



**Ruth Johnson**  
**Oakland County Clerk/Register of Deeds**  
www.oakgov.com/clerkrod

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May 5, 2006

Terri Lynn Land  
Secretary of State  
Michigan Department of State  
430 W. Allegan  
Richard Austin Building, Fourth Floor  
Lansing, MI 48918

Dear Secretary Land,

For months, Oakland County has tried unsuccessfully to remedy ongoing problems with the new election equipment and service provided by Election Systems & Software, but to no avail. Our May 2 election revealed critical quality issues with the machines and exposed ES & S' complete lack of inclination and ability to provide timely and efficient service. (Please see attached letters to Aldo Tesi, CEO, ES & S.)

With no alternative, I would like to make a formal complaint against ES & S. and ask that you investigate these problems. When Oakland County clerks voted on which system to select, they opted for ES & S as the best of three choices, as did 50 percent of the communities in America. It appears ES & S is now totally overwhelmed by the demand for the new voting machines.

Even before the May election, we were working with local clerks who voiced concerns about the M100 machines, which were jamming during tests, requiring clerks to open the locked ballot boxes to "pat down" ballots.

Today, three days after the May 2 Election Day, it is clear that quality issues go much deeper than we even anticipated. Some of our local clerks, who are so conscientious and dedicated, have lost faith in the ability of machines to perform. One clerk had to have repairs performed on 22 – more than 60 percent – of her 36 M100 machines. Two days before her election, two of her machines that had tested fine suddenly lost their LED screens. "We were holding our breath on Election Day," she said. (Please see attached letter from Janet Roncelli.)

Below is just a partial list of problems reported by local clerks:

**I. Service**

1. ES & S was weeks late in completing ballot coding for our M100 machines. Clerks were forced to send out thousands of untested absentee ballots. We have no confidence ES & S has the ability to fulfill contractual obligations to code our August and November elections. We have asked ES & S for a refund of those funds to secure service that is more reliable.

Administrative Offices  
1200 N Telegraph, Dept 415  
Pontiac MI 48341-0415  
(748) 858-0560

Elections Division  
1200 N Telegraph, Dept 417  
Pontiac MI 48341-0417  
(748) 858-0564

Legal & Vital Records  
1200 N Telegraph, Dept 413  
Pontiac MI 48341-0413  
(748) 858-0581

Register of Deeds Office  
1200 N Telegraph, Dept 480  
Pontiac MI 48341-0480  
(748) 858-0605