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November 4, 2022

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Re: Final Complaint Regarding Fatal Flaws in Dominion Voting Machines

Dear Sirs and Madams:

We are forced to re-submit this complaint as a final effort to urge the State Election Board (the "Board") to address the issues we have previously raised, and to refute the unsupported assertions of an anonymous "technician" in response to our original complaint (Exhibit A, hereinafter referred to as the "Initial Submission"). The Initial Submission sets forth the background in greater detail, but we have been communicating with Chairman Duffey since early September to forestall the occurrence of machine anomalies that is certain to call into question the legitimacy of the upcoming election.

Our Initial Submission was summarily disposed of by what we must characterize as an uninformed "technical consultant" (response as Exhibit B) ("Response"). It is possible that the State's Technical Consultant (hereinafter referred to as the "STC") simply misunderstood what was being asked. Allow us to be charitable and not assume that he or she was either incompetent or willfully attempting to mislead Chairman Duffey and the Board. ***But we raised serious concerns and did not receive a serious response***.

Below is a highlight summary, including the facts as we see them and an overview of the sur-rebuttal to the Response contained in this letter:

Background and Summary:

1. On September 27, 2022, one of the Complainants, Mr. David Cross, submitted a note to Chairman Willian Duffey of the Board. Because of the urgency of the situation, Mr. Cross did not include this as a formal

complaint to the Board, but simply wanted Chairman Duffey to have access to the same information that he has – that is, in 65 of 67 counties in Georgia for which system log files exist (so-called "SLOG files")[1], a "QR code signature **mismatch**" error created an anomaly that prevented votes from being read in the final vote count.

2. Mr. Cross may have "jumped the gun" by submitting this evidence, but it was so compelling and needed either explanation or an investigation. Chairman Duffey had asked for "facts" and "data", and Mr. Cross believed the identified errors were too great to wait for a more formal submission.

3. Shortly after midnight on October 12, 2022, Complainants both submitted a Verified Notice and Demand for Emergency Review to the SEB in which they documented the following:

   A. SLOG files from the Dominion ICP Tabulators from 65 of the 67 counties showed the same "**QR code signature mismatch**" error that the Election Assistance Commission ("EAC") identified as that which triggered the anomaly in Williamson County, Tennessee.

   B. Despite conclusory statements in the Response. none of Williamson County, the EAC, nor Dominion Voting Machines were able to determine the exact cause of the anomaly. As a result, Williamson County terminated its contracts with Dominion.

   C. The anomaly in Williamson County caused ballots that were scanned by the tabulator to go uncounted and essentially hidden from the tabulator (affected ballots were not included on poll closing tapes nor tallied on the Protective Counter).

   D. Complainants detailed several instances in Georgia where ballots were found uncounted by the tabulator even though they had been scanned with the same "**QR code signature mismatch**" error on the corresponding SLOG files.[2]

   E. In Georgia, an alarming 18.6% of the ballots scanned were being rejected by the scanner for various uncurable errors (i.e., the ballot was successfully read and rejected), but then putatively accepted on subsequent scans.

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[1] Many counties have already destroyed or overwritten their SLOG files. We believe this practice is illegal and a felony. See fn. 5, *infra*.

[2] The EAC report states that those ballots were effectively hidden (in the "provisional" folder) from both the ballot scanner and the protective counter, thereby removing the ballot from the count and hiding it from all reconciliations. Exhibit 13, page 4 in the Initial Submission. Pro V&V came to the same conclusion.

F. This "rejected-then-accepted" pattern is consistent with that of the Williamson anomaly and is indicative of a serious defect. Because Georgia has no credible accounting for Advance Voting there is no way of knowing if there are votes that are simply not being recorded without further investigation under the supervision of state authorities, preferably not the Secretary of State, which is not a disinterested party to any investigation.

4. In response to Mr. Cross's first note with the data, Chairman Duffey had the STC review the data. The Response (prepared by the STC) was both inaccurate and misleading. We summarize it and the information set forth in this letter with the following:

   A. The STC misattributes the Williamson incident to human error, even though the EAC admitted that the exact cause could not be identified and Dominion claims "erroneous code" is to blame.

   B. The STC incorrectly dismisses the unacceptable ballot reversals and corresponding errors as "expected" of machines after "4 or 5 elections". They claim human error is largely to blame, and also the cause for the "*QR code signature mismatch*" error.

   C. All of the STC's assertions are proven false by the facts, our analysis, reports by the EAC, Dominion, and the three (3) Declarations of subject matter experts we include as exhibits to this sur-rebuttal.

   D. Complainants reassert their findings and further support and explain those very serious problems we've raised several times. The same problems which we've warned are certain to disenfranchise voters if allowed to persist without intervention; reports of this issue are rising in certain counties as Advanced Voting is currently underway.

   E. The relief Complainants seek is only that which is lawful, logical, and necessary to mitigate the effects the identified deficiencies may have on the election results -- the enforcement of the existing rules promulgated and codified by the SEB governing Advance Voting reconciliation and ballot scanner poll closing procedure.

   F. We do, however, seek an automatic remedy for failure to comply with the reconciliation and poll closing rules referenced above -- to hand count the number of paper ballots to match the count of the tabulator and voter check-ins. This is a practice that used to be followed on a regular basis, and now seems to be threatened by the Secretary of State, who is forbidding it. We propose additional rules below.

Technical Response:

Despite the arrogant and irrelevant statement in the Response that the SLOG files were "designed for technicians," we have been using technical consultants as well -- each of them were flabbergasted by the flippant response we received. See their reports, attached. They are named – and not hiding their credentials. The anonymous nature of the Response leaves open what the STC knows about the State's election processes, the Dominion machines, or the initial complaint.

Suffice it to say that the experts we have consulted do not believe that the Response was responsive -- in the least. Of course, none of us are perfect, but when we see anomalies, we try to correct them as we can – or investigate to learn the truth. But we fear the ridiculous response of this particular consultant will be used to justify dismissal of the instant complaint without investigation, rule, or remedy, as with so many other complaints that go unanswered.

Thus, we have included the statements from each of our experts and they have agreed to go on-the-record with their names and assessments, unlike the STC. They have each prepared a response, and their statements are attached as Exhibits C, D and E. We have summarized below our collective response to the four numbered paragraphs in the Response authored by the STC and the final paragraph of unknown provenance. Each item of the response is discussed below the restatement from the Response.

Before we begin, it is worth noting that even the first paragraph of the response to Mr. Cross misstates the question presented.

> *Mr. Cross: I had your September 27, 2022, complaint and the data attached with it reviewed by an outside testing company to evaluate if the data you provided supports the same undervote problem that was discovered in Williamson County, Tennessee. The following was reported to me:"*

Chairman Duffey says he has had the Initial Submission reviewed in connection with the "same *undervote problem*" in Williamson County, Tennessee. We don't know what instructions were given to the STC, but this is not an "undervote problem." An "undervote" suggests that the voter made no selection for one or more contests on an otherwise voted ballot, as opposed to the Williamson County anomaly which essentially removed the entire ballot from the tabulator count.

As stated in the Initial Submission, these anomalies are consistent with the Williamson County anomaly that caused the County to fire Dominion Voting Machines (same error and uncounted ballots). But there is no way to positively identify that which we've documented in Georgia is of the same cause, because *the exact cause of the Williamson anomaly remains undetermined*.

Nevertheless, the same serious deficiencies have been positively identified in Georgia, no matter the cause, and will continue to threaten the election system without the immediate intervention of the Board. As for the remaining paragraphs, the first response reads as follows:

> *1. The SLOG (system log) file in the scanner is designed for technicians and includes the entire life of the unit. It is not election-specific and includes everything that happens with the unit over its life.*

First, the STC must know that the claim that the system log "is not election specific" is blatantly incorrect. Dominion's Georgia User Guide states:

> "Memory Cards - Memory cards are also known as CF or Compact Flash cards. The memory cards are used to hold the election definition files, audio ballots, scanned ballot images, and results files ***for a single election***." (Emphasis added)

The SLOG file is designed to log the details of all events and activities of the scanner during one election and is stored on two compact flash cards. There are other parts of the technology, like the protective counter[3], that include "everything that happens with the unit over its life" but that is not the case with the ICP SLOG files.

Additionally, court-recognized systems expert Doug Logan submits the following testimony: [4]

> SLOG files are written alongside result files. For ImageCast Precinct (ICP) tabulators this is on the media that was built for the election and is inserted into the tabulator. For ImageCast Central (ICC) tabulators, this is the network location specific to the election where the results are saved. In either case, the SLOG file would be new every single election and would not be "for the life of the tabulator".
>
> In fact, when importing results into Dominion's software "Results Tallying and Reporting" ("RTR"), one of the options is to import the SLOG files for that given election. These are stored with the election results because they are tied with an individual election.

Paragraph 1 of the Response seems to be intended to mislead or confuse.[5] The second paragraph in the Response is equally irrelevant and misleading:

> *2. The reports in the log files for signature mismatch and other categories that you cited are expected for scanners that have been used in 4-5 elections. The types of "errors" reported in the SLOGs include a range of events from someone feeding a ballot into a*

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3 The Protective Counter maintains a count of every ballot scanned on a tabulator during the life of the tabulator, akin to vehicle's odometer; the Williamson anomaly somehow caused the protective counter not to increment.

4 A true and correct copy of the Declaration of Douglas Logan is included in this submission as "Exhibit C".

5 What's more, Georgia's practice is to "recycle" the memory cards. This entails formatting and reprogramming the memory cards. We believe this practice is illegal and a felony in violation of O.C.G.A. § 21-2-73 and 52 U.S.C. § 20701, although this is not the subject of this submission. By wiping clean and recycling memory cards, the record of the prior election is destroyed. Millions of ballot images from across the state were deleted in violation of the laws requiring that they be preserved. The State Election Board could consider a rule to make clear what it considers election related documents.

> *scanner crooked to someone feeding in a blank ballot during testing of the equipment before the election.*

This is again a straw man comment intended to deflect any investigation of the errors. As noted above, the reports referenced in the SLOG files are only for whichever election the log details. For example, the SLOG file for the Coffee County May 24th Primary states:

> Election Name: Coffee 2022 05 24 Gen Spec Prim C
> Election Date: Tuesday, May 24, 2022

The STC literally claims that such errors "are expected for scanners that have been used in 4-5 elections". The rationale seems to be that there is an expected and rapid degradation of the scanner's accuracy through the course of normal use in just 4-5 elections. This is obvious nonsense and insulting to anyone who is familiar with these machines. We can also prove it wrong through County data which documents approximately the same error rates for the 2020 primary (the first Georgia election held on these machines).

Expected or otherwise, the ballot error reversals far exceed the corresponding tolerance as defined by the Election Assistance Commission (EAC). Our analysis of the ICP tabulator SLOG files include those from 13 random counties encompassing 104,821 ballots cast. Out of those, 23.7 percent initiated errors and the ballots were reversed (returned to voter) at a rate of **18.6 percent**. According to Dominion's own SLOG files for the 13 counties we analyzed, 18,601 ballots were reversed and returned due to error. According to the Election Assistance Commission ("EAC") Voluntary Voting System Guidelines[6] (VVSG):

> **1.2-G-Misfeed Rate Benchmark**
>
> **The voting system misfeed rate must not exceed 0.002 (1/500)**
>
> Multiple feeds, misfeeds (jams) and rejections of ballots that meet all manufacturer specifications are all treated collectively as 'misfeeds' for benchmarking purposes, that is, only a single count is maintained."

The misfeed rate according to the EAC "must not exceed 1/500" ballots, **Georgia is averaging nearly one (1) out of five (5) – or nearly 100 times the acceptable error rate**. Systems expert and bona fide election systems "technician" Clay Parikh (formerly of Pro V&V)[7] reviewed our findings as submitted to the Board as well as the STC's analysis. Mr. Parikh states:

> **It is a malfunction and is considered a VVSG failure whether 5% or 20%.** At the very minimum the EAC should suspend the use of this particular version of the voting system until an investigation is completed. This is according to the guidance

[6] See the EAC's Voluntary Voting System Guidelines (VVSG) here: https://www.eac.gov/sites/default/files/TestingCertification

[7] Mr. Parikh tested voting systems for EAC certification for 9 years at two (2) Voting System Testing Laboratories ("VSTL"), the last of which was Pro V&V, who tested Georgia's current system for EAC certification. See his statement at "Exhibit D".

I have read published by the EAC.

These findings are also consistent with those of Russel Ramsland and Allied Services Operations Group ("ASOG") found in Antrim County, Michigan immediately following the 2020 General Election. ASOG discovered and documented an error/ballot reversal rate of some 67%. Not only was Mr. Ramsland and ASOG correct in regard to this aspect of their findings, we have recently confirmed that the same condition persists to this day in parts of Michigan. It also must be said that ASOG's findings were erroneously dismissed simply because of a report by a previously respected, and once thought credible, J. Alex Halderman, who regarded the same as "benign". Complainant, the EAC, and logic, disagree[8].

The STC does not dispute that the errors are occurring, nor does he or she dispute the error rate. The STC's explanation for ballots that are initially rejected, then accepted by the scanner is because the ballot was initially inserted the "wrong way". This is patently wrong. The error code does not indicate that the ballot is being misread or that the QR code is being misread. Rather, it is being used to state that the QR Code does not match certain data from within the QR code's validation and verification algorithm (checksum/signature).

The STC's explanation draws parallels between the operation of a vending machine and a voting machine. The "worn dollar bill" analogy ignores the fact that the EAC standards require that the ICP scanners read the ballots from any of the four (4) possible orientations. Therefore, to accept the explanation of the STC is to also accept the deficiency of scanners across the state. What's more, at issue is not worn ballots but pristine QR code ballots freshly printed moments before being scanned.

Merely being able to scan the same ballot twice with two different results is in-and-of-itself evidence of failure.

We apologize if this is taken the wrong way, but the third paragraph in the Response can only be interpreted as a *deliberate* attempt to mislead by obfuscation:

> *3. The "reversed" ballots are ballots rejected by the scanner so the voter has an opportunity to re-insert the ballot. That the SLOG shows, after 15-20 seconds, acceptance of the ballot supports that a ballot was rejected because of the way it was inserted to be scanned and then rescanned (see, for example, Bacon County (page 2 of PDF) that has an accepted ballot 19 seconds after a reversal, Randolph County (page 56 of PDF) with accepted ballot 17 seconds after reversal). Put another way, the "errors" you reference are not errors but indications that the scanners are functioning as designed. It's the scanner reporting back to the technician what is happening with it so it can be properly maintained over its*

[8] This is the same J. Alex Halderman who has recently exploited a vulnerability in Dominion's system and has literally created a Do It Yourself ("DIY") website showing others how to do the same. He is then claiming certain election records should not be provided in their native format to investigators such as myself for fear that the vulnerability he exploited and publicized could theoretically used to identify a voter's candidate selections (K.M.).

usable life.

Ballots are reversed due to one of several possible error conditions and each specific error is recorded with each instance on the system log. While it may be "reporting back to the technician", the reason is such that the technician can diagnose and address whatever deficiency is causing the error.

The STC's professional opinion is analogous to that of a person whose car check-engine light has remained on for months and who never seeks service. The Board should take this vehicle – our election machinery – to a qualified mechanic who could access the system log and determine the root cause of the check-engine light.

Further, the excessive ballot reversals are either being caused by genuine errors (defect) or other condition (anomaly), but the remedy is the same for both.

The STC dismisses the cause for the ballot being reversed the first time because the ballot is accepted on its second, or subsequent scan. The logic being whatever problem that caused the ballot to be reversed initially has been corrected. While it seems to make sense, that is not the case. Ballots are reversed due to several possible conditions, and each is specifically identified and recorded along with each ballot reversal on the system log. If there is a problem with the way a ballot is fed into the scanner and the ballot cannot be read, the entry into the SLOG will look like this:

May 24/2022 17:10:53 ScanVote Warning + error, crop top image (top edge) average=103 length=82 height=2406
May 24/2022 17:10:53 ScanVote Warning + error, crop top image (top edge) average=103 length=82 height=2406
May 24/2022 17:10:53 ScanVote Warning - bottom side start marker (top left corner), RectangleFind rcTop=52228 rcBottom=52228 rcLeft=52229
May 24/2022 17:10:53 ScanVote Warning + Ballot format or id is unrecognizable.
May 24/2022 17:10:55 ScanVote Ballot has been reversed.
May 24/2022 17:11:08 ScanVote Ballot 194 processed successfully.

The SLOG shows the ballot scanner measuring the ballot and is expecting a certain length and width that it isn't seeing. It knows immediately that something is wrong and logs the problem. It then proceeds to look for specific reference points on the ballot, "bottom side start marker" and others which it cannot find, and logs that it cannot find them. The scanner then logs that it doesn't recognize the ballot and kicks it out. The ballot is then scanned 13 seconds later and "…processed successfully.". This is precisely what the STC is describing and in this instance is exactly what happened. However, while it does happen, it is rare, and is not the condition we're describing. The ballot detailed on the SLOG above was never read because the scanner could not find the reference points on the ballot. The following is another example:

May 24/2022 16:00:41 ScanVote Total number of ballots = 400.
May 24/2022 16:01:13 Security Error QR code Signature mismatch.
May 24/2022 16:01:13 ScanVote Warning + Ballot format or id is unrecognizable.
May 24/2022 16:01:15 ScanVote Ballot has been reversed.
May 24/2022 16:01:31 ScanVote Ballot 125 processed successfully.
May 24/2022 16:01:31 ScanVote Total number of ballots = 401.

This SLOG excerpt starts and ends with a ballot successfully processed to "bookend" the activity in-between. The second line shows "Security Error", then "QR code Signature mismatch".

Note that there are no warnings about unexpected ballot length or unfound reference points because the ballot was not misfed, skewed, etc. The QR code was scanned but doesn't match its "signature"[9]. Which is why it is troubling to see the same ballot being scanned successfully only 16 seconds after it could not be authenticated. This error is not caused by the ballot being fed incorrectly or other mechanical shortcoming.

Here's an example of another error:

> May 03/2022 16:24:08 ScanVote Ballot 109 processed successfully.
> May 03/2022 16:24:08 ScanVote Total number of ballots = 107.
> May 03/2022 16:24:21 Image Warning Image scan could not find QR code on ballot.
> May 03/2022 16:24:21 ScanVote Warning + Ballot format or id is unrecognizable.
> May 03/2022 16:24:23 ScanVote Ballot has been reversed.
> May 03/2022 16:24:40 ScanVote Ballot 158 processed successfully.

There is no issue here with the ballot measurement or reference points as no issues are raised until the scanner "…could not find QR code on ballot.". This same error caused ballots to be reversed 5,952 times (out of 104,821 ballots scanned) and were successfully accepted moments later.[10] Still, the fact that some of the ballots may be successfully scanned does not prove that – as found in other places – this error indicates something is happening that causes ballots to go missing.

The seemingly common refrain is that these errors are largely attributed to human error, or how voters are feeding the ballots into the scanner; however, the Image Cast Central ("ICC") is also producing wide-ranging errors at inexplicable rates for both QR code *and* hand marked ballots, even though the ballots are **machine-fed**.

Another point that complainants raised in the Initial Submission is that the ICC is also producing the QR code signature mismatch error and rejecting the ballot, then subsequently accepting the same ballot. This fact is damning. Again, a QR code cannot be misread, and yet it is being rejected by an ICC for no explicable reason (human-error removed). The ICC consists of a batch-fed, commercial-grade Canon scanner that's connected to a Dell workstation, running Dominion software. Without human error, the same result is repeating itself using different equipment, and the only common variable that remains is the Dominion software.

To that end, the independent work of the highly experienced and respected systems expert, Jeffrey Lenberg, further supports our findings. At our request, Mr. Lenberg provided a Declaration

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[9] The signature is a unique string of numbers and letters used to "check" or validate data. Before the computer creates the QR code, the data is run through an algorithm which produces a unique code. For the sake of explanation, say the algorithm takes the 3rd, 8th, 19th, and 36th digit of the data, adds the values together, takes the sum and multiplies it by ½ the value of the 3rd digit. Let's say that number is 186.25. The QR code is then created containing the encoded signature (186.25). When the QR code is scanned, the same calculations are performed and must match.

[10] The third-party QR code software used by Dominion incorporates the Reed–Solomon polynomial algorithm with Level M error correction. In simple terms- the QR code has the robust ability to sustain "damage" and continue to function even when up to 15% of the image is obscured, defaced, smudged, or removed. It literally and dependably rebuilds itself -mathematically.

detailing his work with election systems,[11] which states in part:

> Detailed FACTs from testing in Coffee County Georgia[12]:
>
> The machines are capable of reversing ballots on the first attempt for no discernible reason and then accepting the same ballot on the second or in some cases even the third attempt. They reversed ballots at a 10 to 15 percent rate. Properly designed, tested, and certified voting machines should not behave in this fashion. I assess that this behavior by itself is sufficient cause to decertify the voting machines.

Mr. Lenberg also observed that the error rates are higher for ballots with votes for Republican candidates than ballots with votes for Democrat candidates:

> **The percent of ballots reversed is heavily candidate dependent. We observed 2.5% of one candidate and 15% of the other candidate.**
>
> The reversals were not due to a bad ballot since the ballots were created by election officials on an official BMD. A limited number of ballots were created and run many times over. The reversals would occur on different ballots each time the batch was rerun indicating that it was independent of the actual ballots.

Mr. Lenberg's testing yielded results which are consistent with our findings state-wide, but more importantly it substantiates the same biased "irregularities" identified previously in Coffee County. Misty Hampton and Cathy Latham witnessed the reversal of ballots with votes for a specific candidate or party over the course of several elections[13].

The fourth paragraph in the Response uses the straw man of "human error." If it were human error, why does the same anomaly occur when the human error is corrected?

> *4. That the Williamson County, Tennessee situation involved some of the same reports in log files does not support the idea that the same problem exists in Georgia. In the Williamson County matter, an employee used an outdated election file in a newer version of the Dominion equipment. The resulting misconfiguration of the database led to system errors, which caused ballots to be coded provisional when they were not. It was a configuration error with a different version of the software than is used in Georgia and thus generally the same reported error in a system log file is not an indication the same behavior is happening in our state, because these incidents are logged for the benefit of maintenance staff, not for the functioning of the election equipment.*

This long conclusory paragraph misstates the actual facts on the ground in Williamson

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11 See the Declaration of Jeffery Lenberg attached hereto as "Exhibit E"

12 Logan and Lenberg's role in the testing of Coffee County's election systems was strictly a "hands-off" exercise which relied upon the authority of the Election Supervisor, Misty Hampton, who reported to the Board of Elections and who controlled the machines.

13 See the Affidavit of Cathy Latham (attached hereto as "Exhibit F") in which she describes the ballot scanner's reversal of predominately Republican voted ballots.

County. The STC blames error on a whole host of failings identified but accounted for in the Williamson County report: configuration error, incompatible software versions, outdated election file, misconfiguration of the database, and of course, the ever-present negligent employee.

This concerns us because it indicates to us that the STC has not actually read the EAC's report on the Williamson incident investigation. Had he or she done so, he or she would have learned that the exact cause was inconclusive, that even when any possible error was corrected, the same errors occurred, that they have been known to occur disproportionately (see the affidavit of Cathy Latham attached as Exhibit G), that Dominion acknowledged the presence of "erroneous code" in their software, and that Williamson County terminated their contract with Dominion.

Then there's also the Engineering Change Order ("ECO") – Dominion submitted the ECO to the EAC seeking approval for a revised software version to "fix" the problem. As a legal matter, our lawyers advise us that correction of an error should not be used as evidence in a tort case. Fair enough. But we are in the real world and Dominion didn't "fix" the problem, rather their software revision only addressed a symptom. Why would Dominion attempt to fix what the STC claims wasn't broken?

The fact is that Dominion doesn't know the cause of the problem, and if they don't know precisely what caused the anomaly, they have no basis for asserting that such is limited to Democracy Suite 5.5B, and 5.5C.

There is a final paragraph in Chairman Duffey's response that appears to be written by the STC:

> *The SLOG files alone do not indicate an improperly functioning scanner based on the way Georgia scanners are built to function. We would also need to see recap sheets indicating that there is a mismatch in the number of ballots scanned and the number of votes counted if the situation was similar to Tennessee.*

In a separate email Chairman Duffey claims that the QR code Signature mismatch error is not necessarily indicative of the Williamson anomaly.

While we cannot say without further investigation whether this error code is definitively the source of the errors and miscounts in Georgia, in the ECO referenced above, Pro V&V used the absence of the error code as evidence that their software revision had fixed the anomaly:

> "The audit logs were reviewed to check the error message for any Ballot Misreads encountered. The error message "QR Code Signature Mismatch" was never encountered during testing."

Also, the same ECO quotes the assessment by Dominion Voting Machines that supports the need for further investigation:

> "Not all ICX BMD ballots that are interpreted as provisional will trigger the identified behavior."

We do not fully understand this comment by Dominion, since there should be NO ballots that are ever interpreted as "provisional" by a scanner.

Complainants have already provided several credibly documented instances of substantial discrepancies between the scanned paper ballots and those counted by the tabulator (each with a delta (difference) of over 1,600 ballots). General details of those cases are listed here:

	DELTA	REFERENCE
Dekalb County 2022 Primary	2,810 Ballots	See page "Exhibit A-7"
Floyd County 2020 General	2,700 Ballots	See page "Exhibit A-8"
Gwinnett County 2020 General	2,642 Ballots	See page "Exhibit A-8"

These differences represent ballots in the scanners that were never counted. **In every instance where a hand recount was done after this anomaly was observed, the scanner counts did not match the physical ballots counted.**

Despite this "best-evidence" already before the Board, the STC or SEB has requested that **we provide** "recap sheets." The "recap sheets" for all of these – if they exist – would be available to any investigator. Further, the requirement that recap sheets be maintained is not being enforced. Finally, a "recap sheet" for one machine will not identify its lack of congruence with another machine's count. A recap sheet shows only one count – a recap sheet is generally only going to show opening number and the closing number of one particular part of the voting process.

For Advance Voting, this is particularly a problem in early voting, where voting check-ins are facilitated using laptops connected to E-net (Secretary of State's database)- not poll pads. Yet there is no Recap sheet for laptop check-ins. (See the correspondence of Cobb County Elections Director Jeanine Eveler affirming the fact that check-ins have, since 2020, not been documented)[14].

How can one verify the ballot counts of the machines without check-in recap sheets? Since Georgia's purchase of the Dominion Machines in 2019, the voter check-in list is provided to the county by the Secretary of State "…a few days before certification".[15]

But the disparity that could be shown may be great. Exhibit H documents the differences between the pollpad count and the scanner count, and the touchscreen count. This could be created because of the efforts of four veteran Early Voting poll managers who did record their numbers despite not having a corresponding recap sheet.[16] All four showed the same irregularity- the ballot scanners fell far short.

This same "Williamson County" problem also was documented in the November 2020

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[14] See the recent memo from Cobb County Election Director, Jeanine Eveler, affirming the fact that early voting check-ins have not been tracked, attached hereto as "Exhibit G".

[15] Fulton County BRE Meeting Nov 2020 (rumble.com)

[16] See Recap charts attached hereto as "Exhibit H".

Coffee County Board of Elections meeting minutes (previously provided) where the Supervisor of Elections described the same inability of the machines to produce a consistent result:

> "*Mrs. Martin also stated that "all counties do not have the same check points that I have in place." Ms. Thomas-Clark asked "if you have a ballot and you ran it twenty times, the system would count it 20 times." Mrs. Martin replied "yes". Mrs. Martin said that during advance voting the number on the scanner never matched the number of ballots voted*."

This is not just two years old – a request for investigation was first raised after the May 2020 primary by Coffee County official but has never been investigated

This issue has been reported in every election since. After the January 2021 Senate runoff, the anomaly was recreated and observed under controlled conditions by systems expert Jeffery Lenberg. We have painstakingly documented and repeatedly asked for a meaningful investigation by the Secretary of State or the Board. The same errors that we call the "Williamson County problem" are found in every Georgia county we have looked at this year, except for two (Coffee and Gilmer).

We believe a thorough investigation is required – that was the purpose of the Initial Submission and we welcome an independent investigation by the Board. The comments from the STC seem only to have delayed the investigation. We stand ready to assist and answer questions from a forensic examiner and would welcome the opportunity to provide insight into the design of any further testing.

But now that we have run out of time to investigate, there is a larger problem – even if the Board determines now that the error rate is as the SLOG files suggest, there is no permanent remedy if the machines are currently operating at the error rates being suggested to us—which are consistent with the error rates reported in the 2020 election. But there is possible relief.

Conclusion and Repeat of Request:

Combined with what we've learned from the Williamson incident, our findings, and the work of Logan and Lenberg, when viewed together strongly suggests a situation of grave concern. Several individuals in different capacities have witnessed the biased reversal of ballots. Independent benchmark testing recreated the scenario under controlled conditions and yielded the same overwhelmingly biased result -- Republican-voted ballots were reversed at ratio of 7:1 over Democrat-voted ballot reversals (emphasis is not party affiliation but detailed as a factual matter and to establish that a clear bias exists). Because the distribution of ballot reversals is not random suggests intentional influence is at play.

In essence, ballots are being reversed for error conditions that do not exist. This testing and testimony show that the ballot reversals are not random. Significant numbers of paper ballots were scanned but not counted and consistent with the Williamson anomaly and remain otherwise unexplained.

You asked for facts. We have given you facts. For whatever reason, your STC

mischaracterized our presentation as matters that could be easily explained.[17] We believe that the documents and reports provided are sufficient to establish that "Georgia scanners" are malfunctioning in masse if analyzed by an independent examiner. No matter if caused by defect, malware or malfeasance, the results remain, and persist. This alone is sufficient cause to immediately suspend use of the Dominion voting systems in Georgia.

Therefore, we seek the following Emergency Relief necessary to mitigate the likelihood that the conditions defined herein will affect and materially alter the outcome of the pending midterm elections, followed by General Relief.

EMERGENCY RELIEF

1. Promulgate emergency rule requiring compliance with the poll closing procedures for the ballot scanners used for Advance Voting as prescribed by Ga. Comp. R. & Regs. 183-1-14-02. Specifically, we are hearing reports that memory card are being removed from scanners in violation of paragraph (9), that daily recap sheets are not being kept and matched to the number of voters as required by paragraph (13), and personnel are not counting the ballots as required by paragraph (14).

2. Promulgate an Emergency Rule requiring an automatic video-recorded hand-count of any tabulator that is not in compliance with the closing procedures referenced above, and in the alternative, require a video-recorded hand-count of all ballots from the corresponding Early Voting polling location.

3. Any other emergency relief the Board deems necessary to ensure true and correct election results.

GENERAL RELIEF

We hope that this complaint will receive more serious treatment by the Board and its technical consultants. If we are correct, then there is no way that these machines should be used in any capacity in elections in any state – including Georgia. We refer you to the twelve reports prepared by technical examiners in Texas, whose reviewed the Dominion Voting Machines for Secretary of State of Texas and advised against their adoption. See, for example, some of the reports at https://www.sos.texas.gov/elections/laws/oct2019-dominion.shtml. After the initial rejection of the machines as not suitable, Dominion was given an opportunity to correct and resubmit the machines. In one report, the examiner, Mr. Tom Watson noted, "It is disappointing that the problems documented in the previous examination's report were not read, or not taken seriously."

[17] We are disappointed that the issues we identified were not taken seriously by the technical advisors. We respectfully request that you retain an independent technical advisor to review the concerns we have raised.

We also request, under Rule 183-1-1-.01 that the Board adopt a new Rule requiring an independent assessment of all computer machines and software. We can draft the specific rule if requested but believe that it should be the same as – or similar to – that used in Texas and referenced in the preceding paragraph.

Further, it is increasingly becoming clear to us and to those serious observers of the election processes in Georgia that the complaint-and-response processes contemplated by the Board rules do not lead to the effective back-and-forth that one would expect from an independent rule-making process. We believe that the Georgia Legislature has specifically directed the Board "to formulate, adopt, and promulgate such rules and regulations, consistent with law, as will be conducive to the fair, legal, and orderly conduct of primaries and elections." O.C.G.A. § 21-21-31(2). The rules so adopted should not be rules designed to confuse, to provide inconsistent delegation, or, as we believe, to protect the state and county bureaucracy from any oversight or accountability. Those rules should not be rules that place the power to bamboozle in the hands of unelected "technicians." We encourage the Board to consider and adopt rules that fulfill the direction of the Legislature – and the Constitution.

Respectfully submitted this 4th day of November, 2022,

David Cross

Kevin M. Moncla

EXHIBIT A

(submitted without all exhibits in original submission)

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October 03, 2022

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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:

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.

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.

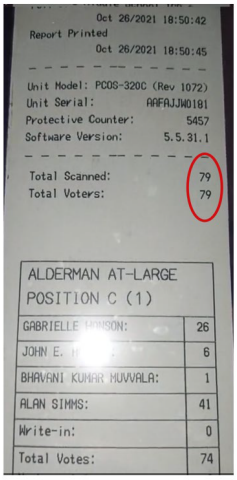

Tabulator ID
5

Voting Location
Legacy Middle School

Poll Opened
Oct 26/2021 06:33:45
Poll Closed
Oct 26/2021 19:10:13
Report Printed
Oct 26/2021 19:10:43

Unit Model: PCOS-320C (Rev 1072)
Unit [illegible]: AAFAJJP0262
Protective Counter: 3243
Software Version: 5.5.31.1

Total Scanned: 19
Total Voters: 19


Oct 26/2021 18:50:42
Report Printed
Oct 26/2021 18:50:45

Unit Model: PCOS-320C (Rev 1072)
Unit Serial: AAFAJJW0181
Protective Counter: 5457
Software Version: 5.5.31.1

Total Scanned: 79
Total Voters: 79

ALDERMAN AT-LARGE
POSITION C (1)

GABRIELLE [illegible]ONSON:	26
JOHN E. [illegible]	6
BHAVANI KUMAR NUVVALA:	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.***"

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.*

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".

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".

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.

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.
```

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, & 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.

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.

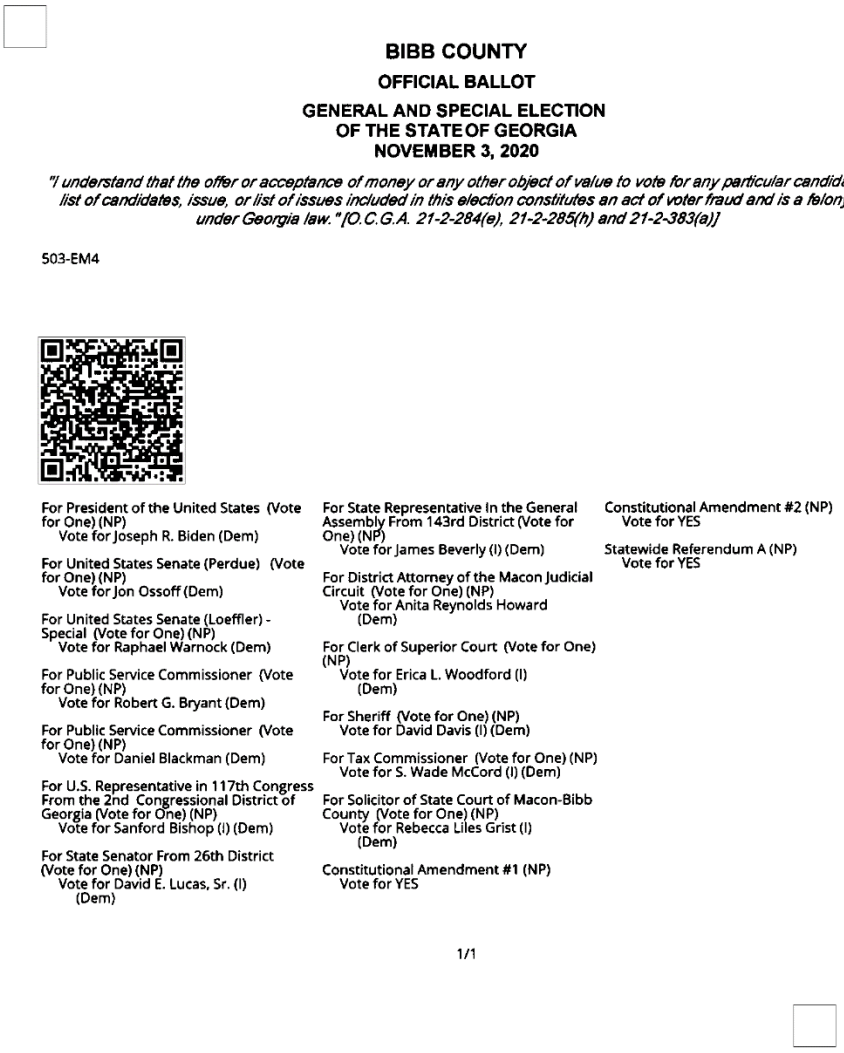
When the tabulator produces an error, the ICP "reverses" or returns the ballot to the voter. Aside from a genuine mechanical or folded paper error, the ICP should reverse the same ballot for the same error no matter how many times the ballot is scanned (within acceptable tolerances). For example, A "QR 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.
```

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

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␀␀␀!␀␀␀^ﻦ␀␀␀␀!␀␀(␀␀}␀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 Type	TEXT
Parsed Result	␀␀␀␀␀␀␀R␀␀␀␀␀␀␀␀␀␀␀␀D␀␀""␀UP␀␀␀!␀␀␀^ﻦ␀␀␀␀!␀␀(␀␀}␀h^␀<T␀␀J.␀␀

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)

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

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=���O-Ns����<�l����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=���O-Ns����<�l����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.

Page 15

Georgia Detailed Error Report Totals
Total Counties: 13
Total SLOGS: 175

Total Ballot's Cast:	104,821
Avg. Error Rate:	23.714%
Avg. Reversal Rate:	18.601%

County	Election	Ballots Cast	Ballot format or id is unrecognizable.	Image scan could not find QR code on ballot.	QR code Signature mismatch.	Ballot's size exceeds maximum expected ballot size.	Scanner transport error.	Total SLOG Errors	% ERROR	Ballot has been reversed.	Ballot Not Cast	Total SLOG Reversals	% REVERSAL
			ERRORS							REVERSALS			
Barrow	2022 05 24 Gen Prim	8823	578	382	50	360	313	1683	19.075%	1243	22	1265	14.338%
Brantley	2022 05 24 Gen Prim	2618	239	163	18	111	145	676	25.821%	498		498	19.022%
Bryan	2022 06 21 Runoff	723	80	46	6	29	16	177	24.481%	127	2	129	17.842%
Burke	2022 05 24 Gen Prim	1239	121	27	0	80	106	334	26.957%	317		317	25.585%
Coffee	Jan 2021 Runoff	4538	28	7	4	322	367	728	16.042%	717		717	15.800%
Crisp	2022 05 24 Gen Prim	3567	155	82	1	194	164	596	16.709%	517		517	14.494%
Dawson	2022 05 24 Gen Prim	6965	338	221	10	406	385	1360	19.526%	1172		1172	16.827%
	2022 06 21 Runoff	2266	111	67	19	185	91	473	20.874%	407		407	17.961%
Fayette	2022 05 24 Gen Prim	31,767	3592	2700	324	1427	1205	9248	29.112%	6261	8	6269	19.734%
Heard	2022 05 24 Gen Prim	2132	111	62	3	108	118	402	18.856%	345		345	16.182%
Irwin	2022 05 24 Gen Prim	1986	367	282	38	147	179	1013	51.007%	690	3	693	34.894%
Madison	2022 05 24 Gen Prim	6896	295	162	17	297	524	1095	15.845%	925		925	13.410%
McDuffie	2022 05 24 Gen Prim	4096	383	320	25	205	162	1095	26.733%	753		753	18.384%
Paulding	2022 05 24 Gen Prim	29821	2319	1431	190	1106	1203	6249	20.955%	4666	87	4753	15.938%
TOTALS		107439	8715	5952	705	4977	4778	25127		18638	122	18760	

According to our review of the Dominion-produced tabulator system log files, an average of 18.6% of all ballots are being initially reversed due to error. Nearly all ballots reversed are subsequently accepted without error. This phenomenon is not isolated to one machine or one race, one county, or even one election. Ballots are being reversed across the state for all elections. Therefore, it is undeniable that the ballots are being reversed for reasons other than errors.

EXHIBIT B

From: William Duffey<wduffey.seb@gmail.com>
Date: On Tue, Oct 11, 2022 at 7:16 PM
Subject: Fwd: Your September 27, 2022, Complaint
To: David Cross <Dcross108@protonmail.com>
CC:

Mr. Cross: I had your September 27, 2022, complaint and the data attached with it reviewed by an outside testing company to evaluate if the data you provided supports the same undervote problem that was discovered in Williamson County, Tennessee. The following was reported to me:

1. The SLOG (system log) file in the scanner is designed for technicians and includes the entire life of the unit. It is not election-specific and includes everything that happens with the unit over its life.

2. The reports in the log files for signature mismatch and other categories that you cited are expected for scanners that have been used in 4-5 elections. The types of "errors" reported in the SLOGs include a range of events from someone feeding a ballot into a scanner crooked to someone feeding in a blank ballot during testing of the equipment before the election.

3. The "reversed" ballots are ballots rejected by the scanner so the voter has an opportunity to re-insert the ballot. That the SLOG shows, after 15-20 seconds, acceptance of the ballot supports that a ballot was rejected because of the way it was inserted to be scanned and then rescanned (see, for example, Bacon County (page 2 of PDF) that has an accepted ballot 19 seconds after a reversal, Randolph County (page 56 of PDF) with accepted ballot 17 seconds after reversal). Put another way, the "errors" you reference are not errors but indications that the scanners are functioning as designed. It's the scanner reporting back to the technician what is happening with it so it can be properly maintained over its usable life[.]

4. That the Williamson County, Tennessee situation involved some of the same reports in log files does not support the idea that the same problem exists in Georgia. In the Williamson County matter, an employee used an outdated election file in a newer version of the Dominion equipment. The resulting misconfiguration of the database led to system errors, which caused ballots to be coded provisional when they were not. It was a configuration error with a different version of the software than is used in Georgia and thus generally the same reported error in a system log file is not an indication the same behavior is happening in our state, because these incidents are logged for the benefit of maintenance staff, not for the functioning of the election equipment.

The SLOG files alone do not indicate an improperly functioning scanner based on the way Georgia scanners are built to function. We would also need to see recap sheets indicating that there is a mismatch in the number of ballots scanned and the number of votes counted if the situation was similar to Tennessee.

William S. Duffey, Jr.
Chair
State Election Board

EXHIBIT C

See file included in this submission as
"20221021 - FINAL Declaration of Douglas Logan
Executed with Exhibits.pdf"

EXHIBIT D

AFFIDAVIT of Sidney McNeill Gutierrez

I, Sidney McNeill Gutierrez, formerly residing at _____New Mexico _____ and currently residing at _____Texas _____ do hereby swear under oath that the following facts about myself and Jeffrey Earl Lenberg are true:

I am a Distinguished Graduate of the United States Air Force Academy with a BS in Aeronautical Engineering and both an MA in Management and an Honorary Doctor of Science from Webster University. I am a retired Air Force Colonel having served as a fighter pilot in the F-15 and a test pilot in the F-16 while flying over 30 different types of aircraft and spacecraft. I was nominated by the Air Force and selected by NASA as an Astronaut Pilot and Space Shuttle Commander. I served as the Pilot on STS-40 Spacelab Life Sciences (SLS-1) and Commander of STS-59 Space Radar Laboratory (SRL-1). Both missions were recognized with the Aviation Week and Space Technology Laurels for Outstanding Achievement in the Field of Space. After retiring from the Air Force and NASA I joined Sandia National Laboratories where I served as a Center Director responsible for programs including satellites, space payloads, sensors, vulnerability assessments and analysis tools, international programs including support to the nuclear fuel cycle and efforts to reduce the threat of terrorism and the proliferation of weapons of mass destruction. I have served on the Boards of several for profit companies and numerous non-profits. I served on NASA's Aerospace Safety Advisory Panel and the International Space Station Management and Cost Evaluation Presidential Taskforce reporting to President Bush.

While at Sandia National Laboratories I served as Head of the Field Intelligence Element with responsibility for all the intelligence work performed by Sandia Labs. In that capacity I led a team of several hundred brilliant, innovative and highly motivated scientists and engineers who worked to protect the nation from threats to our nuclear weapons and limit the proliferation of the knowledge required to build them. Because of the catastrophic consequences of the failure to protect these weapons and this knowledge from people and governments with ill intentions the resources devoted to this effort were significant and sustained. Eventually this capability developed into what I would judge to be the best in the world. Federal law permitted other government organizations to utilize this unique capability and based on a strong reputation this organization supported most elements of the intelligence community including the military.

One of the areas of expertise was the ability to find sophisticated subversions deliberately implanted in complex systems by our enemies including the most advanced nation states. Finding subversions of this nature would be analogous in some ways to a financial forensic audit. A standard audit checks to see if "all the numbers add up". But a forensic audit looks for actions that have been deliberately hidden. These nefarious actions will usually have been done in such a manner that the "numbers still add up." Often the only indication that a forensic audit is needed is that "things don't seem right." In the same way that it takes a special auditor to complete a forensic audit, it takes a special individual or team to find a subversion to a complex system. The people on the team of professionals that I led were handpicked because they possessed this special 6th sense. A subversion is able to hide because it relies on certain common human tendencies and assumptions. One of the most common vulnerabilities exploited is the natural human tendency to assume a discrepancy is the result of an error rather than a product of a deliberate act. The people on this team "thought differently" and did not fall victim to these vulnerabilities. You are probably not aware of their success, because the work they did was

classified and not published. They were not allowed to write papers or make any public claims of success. That is why I am writing this affidavit, because the specifics of the work these individuals did and its impact on national security is known only to a small group. I can say that at one point I was asked to select a small team to review a very sensitive program that was regularly briefed to the President. Because of the sensitivity of this compartmentalized program, I was only allowed to have two people briefed into it. From the several hundred handpicked professionals working for me, I selected Jeffrey Earl Lenberg as the best among the best.

I am writing this affidavit to attest to his expertise. I cannot detail the specific work he did because it is classified. I cannot detail the impact of that work, because it is too sensitive. But I can tell you that he has extensive experience dealing with systems that are controlled remotely under conditions where access must be limited. He is equally qualified to work on hardware and software and across the interface between the two. And he is one of those unique individuals with that 6th sense to find vulnerabilities regardless of where they might be hidden. I can also attest to his outstanding character, absolute honesty and excellent reputation within the small classified community where he did most of his professional work. Finally, Jeff Lenberg is one of those people I would trust with my life. I would be happy to answer any further questions you might have as long as they are not classified in nature.

Under penalty of perjury, I hereby declare and affirm that the above stated facts, to the best of my knowledge, are true and correct.

DATED this 14th day of May, 2021

Signature

Sidney McNeill Gutierrez

Printed Name

NOTARY ACKNOWLEDGMENT

State of New Mexico)

)

County of Bernalillo)

The foregoing instrument was acknowledged before me this 19th day of May,
20 21, by the undersigned, he, who is personally known to me or satisfactorily proven to
me to be the person whose name is subscribed to the within instrument, Affidavit of Sidney McNeill Gutierrez.

Dana L Trujillo

Signature

OFFICIAL SEAL
Dana L. Trujillo
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 4/13/2022

Dana L Trujillo

Notary Public

My Commission Expires: 4/13/2022

EXHIBIT E

Declaration of Jeffrey E. Lenberg
Concerning Election Integrity Investigations August 2020 through October 2022
and Plea for Consideration and Action By Election Officials Nationwide
to Secure the Votes and Thus the Voice of the American People
October 21, 2022

I declare the following information to be true Jeffrey E. Lenberg 10/21/2022

Executive Summary

The American people must be able to trust that our election systems will accurately reflect the collective votes and voice of legal citizens. According to recent polling, more than half the population of the United States does not currently trust our election systems.

I am a uniquely-qualified technical expert that has been blessed with skills, experience, and motivation to assess vulnerabilities and possible compromise of our election systems. Please read the attached affidavit by Mr. Gutierrez which establishes my expertise and integrity.

I assess that our electronic voting machines and electronic poll books are not trustworthy and must not be relied upon as the sole source of the voter count, ballot count, nor vote tallies of the American people.

I assess that the formal report as represented by the EAC concerning voting machine failures in Williamson County, Tennessee in the fall of 2021 displays either unacceptable incompetence or willful neglect by the "expert" entities involved. I assess that both the ICP and ICX should have been decertified until a proper Root Cause Analysis was able to actually get to the bottom of the problem and subsequent modifications made, tested, and certified.

Based on a public presentation of a very recent audit of the 2022 primary in Torrance County, NM on October 20, I assess that there is a high likelihood that the voter list produced by the electronic poll book vendor can not be relied upon to accurately reflect the voters that actually voted.

Therefore I make what I believe to be a well-founded plea:
A non-machine count of voters and ballots must be accomplished at each voting location. At each voting location, a separate, hand written record of the number of ballots cast and the number of voters each day must be kept per machine at that location. We must establish an independent count of voters and physical ballots that is not dependent on either the voting machines or the electronic poll books.

- **Important facts about securing the votes and the voice of the American people:**
  - FACT: There are foreign entities and possibly domestic entities that are enemies of freedom loving Americans and would seek to take control of America via any means possible.
  - FACT: The most attractive way to take control of America is not via force but instead via subversion of our election systems. Essentially all leadership positions and centers of power in America are determined either directly or indirectly via our election system.
  - FACT: If our election systems were to be controlled by our enemies, it would eliminate the only recourse that the American people have to control their current and future destiny.
  - FACT: The American people must be able to trust that our election systems will accurately reflect the collective votes and voice of legal citizens. According to recent polling, more than half the population of the United States does not currently trust our election systems.

- **Important facts about vulnerability expert Jeffrey E. Lenberg:**
  - Summary: I am a uniquely-qualified technical expert that has been blessed with skills, experience, and motivation to assess vulnerabilities and possible compromise of our election systems.
  - See attached one page pdf biography:
    - I have a Bachelor of Science degree (1978) and a Master of Science degree (1980) in Electrical Engineering and have developed both hardware and software systems.
    - I retired from Sandia National Laboratories in 2011 as a Distinguished Member of the Technical Staff where I dedicated 31 years of my life to protecting the citizens of our country.
    - I have greater than 10 years experience in developing and testing high reliability remote monitoring satellite systems including the management of an associated test development organization at Sandia National Laboratories.
    - The last 16 years or so at Sandia Labs, I lead teams of technical personnel to detect and thus help eliminate vulnerabilities of high value United States assets to attacks by the most sophisticated enemies of the United States. I held high level security clearances.
    - I have prior experience in election integrity investigation. In 1994/1995 I was involved in processing large amounts of data associated with a citizen-led investigation into the 1994 Governors Race in the State of Maryland. This led to a subsequent FBI investigation in which I cooperated with the FBI by supplying results of specific election-related database queries.
    - Due to the sensitive nature of my work at Sandia Labs, there is essentially no public record of it. I offer instead an attached pdf containing an affidavit by Sidney McNeill Gutierrez who was my director during part of my 16 years focused on nation-state vulnerability work. Please read it. Mr Gutierrez is a nationally-known and respected individual who gives some insight into our work during that time.

- FACT: I am not an "election denier", "election system breacher", or "criminal" as claimed by the main stream media. However, I am a highly qualified election integrity investigator.

- FACT: I am a very imperfect follower of the God who created the world and all of us. This same God is a God of truth and I am compelled by Him to find and illuminate the truth.

- FACT: I have spent more than a year of my life, essentially full time, pursuing the truth in Pennsylvania, Georgia, Michigan, Arizona, and New Mexico. All efforts I was involved in were legal actions intended solely to investigate election anomalies that occurred and assess how best they might be explained: human error, flawed election system, and/or subverted election system.

- FACT: I have not received any compensation for my labor from any entity. Just the opposite, I have spent over $60K of my family money and gave up approximately $200K in revenue from my business to pursue the truth wherever it led.

- FACT: I pledge to truthfully communicate what I have seen and assessed with God as my witness.

Machine Vulnerability/Compromise Assessment:

- Summary FACT: Electronic voting machines and electronic poll books are not trustworthy and must not be relied upon as the sole source of the voter count, ballot count, nor vote tallies of the American people.

- Detailed FACTs from testing in Coffee County Georgia:
  - The machines are capable of reversing ballots on the first attempt for no discernible reason and then accepting the same ballot on the second or in some cases even the third attempt. They reversed ballots at a 10 to 15 percent rate. Properly designed, tested, and designed voting machines should not behave in this fashion. I assess that this behavior by itself is sufficient cause to decertify the voting machines.
  - The percent of ballots reversed is heavily candidate dependent. We observed 2.5% of one candidate and 15% of the other candidate.
  - The reversals were not due to a bad ballot since the ballots were created by election officials on an official BMD. A limited number of ballots were created and run many times over. The reversals would occur on different ballots each time the batch was rerun indicating that it was independent of the actual ballots.
  - First hand reporting by the Coffee County election supervisor on the night of the Georgia runoff election informs us that a voting machine company representative somehow managed to reconfigure the ICC high speed scanner such that it went from an essentially unsuable state due to constant stoppages to a state of near perfect scanning of ballots without any problem. Upon studying the model and capabilities of the Dell computer used as part of the ICC I learned that according to the Dell specifications the motherboard contains both a WIFI and Bluetooth capability. I assess that one of these capabilities was likely used to remotely reconfigure the ICC into a working state. Note that the ICC was also connected to the EMS computer via a dedicated ethernet bridge. Thus if the ICC could be accessed remotely so could the EMS computer via the bridge. I assess that either the capability to remotely access the ICC and/or the EMS during

election should have been cause to decertify this election system. To my knowledge this is still the system configuration throughout Georgia which means all of the systems should not be certified.

- Detailed FACTs from testing related to the Antrim case in Michigan as an expert witness:
  - The machines on election night improperly processed essentially all the ballots causing vote counts for Jorgensen to be awarded to Trump. Trump votes were awarded to Biden. And Biden votes were "thrown away". So on election night approximately 3000 valid votes were not recorded by the voting machines (out of a total of about 16000 votes). Alex Halderman wrote a report for the Michigan SOS that assessed the issue was primarily caused by human error by county workers and it could be fixed by better training of county personnel. My assessment is quite different. There is a major flaw in the voting machine software design and testing. Their software does not check version numbers between the election files used on the tabulator and the version of the Election Management System (EMS) used to process the results from the tabulator. Since they did not check this and they did not match they produced vastly incorrect results. This might not have been caught if it occurred in a major city where large differences in vote counts between candidates is "expected". I assess that this design flaw by itself should have been cause for the voting system to be decertified until it was corrected.
  - In addition, the EMS software had another glaring flaw in that it checked to see if the candidate that was selected in a particular race was actually listed as being in that race. If the candidate was in the race (which by definition they must be if they were selected on the tabulator) then the vote was processed correctly. However, if the candidate was not in the race then a major system error should have been raised and all processing of votes should have been immediately been stopped until a person could determine how the data from that tabulator had become so badly corrupted. In Antrim the EMS software just quietly threw the vote away without raising any error or warning.
  - These two issues in Antrim should have been cause for the Michigan Secretary of State and Election Assistance Commission (EAC) to do an in depth root cause analysis. An accurate root cause analysis should have been performed and modifications determined, implemented, and tested. Since this did not occur, I assess that this voting machine equipment should have been decertified and should still be decertified.
  - Note that Georgia and Michigan use the same model of ICP tabulator and EMS software.

- Detailed FACTs from EAC Formal Investigation Report for Williamson County Tennessee
  - The United States Election Assistance Commission, Report of Investigation, Dominion Voting Systems D-Suite 5.5-B, Williamson County, Tennessee March 31, 2022 is attached as a pdf file.
  - Approximately half of the machines used in a local election in the fall of 2021 experienced a major malfunction where a large percentage (in some cases over 50%) of the ballots put into the tabulator were not tabulated. An observant poll watcher that was keeping a separate manual count of the ballots put into the machine realized at the end of the night that the number of ballots reported by the tabulator was very far off from the hand tally that was done.
  - The SOS of Tennessee was able to repeat the problem. The EAC along with Pro V&V and SLI Compliance and the voting machine company were able to repeat the problem.

- The conclusion of the formal report states the following. Note that none of the parties involved actual determined the root cause of the problem.

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.

- The "root cause analysis" by the voting machine company did not determine the root cause of the QR code misreads. We don't really know if they were misread or if the ICX BMD misprinted the code on the ballot. Nevertheless they patched the indication of resulting symptom and declared it fixed and the EAC rubber stamped the fix.

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.

- I assess that the formal report as represented by the EAC displays either unacceptable incompetence or willful neglect by the parties involved. I assess that both the ICP and ICX should have been decertified until a proper Root Cause Analysis was able to actually get to the bottom of the problem and subsequent modifications made, tested, and certified.

- Detailed FACTs from Torrance County, NM audit of the 2022 Primary Election
  - During the 2022 NM Primary in June no anomalies were observed either election night or during early voting in Torrance County, NM.
  - However due to constituent interest the Torrance County Commission tasked the County Manager in September with performing an independent audit of the 2022 election just to ensure everyone that it worked as well as it appeared to have worked on election night.
  - Preliminary findings of the audit were presented to the County Commission in a public meeting by the County Manager yesterday , October 20, 2022.
  - Some of the key findings:
    - Major unexplained discrepancies exist between the machine generated numbers, the hand count of the ballots, and even the number of people that voted.
    - The numbers as reported by the signed tabulator paper tapes, the EMS, and the NM SOS website essentially all agree with one another.
    - However, the number of paper ballots is significantly less than the ballots reported out by the the voting system equipment by over ten percent.
    - In addition, the number of voters reported via the electronic poll books significantly disagrees with both the machine generated numbers and the hand count of ballots being approximately half way in between the hand tally and the machine tally.
  - Further investigation will be needed to determine why these large discrepancies exist

- I assess that there is a high likelihood that the voter list produced by the electronic poll book vendor can not be relied upon to accurately reflect the voters that actually voted.

- **Well-Founded Plea for Action**
  - A non-machine count of voters and ballots must be accomplished at each voting location:
    - At each voting location, a separate, hand written record of the number of ballots cast and the number of voters each day must be kept per machine at that location. We must establish an independent count of voters and physical ballots that is not dependent on either the voting machines or the electronic poll books.
    - These hand count of the number of ballots and number of voters at each location must be published immediately on election night by local election officials. Note that for early voting the hand count of the number of voters should be published each day. However, for early voting, the hand count of the number of ballots can not be performed until the poll is closed on election day and should be published at that time per tabulator.
  - Physical ballots must be properly sealed, stored, protected, and monitored so that the make up of the ballots in the ballot boxes can not change over time. This is generally already done to a large extent but needs to be done more consistently and thoroughly.
  - All jurisdictions should plan for hand tallying of ballots for all races on the ballot. If any location in the country determines that their machines significantly under counted or over counted ballots, all jurisdictions in the country should consider it a duty to hand tally all of their own ballots. This must be done soon after the election and not after months long delays. Ballot counts must not be allowed to change over time. The number of ballots hand tallied must match the hand tally of the voters and ballots that were taken at the voting locations.

Jeffrey Lenberg

Retired Distinguished Member of the Technical Staff Sandia National Laboratories
Chief Technology Officer World Light Power LLC, World Light Africa Limited

Jeff Lenberg graduated from the University of New Mexico with a Bachelors degree (1978) and Masters degree (1980) in Electrical Engineering. While in college he gained two years experience at the NASA Dryden Flight Research Center at Edwards AFB, CA working on the development of flight simulators.

In 1980 Jeff joined Sandia National Laboratories. He retired in December, 2011 after thirty-one plus years at the labs. He spent several years as a first level supervisor and finished his career as a Distinguished Member of the Technical Staff.

The first twelve years at Sandia, Jeff developed satellite systems involving flight hardware, test software, test systems, project management, and supervisor roles.

For two and a half years, he led the development of secure national and international networks for export control while on assignment at DOE headquarters in Washington DC. While in DC and on his own time, he was involved in the investigation of potential election fraud associated with the 1994 Maryland gubernatorial election. He assisted the FBI with data analysis in their investigation which was initiated in March 1995.

After returning from Washington and for the rest of his career, Jeff performed national vulnerability assessments and led the development of national security related projects. These projects required systems analysis, hardware (including low power microsystems) and software design, team development, project management, and program development. These projects varied from a one person, $100K project to a one hundred person, $20M project.

While working on national security projects, Jeff held high level security clearances. He worked on projects with several governmental agencies. He led "black hat" teams whose objective was to expose vulnerabilities by developing ways to break in (if possible) to what were considered to be secure systems and demonstrate that it could be done (physical security, secure hardware, and secure software systems).

In 2012 after Jeff retired from Sandia Labs, he started a renewable energy development company and in 2014 started a company based in Nairobi, Kenya to help create African jobs and bring energy to those who are without it.

United States Election Assistance Commission
Report of Investigation

Dominion Voting Systems D-Suite 5.5-B

Williamson County, Tennessee

March 31, 2022

Jonathon Panek
Director, Voting System Testing and Certification

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

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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.

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

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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.

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

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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.

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.

EXHIBIT F

I, Cathy A. Latham, declare the following pursuant to 28 U.S.C. § 1746 based on my information, knowledge, and belief.

1. I am a registered voter in the State of Georgia and have been a resident of Coffee County since 1993.

2. My background is in public education where I have been a full time public school teacher for 32 years. Currently, I am employed as a high school teacher with the State of Georgia as a virtual teacher. The subjects that I teach are AP subjects including microeconomics, macroeconomics, psychology, and European history. Two years ago, the Georgia Council on Economic Education named me the Georgia Economics Teacher of the Year.[18]

3. I graduated from Baylor University with a degree in Secondary Education and full majors in History, and English. I also have a Master's in Education and a Master's in Public Administration with a concentration in Finance from Troy University.

4. I am an active member of the Republican Party in Georgia where until June 2021, I serve as the Rural County Chair responsible for oversight

[18] https://douglasnow.com/index.php/community/item/6456-coffee-high-s-cathy-latham-selected-2019-georgia-economics-teacher-of-the-year

and assistance to county party activities in 129 rural counties in Georgia. I also served until June 2021 as the Chairwoman for the Coffee County Republican Party, and I

served as the First Vice Chair of the 12th Congressional District Republican Committee.

5. My first interaction in the actual administration of elections was in the General Election Cycle of 2016 and when I became the Chair of Coffee County in 2017.

6. Since that time, I have been actively involved in the administration of the election process itself concerning several federal, state, and local races, including primaries, elections, and runoff elections. In that capacity, I have served as a poll watcher, an observer, and as an adjudicator of ballots to determine voter intent by serving on Voter Review Boards. I have spoken with and continue to speak with various county election officials before, during, and after the election cycles to work on disseminating information to our members and the public, answering important questions, and verifying the integrity of the process.

7. During the Senate run-off elections in January 2021, I served as a Republican observer and Voter Review Panelist during the counting of the votes after the polls closed.

8. During early voting, the Elections Supervisor of Coffee County informed me that at the Douglas Precinct, one of the Dominion ImageCast Precinct Optical Scanners (ICP) failed to read advance voting ballots and was sealed by the

Elections Director and a member of the Board of Elections. The Dominion tech determined that it was probably the failure of one of the memory cards. The decision was made to run these ballots on Election Day when absentee ballots would be scanned, which would be after the polls closed. It was estimated that there were 6,000 ballots that would need to be scanned in addition to the absentee ballots and the UOCAVA ballots (Uniformed and Overseas Citizens Absentee Voting Act Ballots) and any provisional ballots. All these ballots would be scanned on the one ImageCast Central Scanner (ICC) on election night after the polls closed.

9. In the scanning room were three people: Misty Hampton, Coffee County Election Supervisor, Ernestine Thomas-Clark, representative for the Democratic Party, and me as the representative of the Republican Party. Everyone else either was in the lobby looking in through the windows into the

scanning room or were in the other room opening the absentee ballots.

10. As everyone settled in for a long night in a very small room with a tabulation computer, Ms. Hampton began pulling batches to begin scanning. As she put in the first batch, the machine began scanning and then jammed on a ballot with the following screen message: QR CODE Failure.

11. This continued, batch after batch, time after time. Dominion tech, Samuel Challandes from Colorado, was an extra tech assigned to Coffee County after scanner issue problems in the June 2020 Primary and November 3 Presidential Election, and the machine recount. Mr. Challandes recommended to Ms. Hampton that she needed to take a cloth and wipe down the scanner. At times he advised and instructed her to blow canned air at the eye of the scanner to help remove paper debris. This didn't help.

12. One thing that was noticed by Ms. Hampton, Mrs. Thomas-Clark, and me was that every ballot that had a QR Code Failure was a ballot for all three Republican candidates: David Perdue, Kelly Loeffler, and Bubba McDonald. At some point during the evening of this, Mrs. Thomas-Clark looked over at me and said, "This isn't right." I agreed with her.

13. Several tries, wipes, and blows of air were used and smaller and smaller batches were being put through the machine. Eventually we were running 5-10 ballots at a time, trying to get through the stacks. The hours

were stretching into a possibility of going into the next day. We only had approximately 5,800 ballots but it was taking forever since there was at least one ballot per small batch that would be rejected as a QR CODE FAILURE.

14. Sometime around 10:30 pm Eric Chaney, the Board of Elections Chairman, lost his temper and told Mr. Challandes to get his boss on the phone immediately. Mr. Challandes got his boss, Scott Tucker of Dominion, on his phone, Mr. Chaney asked for the phone to be put on speaker, and he proceeded to tell the Scott Tucker that Mr. Challandes had about 30 minutes to fix the scanner so that it would take the ballots, or he (Mr. Chaney) was calling all news agencies and inviting them into the board office and have them film and witness what was going on with the scanners and the ballots. Mr. Tucker then asked if this was a threat and Mr. Chaney responded that no, it was a promise. Mr. Challandes then took the phone off speaker and proceeded to walk outside of the building to continue his conversation with Scott Tucker. Mr. Challandes came back in about 30 minutes later and was smiling saying that he knew that this was going to work, and we'd soon be finished.

15. Mr. Challandes then stood next to the scanner but did not touch the scanner at any point during this time. In his hand, he held his cell phone, which was a smart phone. While standing next to the scanner, he instructed

Ms. Hampton to wipe the machine down one more time. She balked at doing it as she had been doing this same procedure all night long, without resolution. Mr. Challandes started grinning and said that this time it would work and there would be no more problems. Ms. Hampton one more time wiped the machine down and then inserted another batch of ballots. Mr. Challandes kept insisting this was going to work and he was bouncing on his toes, getting excited. Ms. Hampton was getting mad and told him to settle down and he continued to say that this was going to work. I even chimed in and asked him to be quiet and told him he was getting on everyone's nerves.

16. Ms. Hampton ran that batch (a large batch that Mr. Challandes insisted on running) and the last 5 batches, and sure enough, all ballots processed.

17. After Mr. Challandes left the room and we were finishing the wrap up and getting final numbers for the press, Mr. Chaney asked, "Did we all just witness what I think we witnessed?" I looked at him and said, "Is there anyway that something was downloaded to that scanner from his phone or from the Internet? There is no way that wiping the machine with a cloth stopped QR Code Failure readings." Ms. Hampton agreed that something happened because that was too coincidental to have not been a download or technical fix to the machine. Mrs. Thomas-Clark looked at me and said again,

"This isn't right." The scanner that all night long had rejected Republican ballot after ballot with QR Code Failure was allegedly fixed with a phone call and a wipe of a cloth.

All the statements above are made to the best of my knowledge, information, and belief under penalty of perjury.

Dated: August 27, 2021

_____
Cathy A. Latham

EXHIBIT G

From: **Eveler, Janine** <Janine.Eveler@cobbcounty.org>
Date: Sun, Oct 9, 2022 at 4:28 PM
Subject: Advance Voting equipment pilot
To: Jacquelyn Bettadapur <jacquelyn@cobbdemocrats.org>, Salleigh Grubbs <cobbgop@gmail.com>
Cc: Hamilton, Erica <Erica.Hamilton@cobbcounty.org>

Chairwomen,

I would like to notify you of a pilot that Cobb County will be participating in during Advance Voting. Our previous procedure was to enter the voter's paper application directly into eNet and then use the Poll Pad to encode a generic card with the voter's precinct & district combination. In this pilot, we will be using the Poll Pad exclusively to pull up the voter's record, similar to Election Day, and marking the voter record as voted on the Poll Pad. We will not update voter's data in eNet while the voter is in the advance voting poll, but will do that in the "back-of-the house" after the voter leaves. This is expected to greatly increase the speed at which we process voters.

The Poll Pad will sit on an attached printer that will print a certificate showing the voter has voted. The certificate will be given to "back-of-the-house" workers to enter into eNet. To make sure that the voter can only vote once, the new Poll Pad equipment will be connected via a dedicated cellular network to a central application, so that each Poll Pad will sync its data to the others. In the past, we have told you that the Poll Pad numbers do not matter during advance voting, because they were just used as generic encoders. Now, the numbers on the Poll Pad will be tracked on reconciliation sheets and should exactly match the ballots printed and cast. Attached is a copy of the Reconciliation form we have drafted for the pilot, some photos of the unit on its printer base and a sample of the certificate it will print. Your poll watchers will be able to view the numbers on the reconciliation form daily to verify they match.

Let me know if you have any questions.

Janine Eveler

Director,
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Register...then Vote!