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September 22, 2006

VIA FEDERAL EXPRESS AND FACSIMILE

WITHOUT PREJUDICE

Sequoia Voting Systems Inc.
7677 Oakport Street
Suite 800
Oakland, CA 94621
Attention: President, CFO or CEO

Re: Misuse of Brennan Center Report on Voting Technology

Ladies and Gentlemen:

We are counsel to The Brennan Center for Justice at New York University School of Law ("The Brennan Center"), a not-for-profit, 501(c)(3) organization that unites thinkers and advocates in pursuit of a vision of inclusive and effective democracy. The Brennan Center's mission is to develop and implement an innovative, nonpartisan agenda of scholarship, public education, and legal action that promotes equality and human dignity, while safeguarding fundamental freedoms.

On August 28, 2006, The Brennan Center published a report on voting technology entitled "The Machinery of Democracy: Usability of Voting Systems" (the "Report"), a comprehensive study that calls attention to potential problems with the usability of new electronic voting technology, and provides recommendations to improve the systems. The Report does not rate or endorse any voting systems or products.

Against this background, The Brennan Center has recently learned that your company has misused the Report to falsely suggest that The Brennan Center has rated your company's voting systems or that The Brennan Center endorses, sponsors or approves of your company or its voting systems. In particular, our client has identified at least the following misstatements of facts appearing on your company's web site and in its September 20, 2006 press release (the "Press Release"):

1) "Sequoia Voting Systems' AVC Edge receives best rating in new Brennan Center report on usability."

2) "Sequoia Voting Systems' AVC Edge, a touch screen Direct Record Electronic (DRE) voting system, received the top usability rating of any voting machine in the Brennan Center for Justice at New York University School of Law's recent report."

3) "Sequoia's AVC Edge, which was used statewide in Nevada for the 2004 presidential election, produced a residual vote rate of 0.3% - significantly lower than all other comparable systems."

These statements are contained in the Press Release, which may be found at the following Sequoia web page: <http://www.sequoiavote.com/article.php?id=78>. (We include a copy of the Press Release for your reference.)

The foregoing statements are factually incorrect.

First, and most simply, the Report does not rate any voting systems. The first two statements are therefore patently false.

Second, as explained on page 16 of The Brennan Center Report, because no states other than Nevada include a "none of the above option", which reduces the residual vote rate, and because no states other than Nevada used the DRE system with VVPT, the Report states that the data for the DRE system with VVPT "are too limited to draw any conclusions regarding residual vote rates," and that the .3% residual voter rate "is not directly comparable to that produced by other jurisdictions with different ballot options." Therefore, Sequoia's statements that suggest a comparison of the Sequoia Voting System with other voting machines are false and misleading.

Furthermore, the above statements falsely suggest sponsorship or endorsement of the Sequoia voting system by The Brennan Center. As a not-for-profit organization with a nonpartisan agenda and mission as set forth above, The Brennan Center does not engage in such endorsements. The suggestion of an endorsement therefore damages The Brennan Center's reputation of impartiality and objectivity.

All in all, the above referenced statements are false, deceptive and misleading to the public and the relevant trade and damaging to The Brennan Center's mission and its reputation and good name. As such, they constitute a violation of Section 43(a) of the Federal Lanham Act, among other violations of applicable law.

Accordingly, The Brennan Center asks that Sequoia immediately (i) remove from its website the false statements; (ii) cease making such claims, whether in writing or verbally in connection with the marketing and promotion of its voting systems; (iii) correct the offensive claims; and (iv) release a public statement announcing the correction of such claims, and post the statement on its website.

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Please confirm to us in writing by no later than **September 28, 2006** that you have complied with these requests.

This letter does not purport to constitute a complete or exhaustive statement of all of our client's rights, contentions or legal theories. Nothing contained herein is intended as, nor should it be deemed to constitute, a waiver or relinquishment of any of our client's rights or remedies, whether legal or equitable, all of which are hereby expressly reserved.

Sincerely,

Scott M. Kareff

cc: Michelle M. Shafer
(by e-mail to mshafer@sequoiavote.com)