts to provide whatever information they obtain to the Court—and no one else—for an *in camera* inspection.

After considering the parties' email submissions today and the arguments advanced at the Zoom hearing, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1.

Defendants shall have until Wednesday, December 2, at 5:00 p.m. EST, to file a brief setting forth in detail the factual bases they have, if any, against allowing the three forensic inspections. The brief should be accompanied and supported by affidavit or other evidence, if appropriate.

RETRIEVED FROM DEMOCRACYDOCKET.COM

2.

Defendants are hereby ENJOINED and RESTRAINED from altering, destroying, or erasing, or allowing the alteration, destruction, or erasure of, any software or data on any Dominion voting machine in Cobb, Gwinnett, and Cherokee Counties.

3.

Defendants are ORDERED to promptly produce to Plaintiffs a copy of the contract between the State and Dominion.

4.

This temporary restraining order shall remain in effect for ten days, or until further order of the Court, whichever comes first.

IT IS SO ORDERED this 29th day of November, 2020, at 10:10 p.m. EST.

Timothy C. Batten, Sr.
United States District Judge

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit

“J”

RETRIEVED FROM DEMOCRACYDOCKET.COM

ICS Advisory (ICSA-22-154-01)

More ICS-CERT Advisories

Vulnerabilities Affecting Dominion Voting Systems ImageCast X

Original release date: June 03, 2022

Legal Notice

All information products included in https://us-cert.cisa.gov/ics are provided "as is" for informational purposes only. The Department of Homeland Security (DHS) does not provide any warranties of any kind regarding any information contained within. DHS does not endorse any commercial product or service, referenced in this product or otherwise. Further dissemination of this product is governed by the Traffic Light Protocol (TLP) marking in the header. For more information about TLP, see https://us-cert.cisa.gov/tlp/.

RETRIEVED FROM DEMOCRACYDOCKET.COM

1. SUMMARY

This advisory identifies vulnerabilities affecting versions of the Dominion Voting Systems Democracy Suite ImageCast X, which is an in-person voting system used to allow voters to mark their ballot. The ImageCast X can be configured to allow a voter to produce a paper record or to record votes electronically. While these vulnerabilities present risks that should be mitigated as soon as possible, CISA has no evidence that these vulnerabilities have been exploited in any elections.

Exploitation of these vulnerabilities would require physical access to individual ImageCast X devices, access to the Election Management System (EMS), or the ability to modify files before they are uploaded to ImageCast X devices. Jurisdictions can prevent and/or detect the exploitation of these vulnerabilities by diligently applying the mitigations recommended in this advisory, including technical, physical, and operational controls that limit unauthorized access or manipulation of voting systems. Many of these mitigations are already typically standard practice in jurisdictions where these devices are in use and can be enhanced to further guard against exploitation of these vulnerabilities.

2. TECHNICAL DETAILS

2.1 AFFECTED PRODUCTS

The following versions of the Dominion Voting Systems ImageCast X software are known to be affected (other versions were not able to be tested):

- ImageCast X firmware based on Android 5.1, as used in Dominion Democracy Suite Voting System Version 5.5-A
- ImageCast X application Versions 5.5.10.30 and 5.5.10.32, as used in Dominion Democracy Suite Voting System Version 5.5-A
  - **NOTE:** After following the vendor's procedure to upgrade the ImageCast X from Version 5.5.10.30 to 5.5.10.32, or after performing other Android administrative actions, the ImageCast X may be left in a configuration that could allow an attacker who can attach an external input device to escalate privileges and/or install malicious code. Instructions to check for and mitigate this condition are available from Dominion Voting Systems.

Any jurisdictions running ImageCast X are encouraged to contact Dominion Voting Systems to understand the vulnerability status of their specific implementation.

RETRIEVED FROM DEMOCRACYDOCKET.COM

2.2 VULNERABILITY OVERVIEW

NOTE: Mitigations to reduce the risk of exploitation of these vulnerabilities can be found in Section 3 of this document.

2.2.1 IMPROPER VERIFICATION OF CRYPTOGRAPHIC SIGNATURE CWE-347

The tested version of ImageCast X does not validate application signatures to a trusted root certificate. Use of a trusted root certificate ensures software installed on a device is traceable to, or verifiable against, a cryptographic key provided by the manufacturer to detect tampering. An attacker could leverage this vulnerability to install malicious code, which could also be spread to other vulnerable ImageCast X devices via removable media.

CVE-2022-1739 has been assigned to this vulnerability.

2.2.2 MUTABLE ATTESTATION OR MEASUREMENT REPORTING DATA CWE-1283

The tested version of ImageCast X's on-screen application hash display feature, audit log export, and application export functionality rely on self-attestation mechanisms. An attacker could leverage this vulnerability to disguise malicious applications on a device.

CVE-2022-1740 has been assigned to this vulnerability.

2.2.3 HIDDEN FUNCTIONALITY CWE-912

The tested version of ImageCast X has a Terminal Emulator application which could be leveraged by an attacker to gain elevated privileges on a device and/or install malicious code.

CVE-2022-1741 has been assigned to this vulnerability.

2.2.4 IMPROPER PROTECTION OF ALTERNATE PATH CWE-424

The tested version of ImageCast X allows for rebooting into Android Safe Mode, which allows an attacker to directly access the operating system. An attacker could leverage this vulnerability to escalate privileges on a device and/or install malicious code.

CVE-2022-1742 has been assigned to this vulnerability.

2.2.5 PATH TRAVERSAL: '../FILEDIR' CWE-24

The tested version of ImageCast X can be manipulated to cause arbitrary code execution by specially crafted election definition files. An attacker could leverage this vulnerability to spread malicious code to ImageCast X devices from the EMS.

CVE-2022-1743 has been assigned to this vulnerability.

2.2.6 EXECUTION WITH UNNECESSARY PRIVILEGES CWE-250

Applications on the tested version of ImageCast X can execute code with elevated privileges by exploiting a system level service. An attacker could leverage this vulnerability to escalate privileges on a device and/or install malicious code.

CVE-2022-1744 has been assigned to this vulnerability.

2.2.7 AUTHENTICATION BYPASS BY SPOOFING CWE-290

The authentication mechanism used by technicians on the tested version of ImageCast X is susceptible to forgery. An attacker with physical access may use this to gain administrative privileges on a device and install malicious code or perform arbitrary administrative actions.

CVE-2022-1745 has been assigned to this vulnerability.

2.2.8 INCORRECT PRIVILEGE ASSIGNMENT CWE-266

The authentication mechanism used by poll workers to administer voting using the tested version of ImageCast X can expose cryptographic secrets used to protect election information. An attacker could leverage this vulnerability to gain access to sensitive information and perform privileged actions, potentially affecting other election equipment.

CVE-2022-1746 has been assigned to this vulnerability.

2.2.9 ORIGIN VALIDATION ERROR CWE-346

RETRIEVED FROM DEMOCRACYDOCKET.COM

The authentication mechanism used by voters to activate a voting session on the tested version of ImageCast X is susceptible to forgery. An attacker could leverage this vulnerability to print an arbitrary number of ballots without authorization.

CVE-2022-1747 has been assigned to this vulnerability.

2.3 BACKGROUND

- **CRITICAL INFRASTRUCTURE SECTORS** Government Facilities / Election Infrastructure
- **COUNTRIES/AREAS DEPLOYED:** Multiple
- **COMPANY HEADQUARTERS LOCATION:** Denver, Colorado

2.4 RESEARCHER

J. Alex Halderman, University of Michigan, and Drew Springall, Auburn University, reported these vulnerabilities to CISA.

3. MITIGATIONS

RETRIEVED FROM DEMOCRACYDOCKET.COM

CISA recommends election officials continue to take and further enhance defensive measures to reduce the risk of exploitation of these vulnerabilities. Specifically, for each election, election officials should:

- Contact Dominion Voting Systems to determine which software and/or firmware updates need to be applied. Dominion Voting Systems reports to CISA that the above vulnerabilities have been addressed in subsequent software versions.
- Ensure all affected devices are physically protected before, during, and after voting.
- Ensure compliance with chain of custody procedures throughout the election cycle.
- Ensure that ImageCast X and the Election Management System (EMS) are not connected to any external (i.e., Internet accessible) networks.
- Ensure carefully selected protective and detective physical security measures (for example, locks and tamper-evident seals) are implemented on all affected devices, including on connected devices such as printers and connecting cables.
- Close any background application windows on each ImageCast X device.
- Use read-only media to update software or install files onto ImageCast X devices.
- Use separate, unique passcodes for each poll worker card.
- Ensure all ImageCast X devices are subjected to rigorous pre- and post-election testing.
- Disable the "Unify Tabulator Security Keys" feature on the election management system and ensure new cryptographic keys are used for each election.
- As recommended by Dominion Voting Systems, use the supplemental method to validate hashes on applications, audit log exports, and application exports.
- Encourage voters to verify the human-readable votes on printout.
- Conduct rigorous post-election tabulation audits of the human-readable portions of physical ballots and paper records, to include reviewing ballot chain of custody and

conducting voter/ballot reconciliation procedures. These activities are especially crucial to detect attacks where the listed vulnerabilities are exploited such that a barcode is manipulated to be tabulated inconsistently with the human-readable portion of the paper ballot. (**NOTE:** If states and jurisdictions so choose, the ImageCast X provides the configuration option to produce ballots that do not print barcodes for tabulation.)

Contact Information

For any questions related to this report, please contact the CISA at:

Email: CISAservicedesk@cisa.dhs.gov
Toll Free: 1-888-282-0870

For industrial control systems cybersecurity information: https://us-cert.cisa.gov/ics
or incident reporting: https://us-cert.cisa.gov/report

CISA continuously strives to improve its products and services. You can help by choosing one of the links below to provide feedback about this product.

This product is provided subject to this Notification and this Privacy & Use policy.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit

“K”

RETRIEVED FROM DEMOCRACYDOCKET.COM

OFFICIAL ELECTION BULLETIN

May 27, 2022

TO: **County Election Officials and County Registrars**

FROM: **Ryan Germany, General Counsel**

RE: **Open Records Request for Ballot Images**

Many counties have received a request for copies of physical ballots (as opposed to ballot images). Physical ballots are not subject to public disclosure and Georgia courts have held that such documents are by law prohibited from being open to inspection by the general public. Ballot images created by the voting system are public, and you should provide copies of ballot images once your election project (which contains the ballot images) has been certified and you are able to fulfill the request.

Physical ballots are not subject to open records. OCGA 21-2-574 makes possession of ballots by "any person, other than an officer charged by law with the care of ballots" a felony. Physical ballots should always be in your custody and control prior and required to be kept under seal. The argument made by the requestors that the ballots are not yet under seal is wrong and has been specifically rejected by Georgia courts. In an case seeking election records, the Georgia Court of Appeals concluded that when materials (such as ballots) are "statutorily designated to be kept under seal, it is by law prohibited or specifically exempted from being open to inspection by the general public and, therefore, is not an open record subject to disclosure." *Smith v. DeKalb County*, 288 Ga. App. 574 (2007). Physical ballots are election documents that are by law to be kept under seal. The timing of the open records request does not change that designation or magically make documents that the law requires to be kept under seal open to public inspection.

The requestor also asks that instead of giving him access to the actual ballots, that you make a photocopy of the ballots. Under no circumstances should local election officials make copies of voted ballots as this would open you up to allegations of copying ballots or attempting to stuff the ballot box. It should not happen.

Georgia law has dealt with the issue of transparency regarding voted ballots by expressly making scanned ballot images created by the voting system subject to public disclosure. OCGA 50-18-71(k). Physical ballots other than the ballot images that will be part of your certified election project are not subject to public disclosure and are specifically prohibited by law from being open to public disclosure.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit

“L”

RETRIEVED FROM DEMOCRACYDOCKET.COM

VOTERGA
Voters Organized for Trusted Election Results in Georgia

SUBJECT : Preliminary Expert Analysis of Commissioner District 2 Discrepancies

To:
Dele Lowman Smith dlsmith@dekalbcountyga.gov (chair)
Nancy Jester njester@dekalbcountyga.gov (vice-chair)
Susan Motter smotter@dekalbcountyga.gov
Anthony Lewis antlewis@dekalbcountyga.gov
Karli Swift kswift@dekalbcountyga.gov
Keisha Smith klsmith@dekalbcountyga.gov (Elections Director)

June 3, 2022

Dear DeKalb Co. Board Members and Director Smith,

I want to thank each of you again for your commitment and dedication to ensure the accuracy of the 2022 Primary races by ordering a full hand count audit of the District2 Commission race. The hard work of the staff and volunteers found results and outcome **totally different** than the results and outcome the Dominion voting system reported. You are now faced with a difficult task of determining why the discrepancies exist and what to do.

To assist your efforts, **I asked our international team of experts to review the discrepancies.** The team includes a half dozen experts who are highly experienced in information technology, voting system forensics, data analysis and investigative research. I personally have over 40 years of Information Technology experience in a wide variety of disciplines as well as 20 years of part time research into electronic voting systems.

We have heard the discrepancies found in the District2 race could have been created by error after one candidate withdrew from the race. This error could have caused a candidate alignment mismatch in the ballot definitions between Ballot Marking Devices (BMD) and scanner/tabulators. We sought to answer the question: ***"Could such a ballot definition misalignment of candidates be the sole reason for the results discrepancies found?"*** Even when we consider the five precincts affected by redistricting (see Appendix), the unanimous answer is ***"No!"*.**

A ballot definition misalignment of candidates could **not** be the sole reason for the discrepancies found because:

- There is over a 1,300-vote difference between the voting system total votes cast and the hand count audit votes cast. **This total vote discrepancy has nothing to do with a ballot definition alignment.** The current Dominion system simply **failed** to count those votes regardless of how the candidates are aligned.
- A ballot definition alignment mismatch would typically show all of one candidate's votes for another candidate and all of that candidate's votes for still another candidate. That was not the case for District2 as **there are a variety of different types of inexplicable discrepancies that fit no particular pattern.**
- A ballot definition alignment mismatch between scanners and BMDs would show similar discrepancies for all in person voting. Instead, **the inexplicable discrepancies are dramatically more pronounced on Election Day as opposed to Early Voting.**

RETRIEVED FROM DEMOCRACYDOCKET.COM

Given these facts we make the following logical conclusions:

- **There is a far more serious counting problem with the Dominion voting system than a ballot definition mis-alignment of candidates would cause.**
- **There is no single mistake that DeKalb Co. staff could have made to cause the dramatic, voting system counting errors that have been uncovered since some of the errors are outside the staff's control.**
- **Since the voting system counting errors cannot be attributed to candidate withdrawal, DeKalb County must audit the other races on the ballot to ensure that they are accurate.**
- **Copies of ballots produced independently of the voting system are necessary to verify the results of other races if audits are not conducted before certification.**
- **Since this is the only Georgia 2022 primary race that has been audited, the findings of the audit have dire implications for the validity of certifications by other counties throughout the state.**

I want to conclude by thanking all the members of the DeKalb County Election Board and the staff for recognizing your paramount duty is to ensure the accuracy of the election and by not succumbing to outside pressure to certify an election that you know has incorrect results. Although you have inherited a difficult problem you are laying the foundation for building DeKalb County into a shining example of how to handle severe election reporting problems through your commitment to election integrity and transparency.

Should you need assistance in auditing other races or performing other activities, we are glad to help supply volunteers from the greater metropolitan area for such a critical effort.

Sincerely,

Garland

Garland Favorito
garlandf@voterga.org
404 664-4044

VOTERGA
Voters Organized for Trusted Election Results in Georgia

RETRIEVED FROM DEMOCRACYDOCKET.COM

VOTERGA

Voters Organized for Trusted Election Results in Georgia

Appendix:

District 2 results reported on May 24

Candidate	Election Day	Advance Voting	Absentee by Mail	Provisional	Total
Lauren Alexander	2671	1428	283	0	4382
Marshall Orson	3343	1490	393	0	5226
Michelle Long Spears	589	2019	423	0	3031
Total Votes	6603	4937	1099	0	12639

Votes omitted by a redistricting error should be added to table above

Candidate	Election Day	Advance Voting	Absentee by Mail	Provisional	Total
Lauren Alexander	322	141	21	0	484
Marshall Orson	181	100	20	0	301
Michelle Long Spears	440	175	24	0	639
Total Votes	943	416	65	0	1424

District 2 results of hand count reported on June 1

Candidate	Election Day	Advance Voting	Absentee by Mail	Provisional	Total
Lauren Alexander	3008	1457	265	7	4737
Marshall Orson	2069	1492	362	5	3928
Michelle Long Spears	4080	2152	415	4	6651
Donald Broussard	53	41	39	0	133
Total Votes	9210	5142	1081	16	15449

RETRIEVED FROM DEMOCRACYDOCKET.COM

Exhibit

“M”

RETRIEVED FROM DEMOCRACYDOCKET.COM

Kevin M. Moncla
824 Lake Grove Drive
Little Elm, TX 75068
469-588-7778
KMoncla@gmail.com

David Cross
4805 Spring Park Circle
Suwanee, GA 30024
678-925-6983
DCross108@protonmail.com

October 03, 2022

Georgia State Election Board
2 MLK Jr. Drive
Suite 802 Floyd West Tower
Atlanta, Georgia 30334

Mr. Matt Mashburn
mmashburn@georgia-elections.com

Dr. Jan Johnston
JJohnstonMD.seb@gmail.com

Mrs. Sara Tindall Ghazal
SaraGhazal.seb@gmail.com

Mr. Edward Lindsey
Edwardlindsey.seb@gmail.com

Ex officio:
Mr. Brad Raffensperger
Secretary of State
214 State Capitol
Atlanta, Georgia 30334

VERIFIED NOTICE AND DEMAND FOR EMERGENCY REVIEW

Members of the board:

Kevin Moncla and David Cross, hereinafter "complainants", are submitting this Official Notice and Demand for Emergency Review regarding deficiencies discovered with Georgia's Dominion Democracy Suite 5.5A(GA) election equipment. These problems are consistent with that found last year in Williamson County, TN, and confirmed by the Election Assistance Commission (EAC) as further explained below. Following this incident, Williamson County immediately suspended use of Dominion voting systems and replaced the machines with those of another manufacturer.

Those same anomalies, among others, have been witnessed in several separate incidents and the same errors have been documented in 65 of the 67 counties, some 97%, across the state of Georgia. We have evidenced these specific problems having occurred during the 2020 general election and again during the recent 2022 primaries. Without intervention, the material effect on mid-term election contests and the disenfranchisement of thousands of Georgia voters is **imminent**.

Therefore, we are seeking Immediate Emergency Review by the Georgia State Election Board, and for cause state as follows:

Two issues have been found in nearly every county from which we've been able to obtain the requisite records:

RETRIEVED FROM DEMOCRACYDOCKET.COM

1. The same "*QR code signature mismatch*" and "*Ballot format or ID unrecognizable*" error pair has been found across the state of Georgia as that evidenced as the triggering event of the anomaly in the EAC's investigation into the Williamson incident.
2. Tabulator ballot reversal attributed to error, followed by the same ballot being subsequently accepted by the scanner. This sequence is found in tandem with the error pair detailed in number 1 above and is consistent with that found by the EAC's Williamson incident investigation. Our investigation has revealed the same rejected-then-accepted pattern occurring in concert with several other errors, and at an alarming volume affecting approximately 20% of all ballots cast from across the state of Georgia.

The deficiencies noted above are also associated with several instances in which ballots were found to be scanned by the tabulator but not reflected in the tabulator count. This too is consistent with the manifestation of the anomaly as found with the Williamson incident. This bears repeating. The anomalies have not only been identified by locating the same errors in common with the Williamson Incident, but have also been realized by the discovery of ballots having been scanned but not included in the tabulator results:

A. Dekalb County, 2022 Primaries- Hand-count revealed approximately 2800 ballots which had been scanned but not included in the tabulator results.

B. Gwinnett County, 2020 General Election- Approximately 1600 ballots were scanned but not included in the tabulator results.

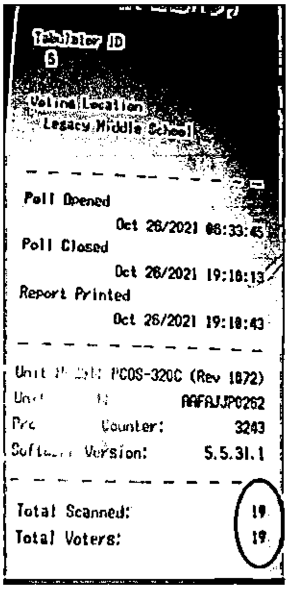
C. Floyd County, 2020 General Election- Hand-count found approximately 2800 ballots which were scanned but not included.

RETRIEVED FROM DEMOCRACYDOCKET.COM

Additionally, complainants have also found the same error pair in Coffee County for the 2020 general election. This is significant as the irregularities witnessed by county election officials are consistent with those found in conjunction with the Williamson Incident.

THE WILLIAMSON INCIDENT

On October 26, 2021, a municipal election was held in Williamson County, Tennessee. An astute poll watcher meticulously documented the happenings at one of the polling locations as the polls closed. Poll workers began their reconciliation process which included counting the paper ballots and comparing it to that which was counted by the 2 tabulators. One tabulator had 163 paper ballots but the poll closing tape only showed 79 ballots counted. The second tabulator contained 167 paper ballots and the corresponding poll closing tape showed only 19 ballots had been counted.

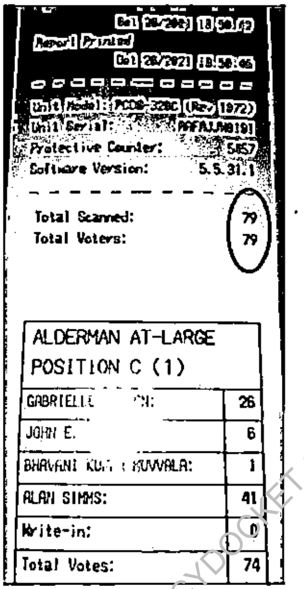


Tabulator ID
6
Voting Location
Legacy Middle School

Poll Opened
Oct 26/2021 06:33:45
Poll Closed
Oct 26/2021 19:18:13
Report Printed
Oct 26/2021 19:18:43

Unit Model: PCOS-320C (Rev 1872)
Unit Serial: AAFAJJP0262
Protective Counter: 3243
Software Version: 5.5.31.1

Total Scanned: 19
Total Voters: 19



Oct 26/2021 18:50:[illegible]
Report Printed
Oct 26/2021 18:50:46

Unit Model: PCOS-320C (Rev 1972)
Unit Serial: AAFAJJN0191
Protective Counter: 5857
Software Version: 5.5.31.1

Total Scanned: 79
Total Voters: 79

ALDERMAN AT-LARGE POSITION C (1)	
GABRIELLE [illegible]:	26
JOHN E.	6
BHAVANI KUMAR KUVVALA:	1
ALAN SIMMS:	41
Write-in:	0
Total Votes:	74

At one polling location, 330 ballots were scanned, and only 98 ballots were counted. The same scenario repeated itself in several polling locations, with 7 of the 18 tabulators having scanned significantly more ballots than those counted.

This led to the Secretary of State performing their own investigation where they were able to repeat the anomaly but could not find the cause. The EAC performed an investigation on site, and after multiple rounds of testing were able to isolate what was triggering the anomaly (A true and correct copy of the EAC's report is attached hereto as "Exhibit A"). From the EAC's report:

> *Analysis of audit log information revealed entries that coincided with the manifestation of the anomaly; a security error "QR code signature mismatch" and a warning message "Ballot format or id is unrecognizable" indicating a QR code misread occurred. When these events were logged, the ballot was rejected. Subsequent resetting of the ICP scanners and additional tabulation demonstrated that each instance of the anomaly coincided with the previously mentioned audit log entries, though not every instance of those audit log entries resulted in the anomaly.*
>
> *Further analysis of the anomaly behavior showed that the scanners correctly tabulated all ballots until the anomaly was triggered. Following the anomaly, ballots successfully scanned and tabulated by the ICP were not reflected in the close poll reports on the affected ICP scanners.*

The EAC report then states:

> ***"The direct cause of the anomaly was inconclusive."***

RETRIEVED FROM DEMOCRACYDOCKET.COM

This statement, as admitted in the conclusion of the EAC's report, frames the scope of this problem. The EAC is admitting that they do not know what caused the Dominion voting machines not to count ballots. Even so, the EAC defers to Dominion:

> *On February 11, 2022, Dominion submitted a Root Cause Analysis (RCA) to the EAC. The report indicates that erroneous code is present in the EAC certified D-Suite 5.5-B and D-Suite 5.5-C systems. The RCA report states that when the anomaly occurs, it's due to a misread of the QR code. If the QR code misread affects a certain part of the QR code, the ICP scanner mistakenly interprets a bit in the code that marks the ballot as provisional. Once that misread happens, the provisional flag is not properly reset after that ballot's voting session. The result is that every ballot scanned and tabulated by the machine after that misread is marked as provisional and thus, not included in the tabulator's close poll report totals.*

RETRIEVED FROM DEMOCRACYDOCKET.COM

The first problem with the paragraph above is that Dominion indicates:

> "*...erroneous code is present in the EAC certified D-Suite 5.5-B and D-Suite 5.5-C systems.*"

There is no explanation or definition of erroneous code, nor how it got there. Was it malware? Second is Dominion's claim that the anomaly is:

> "*...due to a misread of the QR code, the ICP scanner mistakenly interprets a bit in the code that marks the ballot as provisional.*"

A QR code has a signature or checksum within the code itself. In other words, the QR code contains a mathematical validation method. Therefore, a QR code is either read or it isn't, but it cannot be misread. This fact alone removes the root from Dominion's Root Cause Analysis.

Third, tabulators do not scan provisional ballots, at least not in the United States. A provisional ballot is one that is held subject to a deficiency being cured and is always a hand marked paper ballot- with no QR code. A provisional ballot is customarily placed in an envelope and addressed by election officials after the polls close. If the deficiency is cured then the ballot is no longer a provisional ballot, rather just a ballot, and can be scanned as such. The provisional "feature" or option is one that we now know exists. The same can be easily exploited to essentially hide or smuggle ballot images using the flashcard's provisional folder[1] which is effectively hidden from the tabulator and poll workers.

The EAC's report goes further to explain how Dominion addressed the deficiency:

[1] See "Ballot Scanner Protocol Complaint" which details the replacing of tabulator flash cards during early voting.

> *Dominion has submitted Engineering Change Orders (ECO)s for the ICP software in the D-Suite 5.5-B and D-Suite 5.5-C systems: ECO 100826 and ECO 100827. Modified ICP source code was submitted by Dominion that resets the provisional flag following each voting session.*

Here the EAC says that Dominion modified the source code to reset the provisional flag presumably after each ballot is scanned. This does not address the cause which has not been identified and does not prevent a ballot being erroneously flagged as provisional and then sent to the provisional folder. Dominion's code only resets the flag. Perhaps a better option would have been to remove the code supporting the provisional functionality altogether since it isn't used in the United States.

Lastly, the EAC's report concludes with the following:

> *The analysis and testing of the ECOs has demonstrated that the anomaly was successfully fixed. No instance of the anomaly or the associated error or warning messages in the ICP audit logs were observed during the testing. The EAC has approved ECO 100826 and ECO 100827 on March 31, 2022.*

Nearly as stunning as the EAC's admission that the direct cause of the anomaly was inconclusive, is the statement on the very same page that the anomaly was successfully fixed. The contradiction, "We don't know what caused it, but it's fixed" wouldn't be acceptable coming from a car mechanic, much less the Election Assistance Commission addressing the systems (critical infrastructure) which tally our votes.

Another interesting point which was discovered during the EAC's investigation is the fact that this anomaly suspiciously caused the tabulator's protective counter not to increment.[2] The protective counter is a legally required meter which counts every ballot scanned, including test ballots, for the life of the tabulator. Like a car's odometer, the protective counter cannot be suspended, manipulated, or reset and is coded to the hardware of the machine; however, this anomaly somehow caused the protective counter not to count the ballots being scanned when the corresponding ballot images were hidden in the provisional folder.

Said another way, the security feature used to reconcile the number of ballots scanned by a tabulator was disabled during the same event that hid ballots and prevented the tabulator from counting them. That's two separate counters, controlled by two separate mechanisms (software and hardware) both suppressed by functionality not used in the United States.

Also, important to note is that the erroneous code and errors both survived Logic and Accuracy Testing across seven tabulators.

Lastly, if the "erroneous code" was not due to malware and was a mistake by Dominion's

[2] See Engineering Change Order Analysis Form attached hereto as "Exhibit B".

RETRIEVED FROM DEMOCRACYDOCKET.COM

programmers then how did it survive certification testing? This would also suggest that the "erroneous code" could have affected several past elections in these various locales unbeknownst to anyone. Dominion claims it only affected Democracy Suite 5.5B and 5.5C, but doesn't state from what point in time.

The significance of the Williamson Incident is not only its direct and instant effects, but it has also established the fact that a ballot has the capacity to alter the behavior of the tabulator, including how and which votes are counted. Both Dominion and the EAC have acknowledged this fact by affirming that the anomaly was triggered by the scanning of a QR code. This capacity alone is clearly a threat to the integrity of the voting systems and thus our critical infrastructure.

QR CODE SIGNATURE MISMATCH IN GEORGIA

Despite Dominion's assertion that the anomaly was limited to Democracy Suite 5.5B and 5.5C, it has now been confirmed to exist in the software version used in Georgia's Democracy Suite 5.5A. Complainants have acquired the ICP system log files showing the same error pair as that of the Williamson Incident in 64 of the 66 counties for which they have obtained records. (See the tabulator System Log file with the corresponding error pair for each of the 64 counties attached hereto as "Exhibit C").

Additionally, the same QR Code signature mismatch error is not limited to the ICP but has now been confirmed with the Image Cast Central (ICC) tabulator as well.

The Williamson Incident was uncovered through the reconciliation process at the polling location. Specifically, the poll workers counted the number of paper ballots then compared that number to the poll closing tape of the scanner and the discrepancy was revealed.

Georgia has no such process for early voting as the tabulators are not closed until after the polls close on election night, and not by the early voting poll managers, but by third parties. Therefore, there is no way with which any discrepancy would be uncovered. Furthermore, we have previously documented the early-voting tabulator closing process practiced in several counties was devoid of any reconciliation whatsoever and in violation of nearly all Rules and Regulations defining the same.[3] Because of the lack of basic election accounting, both by design and practice, it becomes clear there is essentially no way such a phenomenon could be caught during the normal course of business.

There are several documented incidents in Georgia that are consistent with the Williamson Incident in that ballots were scanned by the tabulator, but not counted by the tabulator. Important to note that these were discovered by happenstance. Three such incidents are detailed below:

[3] See Official Complaint submitted to the Georgia State Election Board (SEB) regarding tabulator closing protocol attached hereto as "Exhibit D".

RETRIEVED FROM DEMOCRACYDOCKET.COM

DEKALB 2022 PRIMARIES

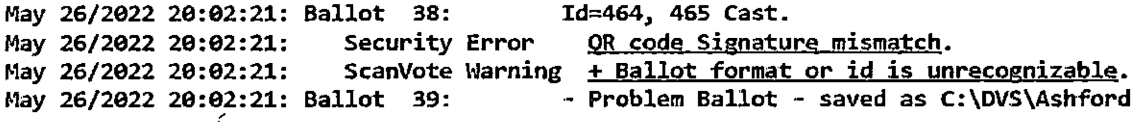
After the results came in, Michelle Long Spears, Candidate for the May 24th Dekalb County Commission 2 race, found herself in 3rd place and seemingly out of the run-off. Spears demanded a hand-count after several precincts showed that she had received zero votes, including her own precinct where she and her husband had cast votes for her. The hand-count revealed that not only had she not come in last, but that she had won. The error in counting was purportedly caused by tabulators not being properly updated when a candidate had dropped out of the race- causing votes to be attributed to the wrong candidates. This same scenario was said to have caused the problem in Antrim County, Michigan during the 2020 General Election in which Joe Biden erroneously received several thousand votes for President Trump.

RETRIEVED FROM DEMOCRACYDOCKET.COM

In addition to votes being credited to the wrong candidate in Dekalb, the hand count also revealed approximately 2,810 ballots that had been scanned by the tabulators, but not counted by the tabulators. The candidate-removed-from-the-ballot theory may explain the misattributed votes, but does not explain the 2810 uncounted ballots. An article[4] covering the issue states:

> *"The press release does not explain the large discrepancy between the machine count on Election Night and the subsequent hand count. It also doesn't explain the appearance of 2,810 more votes cast than were initially reported."*

Strangely the uncounted ballots are not addressed nor explained; however, the Dekalb County tabulator System Log files from the May primaries reveal the presence of the same "QR code Signature mismatch" error pair as that which the EAC found triggered the Williamson Incident anomaly:



```
May 26/2022 20:02:21: Ballot  38:         Id=464, 465 Cast.
May 26/2022 20:02:21:    Security Error    QR code Signature mismatch.
May 26/2022 20:02:21:    ScanVote Warning  + Ballot format or id is unrecognizable.
May 26/2022 20:02:21: Ballot  39:        - Problem Ballot - saved as C:\DVS\Ashford
```

While there may be another explanation than the cause and effect consistent with the Williamson Incident for the uncounted ballots, there is not one which can be found in the public record. The post-election discovery of 2,810 uncounted ballots further establishes that no reconciliation, accounting, or canvass process exists in Georgia for if it did then the same would have revealed a discrepancy and the fact that ballots were missing from the count.

[4] Hand count in District 2 DeKalb Commission race changes runoff picture – Decaturish - Locally sourced news

FLOYD COUNTY 2020 GENERAL ELECTION

Following the 2020 General Election, the Georgia Secretary of State, Brad Raffensperger, ordered a hand count of all paper ballots. During the course of the hand count, several counties found ballots which were not included in the November 3rd results. In all incidents, the uncounted ballots were attributed to flashcards that had not been uploaded or included in the results. Floyd County was one where approximately 2,700 ballots were not included in the November 3rd results, but despite reports to the contrary, the uncounted ballots were not due to an unreported flashcard.

An astute investigative journalist and reporter, Heather Mullins, chronicled the incident in real-time.[5] In an interview with Floyd County election officials and Dominion technicians present, Mullins directly asks if the discrepancy could be caused by a flashcard that wasn't uploaded. The official says "No, they have ruled out a flashcard". He goes on to say that they don't know why the ballots weren't counted. The Floyd County tabulator System Log files show the presence of the same "QR code signature mismatch" error pair as that which the EAC found triggered the Williamson Incident anomaly:

```
Nov 30/2020 14:32:18:    Security Error    QR code Signature mismatch.
Nov 30/2020 14:32:18:    ScanVote Warning  + Ballot format or id is unrecognizable.
Nov 30/2020 14:32:18: Ballot  47:         - Problem Ballot - saved as C:\DVS\ICC
advanced\Project\NotCastImages\NotCast_038_001_002.tif.
```

RETRIEVED FROM DEMOCRACYDOCKET.COM

While there may be another explanation than the cause and effect consistent with the Williamson Incident for the uncounted ballots, there is not one which can be found in the public record. The outstanding flashcards further establishes that no reconciliation, accounting, or canvass process exists in Georgia, for if it did then the same would have revealed a discrepancy and the fact that ballots were missing from the count.

GWINNETT COUNTY 2020 GENERAL ELECTION

A Declaration filed by Marilyn Marks in the Curling V. Raffensperger case describes a problem witnessed by Ms. Marks during the 2020 General Election count in Gwinnett County. Specifically, Marks states:

> *12. During the November 3, 2021 election, Harri Hursti and I visited Gwinnett County Elections for several hours on multiple days as they were having significant*

[5] (1) Heather Mullins on Twitter: "Floyd County, GA: After a FULL day of rescanning, counting, &amp; software techs troubleshooting, election officials (while VERY transparent), still had NO answer as to what caused 2700 votes to go uncounted. Dominion techs said they could not comment. Listen to this! @RealAmVoice https://t.co/v6j9lMatXH" / Twitter

> *problems with the Dominion server processing certain batches of scanned ballot images uploaded on precinct scanner memory cards. County officials disclosed in public announcements that several thousand ballots (tens of thousands of votes) in the batches could not be processed. Mr. Hursti and I watched Dominion technicians make repeated unsuccessful efforts to process the ballots.*
>
> *13. A Dominion technical expert, David Moreno, was flown in from Denver to attempt to remedy the vote tabulation problem, County spokesman Joe Sorenson repeated explained that ballots were simply failing to be processed by the system, and that thousands of ballots were caught up in the failure.*
>
> *14. Based on contemporaneous discussions with Mr. Hursti, who was watching Mr. Moreno's actions and computer screens, it appeared that that Mr. Moreno made software code changes in real time to circumvent the problem to force the system to process most, but not all, of the uncounted ballots. After most of the ballots were processed and counted, Gwinnett quickly closed and certified the election. I estimated that at the time the election was certified at least 1,600 ballots remained uncounted. I asked county officials repeatedly, in emails and on site, for an accounting of these ballots, but received no response.*
>
> *15. A few days later a statewide hand count audit of the presidential race was conducted. I was an authorized monitor of the audit process in several counties including Gwinnett. According to the audit summary published by the Secretary of State, attached hereto as Exhibit 1, during the audit Gwinnett discovered 1,642 more ballots than were originally counted. This confirmed my belief that over 1,600 ballots had not been counted even after Dominion made real time software changes and the Gwinnett Board of Elections certified the result.*

RETRIEVED FROM DEMOCRACYDOCKET.COM

Marks meticulously details the fact that there were 1,642 more ballots than originally counted *"...even after Dominion made real time software changes and the Gwinnett Board of Elections certified the result.*". The tabulator System Log files from the Gwinnett County General Election reveal the same "QR code signature mismatch" error pair as that which the EAC found triggered the Williamson Incident anomaly:

```
Nov 04/2020 13:32:44:    Security Error    QR code Signature mismatch.

Nov 04/2020 13:32:44:    ScanVote Warning  + Ballot format or id is unrecognizable.

Nov 04/2020 13:32:44: Ballot  40:       - Problem Ballot - saved as C:\DVS\Nov 2020 AV-Shorty
Howell ICC 2B 79-156\Project\NotCastImages\NotCast_001_002_001.tif.
```

While there may be another explanation than the cause and effect consistent with the Williamson Incident for the uncounted ballots, there is not one which can be found in the public record. The outstanding ballots further establishes that no reconciliation, accounting, or canvass process exists in Georgia, for if it did then the same would have revealed a discrepancy and the fact that ballots were missing from the count.

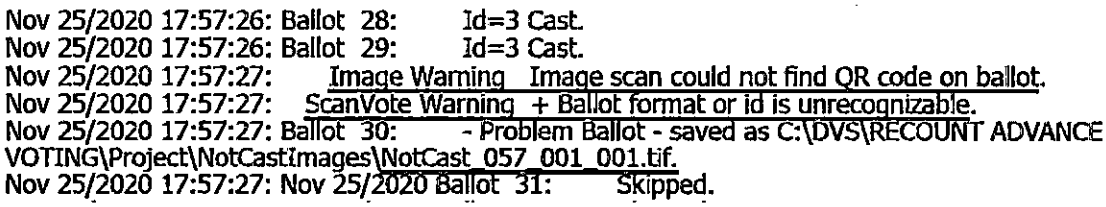
OTHER ERRORS

Although the "QR code signature mismatch", along with the "Ballot format or ID unrecognizable" pair were the only ones acknowledged by Dominion and the EAC to affect the tabulator counting process, there are several other errors potentially yielding the same result.

When the tabulator produces an error, the ICP "reverses" or returns the ballot to the voter. Aside from a genuine mechanical or folded paper error, the ICP should reverse the same ballot for the same error no matter how many times the ballot is scanned (within acceptable tolerances). For example, A "QR code signature mismatch" error should be reversed on the second, third, and 25th attempt; however, the logs and corroborating witness testimony reveal that ballots are being reversed on the first attempt but accepted on the second or subsequent scanning attempts. This too is consistent with what the investigations by the Tennessee Secretary of State and the EAC found in Williamson, TN.

Because the same ballot which initially triggers an error causing it to be reversed is subsequently accepted, strongly suggests that either the error as initially returned is not really an error, or the machine is grossly inaccurate. Complainants have effectively ruled out inaccuracy as the same pattern repeats itself in county after county. The ballot is scanned and then reversed due to an error, followed by the ballot being accepted seconds later with no error.

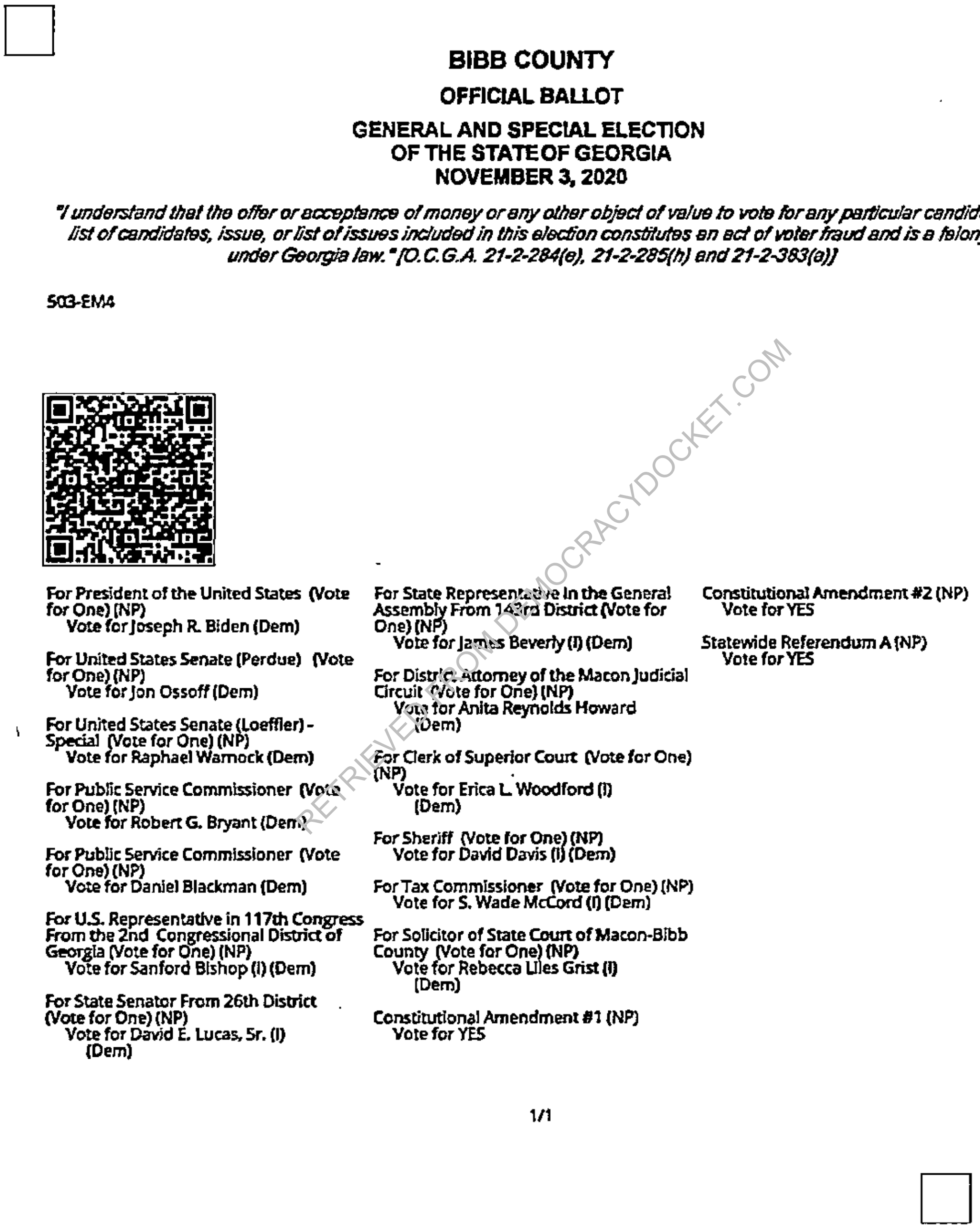
What's more, we have been able to identify the exact ballots which triggered various errors as each time an error is generated, the ballot is reversed and the image of the ballot which triggered the error is placed in the "Not Cast Images" folder. For example, the tabulator log file below shows that a ballot was reversed due to the error "*Image scan could not find QR code on ballot*":



```
Nov 25/2020 17:57:26: Ballot  28:       Id=3 Cast.
Nov 25/2020 17:57:26: Ballot  29:       Id=3 Cast.
Nov 25/2020 17:57:27:     Image Warning   Image scan could not find QR code on ballot.
Nov 25/2020 17:57:27:   ScanVote Warning  + Ballot format or id is unrecognizable.
Nov 25/2020 17:57:27: Ballot  30:       - Problem Ballot - saved as C:\DVS\RECOUNT ADVANCE
VOTING\Project\NotCastImages\NotCast_057_001_001.tif.
Nov 25/2020 17:57:27: Nov 25/2020 Ballot  31:       Skipped.
```

RETRIEVED FROM DEMOCRACYDOCKET.COM

The ballot image "NotCast_057_001_001.tif" was reversed due to the "*Image scan could not find QR code on ballot*" error is shown below:



BIBB COUNTY

OFFICIAL BALLOT

GENERAL AND SPECIAL ELECTION
OF THE STATE OF GEORGIA
NOVEMBER 3, 2020

"I understand that the offer or acceptance of money or any other object of value to vote for any particular candidate, list of candidates, issue, or list of issues included in this election constitutes an act of voter fraud and is a felony under Georgia law." [O.C.G.A. 21-2-284(e), 21-2-285(h) and 21-2-383(a)]

503-EM4

For President of the United States (Vote for One) (NP)
Vote for Joseph R. Biden (Dem)

For United States Senate (Perdue) (Vote for One) (NP)
Vote for Jon Ossoff (Dem)

For United States Senate (Loeffler) - Special (Vote for One) (NP)
Vote for Raphael Warnock (Dem)

For Public Service Commissioner (Vote for One) (NP)
Vote for Robert G. Bryant (Dem)

For Public Service Commissioner (Vote for One) (NP)
Vote for Daniel Blackman (Dem)

For U.S. Representative in 117th Congress From the 2nd Congressional District of Georgia (Vote for One) (NP)
Vote for Sanford Bishop (I) (Dem)

For State Senator From 26th District (Vote for One) (NP)
Vote for David E. Lucas, Sr. (I) (Dem)

For State Representative In the General Assembly From 143rd District (Vote for One) (NP)
Vote for James Beverly (I) (Dem)

For District Attorney of the Macon Judicial Circuit (Vote for One) (NP)
Vote for Anita Reynolds Howard (Dem)

For Clerk of Superior Court (Vote for One) (NP)
Vote for Erica L. Woodford (I) (Dem)

For Sheriff (Vote for One) (NP)
Vote for David Davis (I) (Dem)

For Tax Commissioner (Vote for One) (NP)
Vote for S. Wade McCord (I) (Dem)

For Solicitor of State Court of Macon-Bibb County (Vote for One) (NP)
Vote for Rebecca Liles Grist (I) (Dem)

Constitutional Amendment #1 (NP)
Vote for YES

Constitutional Amendment #2 (NP)
Vote for YES

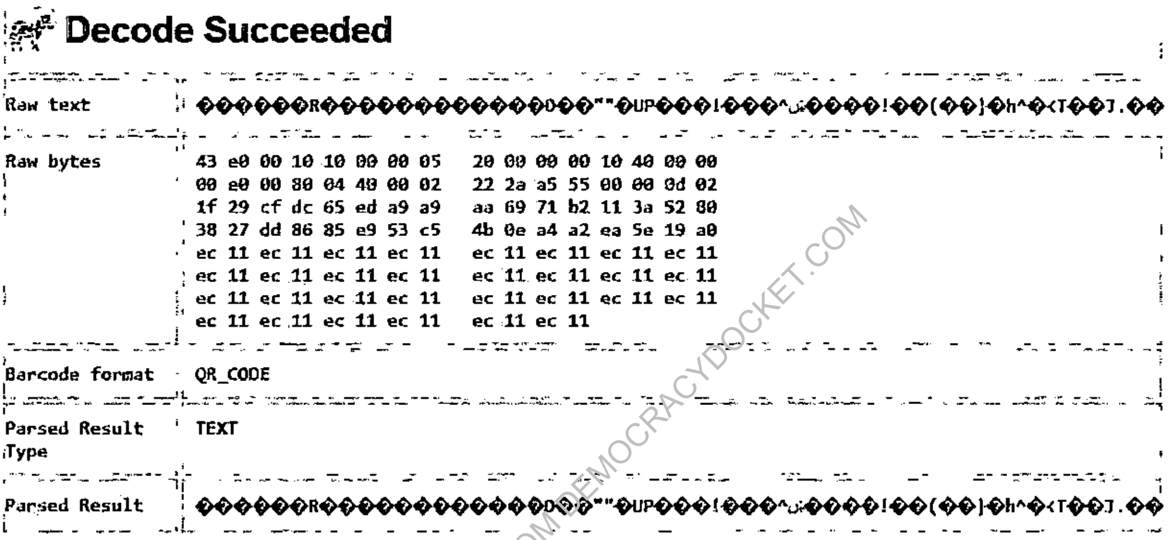
Statewide Referendum A (NP)
Vote for YES

1/1

RETRIEVED FROM DEMOCRACYDOCKET.COM

The QR code is clearly visible and is in exactly the correct position on the ballot. Also, the image is crisp with no visible deficiency whatsoever. It's important to note that the same imaging devices which capture the image also read the QR code. This removes the possibility that dirt, ink or dust caused the error. For if it did, the image above would reflect the deficiency, as that is the very image the tabulator read and reversed. Therefore, if that very ballot image was scanned it should return the very same error, but it does not.

Complainants scanned the ballot image using the very same QR code software that Dominion tabulators use to read QR codes[6] which is available online at www.zxing.org. The image that was reversed due to error scanned successfully:



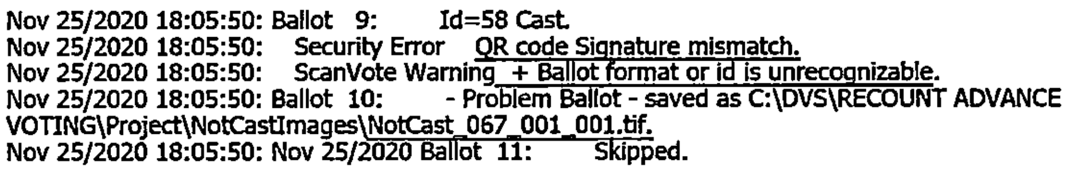
Decode Succeeded

```
Raw text            ������R��������������D��""�UP���!���^ﾑ�����!��(��}�h^�<T��J.��

Raw bytes           43 e0 00 10 10 00 00 05   20 00 00 00 10 40 00 00
                    00 e0 00 80 04 40 00 02   22 2a a5 55 00 00 0d 02
                    1f 29 cf dc 65 ed a9 a9   aa 69 71 b2 11 3a 52 80
                    38 27 dd 86 85 e9 53 c5   4b 0e a4 a2 ea 5e 19 a0
                    ec 11 ec 11 ec 11 ec 11   ec 11 ec 11 ec 11 ec 11
                    ec 11 ec 11 ec 11 ec 11   ec 11 ec 11 ec 11 ec 11
                    ec 11 ec 11 ec 11 ec 11   ec 11 ec 11 ec 11 ec 11
                    ec 11 ec 11 ec 11 ec 11   ec 11 ec 11

Barcode format      QR_CODE

Parsed Result       TEXT
Type

Parsed Result       ������R��������������D��""�UP���!���^ﾑ�����!��(��}�h^�<T��J.��
```

RETRIEVED FROM DEMOCRACYDOCKET.COM

The same software that Dominion tabulators use to read QR codes was not only able to find the QR code but also read and decode it successfully. This shows that no actual error condition existed at the time it was scanned because the image above is the actual image that triggered the error.

The following is another example. The System Log file shows a ballot was rejected due to a "QR code Signature mismatch" error (same error that the EAC named as triggering the anomaly in the Williamson Incident).

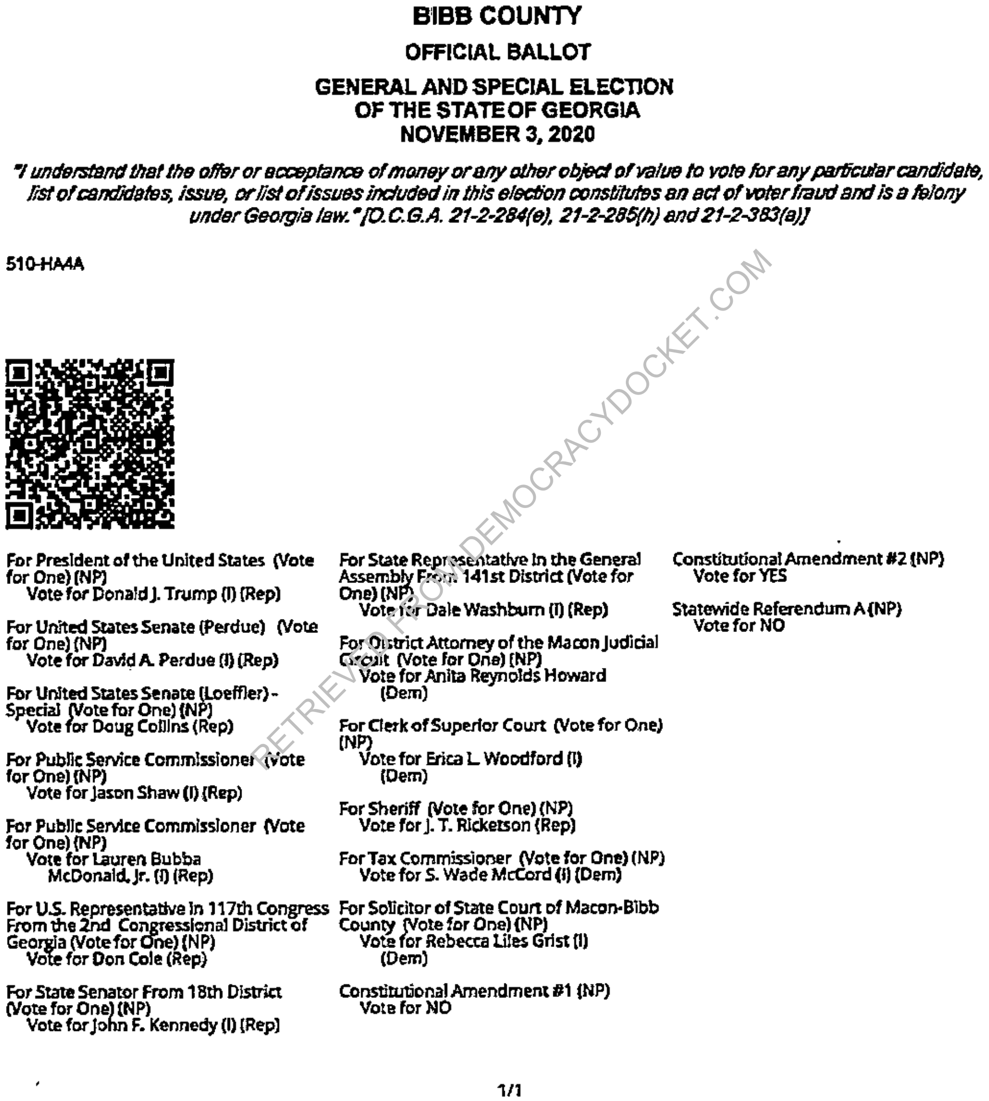


```
Nov 25/2020 18:05:50: Ballot  9:       Id=58 Cast.
Nov 25/2020 18:05:50:    Security Error   QR code Signature mismatch.
Nov 25/2020 18:05:50:    ScanVote Warning  + Ballot format or id is unrecognizable.
Nov 25/2020 18:05:50: Ballot  10:       - Problem Ballot - saved as C:\DVS\RECOUNT ADVANCE
VOTING\Project\NotCastImages\NotCast_067_001_001.tif.
Nov 25/2020 18:05:50: Nov 25/2020 Ballot  11:       Skipped.
```

[6] See Dominion Democracy Suite 5.5A software configuration as tested on pg. 19 of the "As Run Test Plan" located here: *VVSG 2005 Cert Test Plan (eac.gov)

Page 13

The ballot image "NotCast_067_001_001.tif" was rejected due to the "QR code Signature mismatch" error is shown below:



BIBB COUNTY

OFFICIAL BALLOT

GENERAL AND SPECIAL ELECTION
OF THE STATE OF GEORGIA
NOVEMBER 3, 2020

"I understand that the offer or acceptance of money or any other object of value to vote for any particular candidate, list of candidates, issue, or list of issues included in this election constitutes an act of voter fraud and is a felony under Georgia law." [O.C.G.A. 21-2-284(e), 21-2-285(h) and 21-2-383(a)]

510-HA4A

For President of the United States (Vote for One) (NP)
Vote for Donald J. Trump (I) (Rep)

For United States Senate (Perdue) (Vote for One) (NP)
Vote for David A. Perdue (I) (Rep)

For United States Senate (Loeffler) - Special (Vote for One) (NP)
Vote for Doug Collins (Rep)

For Public Service Commissioner (Vote for One) (NP)
Vote for Jason Shaw (I) (Rep)

For Public Service Commissioner (Vote for One) (NP)
Vote for Lauren Bubba McDonald, Jr. (I) (Rep)

For U.S. Representative in 117th Congress From the 2nd Congressional District of Georgia (Vote for One) (NP)
Vote for Don Cole (Rep)

For State Senator From 18th District (Vote for One) (NP)
Vote for John F. Kennedy (I) (Rep)

For State Representative in the General Assembly From 141st District (Vote for One) (NP)
Vote for Dale Washburn (I) (Rep)

For District Attorney of the Macon Judicial Circuit (Vote for One) (NP)
Vote for Anita Reynolds Howard (Dem)

For Clerk of Superior Court (Vote for One) (NP)
Vote for Erica L. Woodford (I) (Dem)

For Sheriff (Vote for One) (NP)
Vote for J. T. Ricketson (Rep)

For Tax Commissioner (Vote for One) (NP)
Vote for S. Wade McCord (I) (Dem)

For Solicitor of State Court of Macon-Bibb County (Vote for One) (NP)
Vote for Rebecca Liles Grist (I) (Dem)

Constitutional Amendment #1 (NP)
Vote for NO

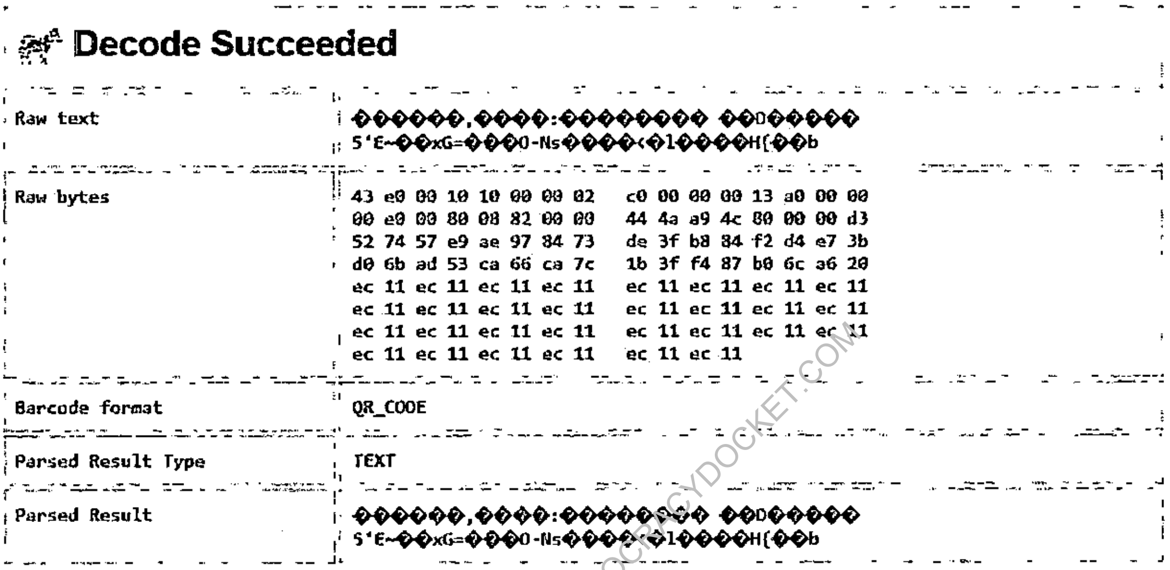
Constitutional Amendment #2 (NP)
Vote for YES

Statewide Referendum A (NP)
Vote for NO

1/1

RETRIEVED FROM DEMOCRACYDOCKET.COM

Complainants once again used the www.zxing.org website and the same software used by Dominion to read the QR code ballot image above. The very ballot image that was rejected due to a QR code signature mismatch error, was somehow successfully decoded using the very same software.



Decode Succeeded

Raw text	������.����:�������� ��D������ 5'E~��xG=���0-Ns����<�1����H{��b
Raw bytes	43 e0 00 10 10 00 00 02 c0 00 00 00 13 a0 00 00 00 e0 00 80 08 82 00 00 44 4a a9 4c 80 00 00 d3 52 74 57 e9 ae 97 84 73 de 3f b8 84 f2 d4 e7 3b d0 6b ad 53 ca 66 ca 7c 1b 3f f4 87 b0 6c a6 20 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11 ec 11
Barcode format	QR_CODE
Parsed Result Type	TEXT
Parsed Result	������,����:�������� ��D������ 5'E~��xG=���0-Ns����<�1����H{��b

Again, a QR code is either read or it isn't read, but it cannot be misread. Complainants have tested hundreds of these ballot images reversed due to error and they are all read and decoded successfully.

Because of this, we did an analysis on the number of ballots being reversed and why they were being reversed (The report and the breakdown for each county we evaluated is in a report attached hereto as "Exhibit D"). This analysis included 13 randomly selected counties and includes over 100,000 scanned ballots.

RETRIEVED FROM DEMOCRACYDOCKET.COM