

REPORT OF LOGIC AND ACCURACY TEST  
 CONDUCTED ON APRIL 22, 2011  
 IN ADVANCE OF THE  
 CITY OF ASPEN GENERAL MUNICIPAL ELECTION  
 TO BE HELD ON MAY 3, 2011

We the undersigned, Pam Cunningham and Mike Simmons, hereby individually certify that we are electors registered to vote in the State of Colorado. We are affiliated with the Republican Party and Democratic Party, respectively, as reflected in the voter registration records of the Pitkin County Clerk and Recorder. On April 22, 2011, we convened in the city council chambers of the City of Aspen to conduct the Logic and Accuracy Test mandated by Rule 8.03 of the Election Rules adopted by the City of Aspen Election Commission, in advance of the May 3, 2011 Regular Municipal Election. We were duly appointed as election judges by Kathryn Koch, the Aspen City Clerk, prior to commencing the test.

We tested seven AccuVote 2000 optical scan precinct counting machines (sometimes subsequently referred to as "AVOS"). We confirmed the unique numbers on the five seals affixed to each machine, as noted in the respective chain of custody logs. We observed each machine start up, and confirmed that the firmware loaded on each machine is 1.94w. We observed Dwight Shellman remove the adhesive seal affixed to each machine's empty memory card slot and then insert the memory card programmed for that machine. We also confirmed the machine serial numbers. The identifying information and programming of the tested machines is shown in Table 1:

| <b>TABLE 1 – EQUIPMENT INVENTORY FOR 5/3/2011 GENERAL MUNICIPAL ELECTION</b> |                 |                   |                 |                    |                    |
|--|-----------------|-------------------|-----------------|--------------------|--------------------|
| <b>MODEL</b>   | <b>FIRMWARE</b> | <b>SERIAL NO.</b> | <b>MEM CARD</b> | <b>POLL/CENTER</b> | <b>RPTG. PCTS.</b> |
| AVOS 2000  | 1.94w           | 44343             | 107600          | Rio Grande #1      | 1-3                |
| AVOS 2000  | 1.94w           | 86337             | 61659           | Rio Grande #2      | 1-3                |
| AVOS 2000  | 1.94w           | 44531             | 58619           | Schultz HHS #1     | 4-5                |
| AVOS 2000  | 1.94w           | 86339             | 88978           | Schultz HHS #2     | 4-5                |
| AVOS 2000  | 1.94w           | 86340             | 71834           | Absentee #1        | 1-5                |
| AVOS 2000  | 1.94w           | 86343             | 80802           | Absentee #2        | 1-5                |
| AVOS 2000  | 1.94w           | 86475             | 117107          | Absentee #3        | 1-5                |

The May 2011 municipal election utilizes a single card style in each of Aspen's five voting precincts, which is to say each Aspen voter will vote for the same candidates and contests without regard to his or her individual voting precinct. However, the ballot cards have been designed and the AVOS machines programmed so that results are reported by precinct and manner of voting (polling places or absentee ballots).

1. Quality Control Deck

We began the Logic and Accuracy Test by counting the pre-printed Quality Control Deck on each of the seven AVOS machines, to the extent the machines are programmed to read the various precinct ballots. The Quality Control Deck consists of two cards per precinct, the first of which is entirely blank and the second of which is marked to vote for every choice on each ballot, pre-printed on polling place ballot stock (flat, unfolded ballots). Ordinarily, the AVOS machines are programmed to reject blank and overvoted ballots, because it is assumed a voter would not intentionally cast a blank ballot with no valid votes in any contest, or an overvoted ballot with invalid votes in at least one contest. In this case, the machines were set to a specific test mode requiring the machines to accept these ballots. We understand the purpose of this test mode is to gauge whether the machines recognize blank and over (or fully) voted ballots as such in each of the four possible orientations that any ballot can be presented to these machines: face up-top first; face up-bottom first; face down-top first; and face down-bottom first.

We ran a single blank ballot and single fully voted ballot in all four orientations for each precinct on the machines so programmed, as shown in Table 2:

| <b>TABLE 2 – QUALITY CONTROL DECK PROCESSING</b> |                                   |  |  |
|--|-----------------------------------|--|--|
| <b>AVOS MACHINE</b>                              | <b>NUMBER OF PCTS. PROGRAMMED</b> | <b>NUMBER OF PASSES PER BLANK AND FULLY VOTED CARD</b> | <b>TOTAL PASSES OF BLANK AND FULLY VOTED BALLOT CARDS ON MACHINE</b> |
| Absentee #1                                      | 5 (Pcts. 1-5)                     | 4  | 20   |
| Absentee #2                                      | 5 (Pcts. 1-5)                     | 4  | 20   |
| Absentee #3                                      | 5 (Pcts. 1-5)                     | 4  | 20   |
| Rio Grande #1                                    | 3 (Pcts. 1-3)                     | 4  | 12   |
| Rio Grande #2                                    | 3 (Pcts. 1-3)                     | 4  | 12   |
| Schultz HHS #1                                   | 2 (Pcts. 4-5)                     | 4  | 8  |
| Schultz HHS #2                                   | 2 (Pcts. 4-5)                     | 4  | 8  |

Every machine recognized every blank and fully voted ballot as such. This fact is confirmed on the test results printed at the conclusion of each test on the tabulation tape for each machine, which we signed and dated. We did not observe any anomalies in processing the Quality Control Deck.

## 2. Multivote Deck

We generated and signed zero reports on each machine and then counted the pre-printed Multivote Deck on each machine. We understand the Multivote Deck is designed to ensure the machines accurately tabulate the various possibilities that may result when voters are permitted to vote for two candidates in a particular contest, as in the case of the 2011 Aspen City Council race. The Multivote Deck is configured so that there are seven ballots for each precinct, marked as indicated in Table 3:

| <b>TABLE 3-MULTIVOTE DECK CONFIGURATION PER PRECINCT</b> |  |                   |                  |                    |                    |
|--|--|-------------------|------------------|--------------------|--------------------|
| <b>Card #</b>  | <b>Votes per Candidate Ballot Position</b> | <b>Undervotes</b> | <b>Overvotes</b> | <b>Blank voted</b> | <b>Valid votes</b> |
| 1  | 1 each for Nos. 1, 2 and 3                 | 0                 | 1                | 0                  | 0                  |
| 2  | 1 for No. 1                                | 1                 | 0                | 0                  | 1                  |
| 3  | 1 each for Nos. 3-4                        | 0                 | 0                | 0                  | 2                  |
| 4  | 1 each for Nos. 4-5                        | 0                 | 0                | 0                  | 2                  |
| 5  | 1 each for Nos. 5-6                        | 0                 | 0                | 0                  | 2                  |
| 6  | Blank voted                                | 0                 | 0                | 1                  | 0                  |
| 7  | Blank voted                                | 0                 | 0                | 1                  | 0                  |

This deck configuration results in the tally of valid votes shown in Table 4 for the 2011 Aspen City Council candidates in each precinct:

| <b>TABLE 4 – PRECINCT VOTE TALLY FOR MULTIVOTE DECK</b> |                       |                                 |
|---|-----------------------|---------------------------------|
| <b>Ballot Position</b>                                  | <b>Candidate Name</b> | <b>Valid votes per precinct</b> |
| 1   | Scott Writer          | 1                               |
| 2   | Marcia Goshorn        | 0                               |
| 3   | LJ Erspamer           | 1                               |
| 4   | Cliff Weiss           | 2                               |
| 5   | Adam Frisch           | 2                               |
| 6   | Steven Skadron        | 1                               |
| Total valid votes                                       |                       | 7                               |
| Total undervotes  |                       | 5                               |
| Total overvotes   |                       | 1                               |
| Total blank voted ballots                               |                       | 2                               |

We confirmed that each machine correctly tabulated the number of valid votes for each candidate in each precinct for which the machine in question was programmed. Due to time constraints, we usually printed summary test reports following each run of the Multivote Deck. The summary test reports show only the number of valid votes; they do not separately itemize undervotes, overvotes or blank voted ballots. However, we elected to print the full tabulation report on Absentee #3, on which the complete Multivote Deck was counted. This full tabulation report, attached as Exhibit 1, shows the correct number of valid votes, undervotes, overvotes and blank voted ballots in each precinct. We did not observe any anomalies during the processing of the Multivote Deck. We signed and dated all tabulation reports following the Multivote Deck test, and then generated, dated and signed zero reports on each machine, before counting the full Logic and Accuracy (“LAT”) Deck, described in Section 3 below.

### 3. LAT Deck

The LAT Deck is pre-printed on polling place ballot stock (flat, unfolded ballots), and is configured so that a number of ballots in each precinct are consecutively marked with a single vote for each candidate or question choice. The number of sequential ballots marked for a particular candidate or answer to a ballot question corresponds to the ballot position of that choice within each contest. This configuration yields the precinct vote tally contained in Table 5:

| <b>TABLE 5 – PRECINCT VOTE TALLY FOR LAT DECK</b> |                        |                       |                             |
|---|------------------------|-----------------------|-----------------------------|
| <b>Contest</b>                                    | <b>Ballot Position</b> | <b>Candidate Name</b> | <b>Vote(s) per Precinct</b> |
| Mayor   | 1                      | Andrew Kole           | 1                           |
| Mayor   | 2                      | Mick Ireland          | 2                           |
| Mayor   | 3                      | Ruth Kruger           | 3                           |
| City Council                                      | 1                      | Scott Writer          | 1                           |
| City Council                                      | 2                      | Marcia Goshorn        | 2                           |
| City Council                                      | 3                      | LJ Erspamer           | 3                           |
| City Council                                      | 4                      | Cliff Weiss           | 4                           |
| City Council                                      | 5                      | Adam Frisch           | 5                           |
| City Council                                      | 6                      | Steven Skadron        | 6                           |
| Question 1  | 1                      | Yes                   | 1                           |
| Question 1  | 2                      | No                    | 2                           |

The total number of votes each candidate receives on a particular AVOS machine in this test depends on the number of precincts for which the machine in question is programmed. These machine tallies are shown in Table 6:

| TABLE 6 – MACHINE VOTE TALLY FOR LAT DECK                         |                |                 |                   |                      |             |
|---|----------------|-----------------|-------------------|----------------------|-------------|
| Location  | Candidate      | Ballot Position | Vote per Precinct | Precincts Programmed | Total Votes |
| ABSENTEE BALLOT<br>PROCESSING CENTER<br>PRECINCTS 1-5             | A. Kole        | 1               | 1                 | 5                    | 5           |
|   | M. Ireland     | 2               | 2                 | 5                    | 10          |
|   | R. Kruger      | 3               | 3                 | 5                    | 15          |
|   | S. Writer      | 1               | 1                 | 5                    | 5           |
|   | M. Goshorn     | 2               | 2                 | 5                    | 10          |
|   | LJ Espamer     | 3               | 3                 | 5                    | 15          |
|   | C. Weiss       | 4               | 4                 | 5                    | 20          |
|   | A. Frisch      | 5               | 5                 | 5                    | 25          |
|   | S. Skadron     | 6               | 6                 | 5                    | 30          |
|   | Question 1-Yes | 1               | 1                 | 5                    | 5           |
|   | Question 1-No  | 2               | 2                 | 5                    | 10          |
| RIO GRANDE MEETING ROOM<br>POLLING PLACE<br>PRECINCTS 1-3         | A. Kole        | 1               | 1                 | 3                    | 3           |
|   | M. Ireland     | 2               | 2                 | 3                    | 6           |
|   | R. Kruger      | 3               | 3                 | 3                    | 9           |
|   | S. Writer      | 1               | 1                 | 3                    | 3           |
|   | M. Goshorn     | 2               | 2                 | 3                    | 6           |
|   | LJ Espamer     | 3               | 3                 | 3                    | 9           |
|   | C. Weiss       | 4               | 4                 | 3                    | 12          |
|   | A. Frisch      | 5               | 5                 | 3                    | 15          |
|   | S. Skadron     | 6               | 6                 | 3                    | 18          |
|   | Question 1-Yes | 1               | 1                 | 3                    | 3           |
|   | Question 1-No  | 2               | 2                 | 3                    | 6           |
| SCHULTZ HEALTH & HUMAN<br>SERVICES POLLING PLACE<br>PRECINCTS 4-5 | A. Kole        | 1               | 1                 | 2                    | 2           |
|   | M. Ireland     | 2               | 2                 | 2                    | 4           |
|   | R. Kruger      | 3               | 3                 | 2                    | 6           |
|   | S. Writer      | 1               | 1                 | 2                    | 2           |
|   | M. Goshorn     | 2               | 2                 | 2                    | 4           |
|   | LJ Espamer     | 3               | 3                 | 2                    | 6           |
|   | C. Weiss       | 4               | 4                 | 2                    | 8           |
|   | A. Frisch      | 5               | 5                 | 2                    | 10          |
|   | S. Skadron     | 6               | 6                 | 2                    | 12          |
|   | Question 1-Yes | 1               | 1                 | 2                    | 2           |
|   | Question 1-No  | 2               | 2                 | 2                    | 4           |

We counted the full LAT Deck on the three AVOS machines programmed for use in the absentee ballot processing center; the portion of the LAT Deck for Precincts 1-3 on the two machines programmed for the Rio Grande polling place; and the portion of the LAT Deck for Precincts 4-5 on the two machines programmed for the Schultz Health & Human Services polling place. The vote tallies on each tabulation report exactly matched the tally of votes yielded by the configuration of the LAT Deck, on both a precinct-by-precinct basis and combined precinct-per-machine basis. This fact is evidenced by the tabulation reports printed from each machine, which we signed and dated. We then generated, signed and dated zero reports on every machine, before counting our individual test ballots as described section 4, below.

#### 4. Testing Board Member Test Ballots

Prior to the Logic and Accuracy Test, the City Clerk provided each of us with twenty-five test ballots, clearly labeled as such, comprised of five blank ballots from each of the five precincts. Unlike the pre-printed test decks, our test ballots were printed on absentee ballot stock, i.e. they were scored and folded by the ballot printer. We were instructed to mark these ballots in private in any manner we desired. For example, we could place stray marks and intentionally overvote or undervote as many contests and ballots as we wanted. We manually tallied the number of valid votes on our respective test ballots, and then exchanged our marked test ballots and tally sheets with one another to confirm the manual tallies. The test ballots and tally sheets marked by Pam Cunningham are attached to this Report as Exhibit 2. The test ballots and tally sheets marked by Mike Simmons are attached to this Report as Exhibit 3. The confirmed valid vote tallies of our respective test ballots are shown in Table 7:

| TABLE 7 – VALID VOTE TALLIES FOR TESTING BOARD MEMBERS’ TEST BALLOTS |                |        |        |        |        |        |       |
|--|----------------|--------|--------|--------|--------|--------|-------|
| TEST BD. MEMBER  | CANDIDATE      | PCT 01 | PCT 02 | PCT 03 | PCT 04 | PCT 05 | TOTAL |
| <b>PAM CUNNINGHAM</b>  | A. Kole        | 2      | 1      | 2      | 2      | 1      | 8     |
|  | M. Ireland     | 1      | 2      | 3      | 2      | 1      | 9     |
|  | R. Kruger      | 2      | 1      | 0      | 1      | 2      | 6     |
|  | S. Writer      | 2      | 0      | 3      | 0      | 1      | 6     |
|  | M. Goshorn     | 2      | 2      | 1      | 1      | 2      | 8     |
|  | LJ Erspamer    | 2      | 1      | 1      | 1      | 1      | 6     |
|  | C. Weiss       | 1      | 2      | 1      | 2      | 1      | 7     |
|  | A. Frisch      | 1      | 1      | 2      | 2      | 0      | 6     |
|  | S. Skadron     | 1      | 1      | 2      | 1      | 0      | 5     |
|  | Question 1-Yes | 2      | 2      | 2      | 2      | 2      | 10    |
| Question 2-No  | 2              | 3      | 2      | 2      | 2      | 11     |       |
| <b>MIKE SIMMONS</b>  | A. Kole        | 2      | 2      | 1      | 1      | 0      | 6     |
|  | M. Ireland     | 2      | 1      | 3      | 4      | 4      | 14    |
|  | R. Kruger      | 1      | 1      | 1      | 0      | 0      | 3     |
|  | S. Writer      | 1      | 0      | 1      | 2      | 1      | 5     |
|  | M. Goshorn     | 2      | 2      | 2      | 1      | 3      | 10    |
|  | LJ Erspamer    | 2      | 1      | 0      | 0      | 0      | 3     |
|  | C. Weiss       | 1      | 1      | 0      | 2      | 0      | 4     |
|  | A. Frisch      | 2      | 2      | 1      | 1      | 2      | 8     |
|  | S. Skadron     | 2      | 2      | 1      | 0      | 2      | 7     |
|  | Question 1-Yes | 2      | 4      | 3      | 2      | 3      | 14    |
| Question 2-No  | 3              | 0      | 2      | 2      | 0      | 7      |       |

We counted our respective test ballots separately on each of the seven AVOS machines, to the extent the machines were programmed to accept the particular precinct styles. We separately confirmed that the machine tallies were correct and accurate. In this regard, it should be noted that both of us intentionally marked at least some of our test ballots improperly. On some ballots, for example, we used ✓s and Xs rather than completely filling in the target areas (ballot ovals). We overvoted and undervoted contests, and one of us placed a stray mark outside of but in close proximity to the target area. In every case, the AVOS machines properly tabulated every ballot, and we did not observe any anomalies in the processing of these ballots. We signed and dated each individual tabulation tape of the LAT Deck, and printed, signed and dated zero reports on each machine. We then proceeded to count the Combined Test Deck as explained in Section 5, below.

## 5. Combined Test Deck

Technically, Election Rule 8.03.05.05 directed us to “select at least twenty percent (20%) but not more than ten (10) ballots representing unique precincts from the test ballots marked by all members of the Testing Board.” The same rule also requires these randomly selected ballots to be combined with the pertinent portions of the LAT Deck and counted on the machines programmed for the precinct styles of the randomly selected ballots.

We departed from the technical requirements of the Combined Test Deck test and instead elected to combine all of our test ballots with the complete LAT Deck, and count the Combined Deck on every machine to the extent each machine was programmed to process ballots of the particular precincts. We made this decision for three reasons. First, the exact requirements of the Combined Test Deck rule would have required us to conduct a separate manual tally of the ballots involved in the test, as determined by the random selection. We did not want to conduct a separate tabulation at that point in time because we were becoming fatigued due to the length of the test. Second, randomly selecting at least 20% but not more than 10 test ballots would have yielded exactly 10 ballots in this particular case, which may or may not have drawn from each of Aspen’s five precincts. On the other hand, our alternate protocol permitted us to run the Combined Deck through all seven machines. Third, we did not want to spend the time tallying and confirming votes for 3 or 4 machines, when we could test all ballots on all machines more quickly and with less risk of a manual tabulation error. In short, we believed our approach yielded a more rigorous test and required less time and risk of human error than the protocol prescribed by Election Rule 8.03.05.05.

The precinct vote tally for the Combined Deck is shown in Table 8:

**TABLE 8 – PRECINCT VOTE TALLY FOR COMBINED DECK**

| PRECINCT   | CANDIDATE      | CUNNINGHAM TEST BALLOTS | SIMMONS TEST BALLOTS | LAT DECK | TOTAL |
|------------|----------------|-------------------------|----------------------|----------|-------|
| PRECINCT 1 | A. KOLE        | 2                       | 2                    | 1        | 5     |
|            | M. IRELAND     | 1                       | 2                    | 2        | 5     |
|            | R. KRUGER      | 2                       | 1                    | 3        | 6     |
|            | S. WRITER      | 2                       | 1                    | 1        | 4     |
|            | M. GOSHORN     | 2                       | 2                    | 2        | 6     |
|            | LJ ERSPAMER    | 2                       | 2                    | 3        | 7     |
|            | C. WEISS       | 1                       | 1                    | 4        | 6     |
|            | A. FRISCH      | 1                       | 2                    | 5        | 8     |
|            | S. SKADRON     | 1                       | 2                    | 6        | 9     |
|            | QUESTION 1-YES | 2                       | 2                    | 1        | 5     |
|            | QUESTION 1- NO | 2                       | 3                    | 2        | 7     |
| PRECINCT 2 | A. KOLE        | 1                       | 2                    | 1        | 4     |
|            | M. IRELAND     | 2                       | 1                    | 2        | 5     |
|            | R. KRUGER      | 1                       | 1                    | 3        | 5     |
|            | S. WRITER      | 0                       | 0                    | 1        | 1     |
|            | M. GOSHORN     | 2                       | 2                    | 2        | 6     |
|            | LJ ERSPAMER    | 1                       | 1                    | 3        | 5     |
|            | C. WEISS       | 2                       | 1                    | 4        | 7     |
|            | A. FRISCH      | 1                       | 2                    | 5        | 8     |
|            | S. SKADRON     | 1                       | 2                    | 6        | 9     |
|            | QUESTION 1-YES | 2                       | 4                    | 1        | 7     |
|            | QUESTION 1- NO | 3                       | 0                    | 2        | 5     |
| PRECINCT 3 | A. KOLE        | 2                       | 1                    | 1        | 4     |
|            | M. IRELAND     | 3                       | 3                    | 2        | 8     |
|            | R. KRUGER      | 0                       | 1                    | 3        | 4     |
|            | S. WRITER      | 3                       | 1                    | 1        | 5     |
|            | M. GOSHORN     | 1                       | 2                    | 2        | 5     |
|            | LJ ERSPAMER    | 1                       | 0                    | 3        | 4     |
|            | C. WEISS       | 1                       | 0                    | 4        | 5     |
|            | A. FRISCH      | 2                       | 1                    | 5        | 8     |
|            | S. SKADRON     | 2                       | 1                    | 6        | 9     |
|            | QUESTION 1-YES | 2                       | 3                    | 1        | 6     |
|            | QUESTION 1- NO | 2                       | 2                    | 2        | 6     |
| PRECINCT 4 | A. KOLE        | 2                       | 1                    | 1        | 4     |
|            | M. IRELAND     | 2                       | 4                    | 2        | 8     |
|            | R. KRUGER      | 1                       | 0                    | 3        | 4     |
|            | S. WRITER      | 0                       | 2                    | 1        | 3     |
|            | M. GOSHORN     | 1                       | 1                    | 2        | 4     |
|            | LJ ERSPAMER    | 1                       | 0                    | 3        | 4     |
|            | C. WEISS       | 2                       | 2                    | 4        | 8     |
|            | A. FRISCH      | 2                       | 1                    | 5        | 8     |
|            | S. SKADRON     | 1                       | 0                    | 6        | 7     |
|            | QUESTION 1-YES | 2                       | 2                    | 1        | 5     |
|            | QUESTION 1- NO | 2                       | 2                    | 2        | 6     |
| PRECINCT 5 | A. KOLE        | 1                       | 0                    | 1        | 2     |
|            | M. IRELAND     | 1                       | 4                    | 2        | 7     |
|            | R. KRUGER      | 2                       | 0                    | 3        | 5     |
|            | S. WRITER      | 1                       | 1                    | 1        | 3     |
|            | M. GOSHORN     | 2                       | 3                    | 2        | 7     |
|            | LJ ERSPAMER    | 1                       | 0                    | 3        | 4     |
|            | C. WEISS       | 1                       | 0                    | 4        | 5     |
|            | A. FRISCH      | 0                       | 2                    | 5        | 7     |
|            | S. SKADRON     | 0                       | 2                    | 6        | 8     |
|            | QUESTION 1-YES | 2                       | 3                    | 1        | 6     |
|            | QUESTION 1- NO | 2                       | 0                    | 2        | 4     |

Table 9 shows the different machine totals for each candidate:

| TABLE 9 – MACHINE VOTE TALLIES FOR COMBINED DECK                                  |                |        |        |        |        |        |       |
|---|----------------|--------|--------|--------|--------|--------|-------|
| Location  | Candidate      | PCT. 1 | PCT. 2 | PCT. 3 | PCT. 4 | PCT. 5 | Total |
| ABSENTEE BALLOT PROCESSING CENTER<br>PRECINCTS 1-5 (See Exhibits 3-5)             | A. Kole        | 5      | 4      | 4      | 4      | 2      | 19    |
|   | M. Ireland     | 5      | 5      | 8      | 8      | 7      | 33    |
|   | R. Kruger      | 6      | 5      | 4      | 4      | 5      | 24    |
|   | S. Writer      | 4      | 1      | 5      | 3      | 3      | 16    |
|   | M. Goshorn     | 6      | 6      | 5      | 4      | 7      | 28    |
|   | LJ Espamer     | 7      | 5      | 4      | 4      | 4      | 24    |
|   | C. Weiss       | 6      | 7      | 5      | 8      | 5      | 31    |
|   | A. Frisch      | 8      | 8      | 8      | 8      | 7      | 39    |
|   | S. Skadron     | 9      | 9      | 9      | 7      | 8      | 42    |
|   | Question 1-Yes | 5      | 7      | 6      | 5      | 6      | 29    |
|   | Question 1-No  | 7      | 5      | 6      | 6      | 4      | 28    |
| RIO GRANDE MEETING ROOM<br>POLLING PLACE<br>PRECINCTS 1-3 (See Exhibits 6-7)      | A. Kole        | 5      | 4      | 4      |        |        | 13    |
|   | M. Ireland     | 5      | 5      | 8      |        |        | 18    |
|   | R. Kruger      | 6      | 5      | 4      |        |        | 15    |
|   | S. Writer      | 4      | 1      | 5      |        |        | 10    |
|   | M. Goshorn     | 6      | 6      | 5      |        |        | 17    |
|   | LJ Espamer     | 7      | 5      | 4      |        |        | 16    |
|   | C. Weiss       | 6      | 7      | 5      |        |        | 18    |
|   | A. Frisch      | 8      | 8      | 8      |        |        | 24    |
|   | S. Skadron     | 9      | 9      | 9      |        |        | 27    |
|   | Question 1-Yes | 5      | 7      | 6      |        |        | 18    |
|   | Question 1-No  | 7      | 5      | 6      |        |        | 18    |
| SCHULTZ HEALTH & HUMAN SERVICES POLLING PLACE<br>PRECINCTS 4-5 (See Exhibits 8-9) | A. Kole        |        |        |        | 4      | 2      | 6     |
|   | M. Ireland     |        |        |        | 8      | 7      | 15    |
|   | R. Kruger      |        |        |        | 4      | 5      | 9     |
|   | S. Writer      |        |        |        | 3      | 3      | 6     |
|   | M. Goshorn     |        |        |        | 4      | 7      | 11    |
|   | LJ Espamer     |        |        |        | 4      | 4      | 8     |
|   | C. Weiss       |        |        |        | 8      | 5      | 13    |
|   | A. Frisch      |        |        |        | 8      | 7      | 15    |
|   | S. Skadron     |        |        |        | 7      | 8      | 15    |
|   | Question 1-Yes |        |        |        | 5      | 6      | 11    |
|   | Question 1-No  |        |        |        | 6      | 4      | 10    |

We counted the Combined Deck on all seven AVOS machines to the extent each machine was programmed to tabulate ballots of the various precincts. As a result, the entire Combined Deck was counted on the three AVOS machines programmed for use in the absentee ballot processing center; the portion of the Combined Deck for Precincts 1-3 was counted on the two machines programmed for the Rio Grande polling place; and the portion of the Combined Deck for Precincts 4-5 was counted on the two machines programmed for the Schultz Health & Human Services polling place. The vote tallies on each tabulation report exactly matched the tally of votes yielded by the configuration of the Combined Deck, on both a precinct-by-precinct basis and combined precinct-per-machine basis. This fact is evidenced by the tabulation reports printed from each machine, which we signed and dated.

In addition, pursuant to Election Rule 8.03.05.05, we observed Dwight Shellman separately upload the Combined Deck results from each of the seven tested AVOS machine. The Statements of Votes Cast (“SOVCs”) generated after each separate upload are attached to this Report as Exhibits 4 – 10. The SOVCs also confirm that the Combined Deck was correctly counted by the AVOS machines, and that the results were successfully uploaded and properly reported by the tabulation computer.


#### 6. Concluding the Logic & Accuracy Test

The counting of the Combined Deck concluded our equipment testing for this LAT. We observed Dwight Shellman clear the testing results from and set each machine to “election mode.” We then observed the sealing of each AVOS memory card slot, with both an adhesive and a wire seal. We then completed, signed and dated the chain of custody log for each machine, noting the unique numbers of each of its (now) six seals. Each machine was returned to its black nylon case with the appropriate chain of custody log for storage. Finally, pursuant to Election Rule 8.03.07, we observed Dwight Shellman create write-once images of the GEMS election database, in both .gbf and .mdb formats, on a compact disc. The CD was placed in a jewel case. The index card on the inside of the jewel case was pre-prepared as a chain of custody log. We completed, signed and dated the chain of custody

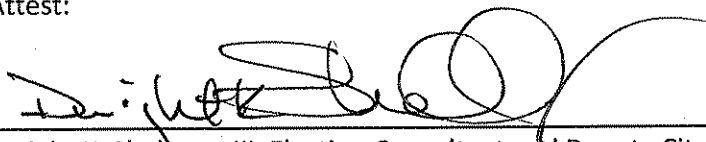
log, noting unique seal numbers to be affixed on each side of the jewel case. The completed chain of custody log was then placed inside the jewel case, the jewel case was closed, and the adhesive seals noted on the log were affixed to their proper locations on the outside of the case. We adjourned at approximately 5:30 p.m., and left all sealed equipment, test records and other materials in the custody of Dwight Shellman.

Respectfully submitted,

  
\_\_\_\_\_  
Pam Cunningham, Republican LAT Judge

  
\_\_\_\_\_  
Mike Simmons, Democratic LAT Judge

Attest:

  
\_\_\_\_\_  
Dwight K. Shellman III, Election Consultant and Deputy City Clerk

Note: Attached hereto as Exhibit 11 is the audit log from the City of Aspen's tabulation software for all entries dated April 22, 2011 (the date of the above-described LAT), corroborating the uploading of tabulation results as described in this Report by LAT Judges Pam Cunningham and Mike Simmons. DKSIII 4/27/2011 19:38

EXHIBIT 1 – FULL TABULATION REPORT  
OF MULTIVOTE DECK GENERATED  
FROM ABSENTEE BALLOT AVOS #3  
(S/N 86475 – MC# 117107)

## EXHIBIT 2 – PAM CUNNINGHAM’S TEST BALLOTS

## EXHIBIT 3 – MIKE SIMMONS' TEST BALLOTS

EXHIBIT 4 – GEMS SOVC FOR COMBINED TEST DECK –  
ABSENTEE BALLOT AVOS #1  
(S/N 86340 – MC# 71834)

EXHIBIT 5 – GEMS SOVC FOR COMBINED TEST DECK –  
ABSENTEE BALLOT AVOS #2  
(S/N 86343 – MC# 80802)

EXHIBIT 6 – GEMS SOVC FOR COMBINED TEST DECK –  
ABSENTEE BALLOT AVOS #3  
(S/N 86475 – MC# 117107)

EXHIBIT 7 – GEMS SOVC FOR COMBINED TEST DECK –  
RIO GRANDE MEETING ROOM AVOS #1  
(S/N 44343 – MC# 107600)

EXHIBIT 8 – GEMS SOVC FOR COMBINED TEST DECK –  
RIO GRANDE MEETING ROOM AVOS #2  
(S/N 86337 – MC# 61659)

EXHIBIT 9 – GEMS SOVC FOR COMBINED TEST DECK –  
SCHULTZ HEALTH & HUMAN SERVICES AVOS #1  
(S/N 44531 – MC# 58619)

EXHIBIT 10 – GEMS SOVC FOR COMBINED TEST DECK –  
SCHULTZ HEALTH & HUMAN SERVICES AVOS #2  
(S/N 86339 – MC# 88978)

EXHIBIT 11 – GEMS AUDIT LOG ENTRIES FOR  
4/22/2011