IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 2:06-cv-392-WKW
	)	
THE STATE OF ALABAMA and NANCY L. WORLEY, Secretary of State, in her official capacity,	)	
	)	
Defendants.	)	

SPECIAL MASTER'S FIFTH
(JANUARY 2007) INTERIM REPORT

Comes now Bob Riley, Governor of the State of Alabama, as Court-appointed Special Master, and files his fifth monthly interim report detailing the activity and progress made toward implementation of Alabama's single, uniform, official, centralized, interactive computerized statewide voter registration list.

I. ACTIVITIES OF THE SPECIAL MASTER AND THE SPECIAL MASTER'S IMPLEMENTATION COMMITTEE

Activities since the date of the Special Master's fourth report are as follows:

A. Special Master's Implementation Committee has continued to perform meaningful activities in the past month, even though there were two major holidays. All activities are leading toward an appropriate evaluation of proposals and hopeful awarding of a contact to the vendor deemed most responsible and most economical.

B. The Implementation Committee has scheduled site visits with two of the submitting vendors during the time frame January 4 through January 9, 2007. These

site visits will be held in Los Angeles, California, and Little Rock, Arkansas. The site visits include working meetings and dinner the day of arrival and full days of working systems review on the day following arrival. The site visits will be attended by two or more Implementation Committee members along with Probate Judge Mike Davis and Justin Aday, assistant to Trey Granger.

C. The Implementation Committee has designed comprehensive scoring sheets and profiles for the vendor proposals. These scoring sheets and profiles have been distributed to the Alabama HAVA Proposal Evaluation Committee and to the Alabama HAVA Committee. The Implementation Committee has established contact and working relationships with the Alabama Department of Finance Information Systems Division, Department of Public Health, Department of Public Safety, and the Administrative Office of Courts.

D. The Implementation Committee has performed a detailed review of the proposals from three vendors. The Committee has requested pricing confirmations from each participating vendor.

E. The Special Master has been advised by the Implementation Committee that one of the three submitting vendors has formally withdrawn from consideration. The withdrawing vendor is Saber Technologies. It is considered regrettable that Saber has withdrawn because their presentation was excellent, although their proposed pricing was the highest of the three vendors.

F. The Implementation Committee is currently attempting to schedule a meeting with the full HAVA Committee within the next week to ten days, but coordination of this proposed meeting has been difficult because of the holiday season.

G. The Special Master continues to believe that he and his Implementation Committee are "on course" and "on schedule" in accordance with their predetermined operational schedule. Thus, the Special Master believes that implementation is on schedule and can reasonably be expected to be accomplished within the timeframes previously set by the Court.

Done this 2nd day of January 2007.

Respectfully submitted,

/s/ Kenneth D. Wallis, II
Kenneth D. Wallis, II
Chief Legal Advisor
Office of the Governor
State Capitol, Suite NB-05
600 Dexter Avenue
Montgomery, Alabama 36130
(334) 242-7120 Phone
(334) 242-2335 Fax

CERTIFICATE OF SERVICE

I hereby certify that on January 2, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Algert S. Agricola, Jr.

James Harold Anderson

Terry G. Davis

Frank Corley Ellis, Jr.

Misty S. Fairbanks

Margaret L. Fleming

Shannon Lynn Holliday

Christy A. McCormick

R. Randolph Neeley

Donald Palmer

Robert D. Popper

Edward Still

Michael W. Robinson

Gary R. Trawick

Winfield J. Sinclair

Dorman Walker

And I hereby certify that I have mailed by United States Postal Service the foregoing document to the following non-CM/ECF participants:

John K. Tanner
U.S. Department of Justice
Chief, Voting Section
Civil Rights Division
Room 7254-NWB
950 Pennsylvania Avenue NW
Washington, DC 20530

Wan J. Kim
U.S. Department of Justice
Voting Section
Civil Rights Division
Room 7254-NWB
950 Pennsylvania Avenue, NW
Washington, DC 20530

/s/ Kenneth D. Wallis, II
Kenneth D. Wallis, II
Chief Legal Advisor
Office of the Governor