



Diebold Election Systems, Inc.  
1611 Wilmeth Road  
McKinney, TX 75069  
972 542-6000  
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www.dieboldes.com

July 11, 2005

Attn: Paul Craft  
Bureau Chief  
Bureau of Voting Systems Certification  
Division of Elections, Florida Department of State  
Room 231, The Collins Building  
107 West Gaines Street  
Tallahassee, Florida 32399-0250

Re: DESI Equipment on Loan to the State of Florida Division of Elections

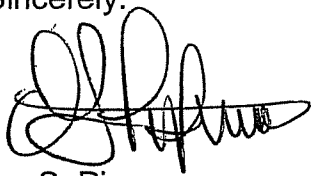
Dear Paul:

It has come to the attention of Diebold Election Systems, Inc. (DESI) that AutoMARK is seeking certification of its product with DESI's AccuVote-OS ballot scanning system (AccuVote-OS) in the state of Florida. I understand that to meet the state certification requirements, AutoMARK will be required to provide a "test environment" of its product with the AccuVote-OS.

As we discussed on Friday, July 8, 2005, DESI has not given AutoMARK or any other competing election systems vendor authorization to use the AccuVote-OS (or any other DESI product) in any certification proceeding. This correspondence confirms our July 8 phone conversation, where we agreed that any voting system hardware and software provided by DESI to the State of Florida Division of Elections (1) is owned by DESI, and (2) is to be used by the Division of Elections solely for the purposes of certifying DESI voting systems submitted by DESI and as a Florida state archive of the DESI certified configurations. Consequently, DESI hardware and software cannot be used with any third party vendor's certification proceeding (including test environments) without DESI's prior written authorization.

I would also appreciate your cooperation in contacting DESI immediately if any vendor, including AutoMARK, proposes to use or presents any DESI product in a test environment or otherwise in Florida certification proceedings. Your notification will allow DESI to take the necessary steps to protect its proprietary interests. If you have any further questions on this matter, please contact me at my office (972.542.6000).

Sincerely:

A handwritten signature in black ink, appearing to read 'Ian S. Piper', with a stylized flourish at the end.

Ian S. Piper  
Compliance Officer  
Diebold Election Systems, Inc.