*i*Beta

Brian Hancock   July 26, 2007
Director of Voting System Testing & Certification
U.S. Election Assistance Commission
1225 New York Avenue, NW, Ste. 1100
Washington, DC 20005

Dear Mr. Hancock,

This is to advise the EAC that iBeta Quality Assurance has halted testing on the Advanced Voting
Solutions WINware 2.0.4 voting system, due to a contract breach on the part of AVS. In a Notice
of Default dated July 13, 2007 iBeta advised AVS that:

- Due to their failure to pay any invoices since the start of the certification effort in March,
  they were in breach of our contract;
- We would fulfill our VSTL obligation to resume testing when the contract breach was
  resolved;
- As stipulated in our contract, we are required to independently report anomalies in voting
  systems in use to the EAC; and
- We recommend that they voluntarily report anomalies encountered during testing to the
  EAC.

iBeta has not received any response to the Notice of Default and has turned the matter over to
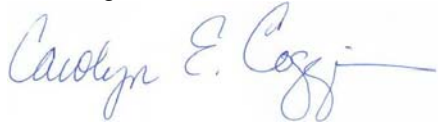our attorney.

We would like to request guidance from the EAC regarding Section 4.5.2 of the EAC Testing and
Certification Program Manual. The manual requires VSTL notification to the EAC "directly and
independently of any test anomalies or failures during testing". Normally these issues are
identified and documented in the Test Plan, Test Plan revisions and the Test Report. Anomalies
have been identified subsequent to the initial submission of our Test Plan. Following section
4.5.2, we would expect to document this in a Test Plan Revision or the Test Report. However,
conversations with Howard Van Pelt of AVS indicate that he does not intend to pay iBeta.
Therefore we are unsure if such documentation will be prepared. We request guidance on how
the EAC would like us to report the test anomalies or failures.

The EAC anomaly report form is not really appropriate for this situation. Anomalies and failures
include 1,946 source code review anomalies and 25 documentation anomalies. Additionally we
encountered a changed hardware anomaly. At AVS' request iBeta subcontracted an assessment
by Wyle to confirm AVS' claim that the hardware was unchanged since environmental testing in
2006. Upon inspection by Wyle it was determined that the drawings submitted by AVS did not
match the hardware submitted for assessment. Finding that a major hardware component, the
motherboard, had been changed, Wyle assessed that all environmental tests must be repeated.
AVS submitted a letter to us stating this changed hardware was used in recent production and
was tested by Wyle in 2006. Further research on our part failed to find any evidence to support
the AVS claim that this version of the hardware had been submitted for environmental testing
under the NASED program.

Please let me know how we should proceed in reporting the source code, documentation and configuration anomalies. There are no functional issues to report, as that phase of testing was awaiting resolution of source code issues.

While iBeta halted test activities, we wish to assure the EAC that iBeta will fully support completion of testing; if and when this breach can be resolved.

Best Regards,

Carolyn Coggins
QA Director - Voting