BCC-ALD

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

BEFORE THE ELECTORAL BOARD FOR THE HEARING AND PASSING UPON OF OBJECTIONS TO NOMINATING PETITIONS FOR MUNICIPAL AND ALDERMANIC OFFICES, FEBRUARY 24, 1987 ELECTION

IN RE: Objection of)
John Ott)
To the Nominating Petition of)
Daniel T. Schmitt) NO. 87-EB-ALD- 84
Candidate for the Office of Alderman,)
45th ward, in the City of)
Chicago, Cook County, Illinois)

D E C I S I O N

The duly constituted Electoral Board, consisting of MICHAEL E. LAVELLE, JAMES R. NOLAN and CORNEAL A. DAVIS, organized by law in response to a Call issued by MICHAEL E. LAVELLE, Chairman of said Electoral Board, for the purpose of hearing and passing upon Objections to Nominating Petitions for the Offices of Alderman and Ward Committeeman, having convened on December 29, 1986 at 10:30a.m. in Room 1703, Richard J. Daley Center, Chicago, Cook County, Illinois; and having heard and determined the objections to the petition in the above entitled matter find that:

1. The said Electoral Board has been legally constituted according to the laws of the State of Illinois;
2. Objections to the nominating petition of the candidate herein were duly filed;
3. A Call to the hearing on said objections was duly issued and was served upon the members of the Electoral Board, the objector and the candidate by mail and by personal service as provided by statute;
4. A public hearing was held on these objections commencing December 29, 1986.
5. The following persons, among others, were present at such hearings: the members of the Electoral Board, the objector, ~~xxxxxxxxx~~ by counsel; and the candidate, pro se ~~(or) by counsel~~
6. The Board heard and considered all evidence and arguments tendered by those appearing at the hearing;
7. The Board ordered an examination of the precinct binders to be conducted by its clerks and agents under the Board's direction and supervision, in accordance with the laws of Illinois and the rules of the Board;
8. During examination of the precinct binders, the Board directed all parties to appear and to be present, either personally and/or by their authorized representatives, duly appointed and authorized by said parties;
9. The candidate and/or his duly authorized representatives were present during the examination of the binders at all times;

10. The objector and/or his duly authorized representatives were present during the examination of the binders at all times;

11. Examination of the precinct binders was completed;

12. The Board having heard oral arguments and consider all evidence hereby finds:

a. The statutory minimum number of signatures required for placement on the ballot is	517
b. The number of signatures filed by the candidate total	792
c. The number of signatures because of objections sustained deemed invalid total	72
d. The remaining number of signatures deemed valid total	720

The written report of the Board's findings sustaining signature objections are contained in the Board's file in this cause, and is available upon request of any party.

The Board further finds that the number of valid signatures on the nominating petitions exceeds ~~(or) falls below~~ the minimum number of signatures required by law to be placed upon the ballot as candidate for election to the Office of Alderman, 45th ward.

The Board further finds: _____

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the objections of _____ John Ott to the nominating petition of Daniel Schmitt as candidate for election to the Office of Alderman, 45th ward, are hereby ~~sustained (or)~~ overruled in conformity with the findings in Paragraph 12 hereof and the said petition is hereby declared valid ~~not valid~~, and the name of _____ Daniel Schmitt, as candidate for election to the Office of Alderman, 45th ward, shall ~~(or) shall not~~ be printed on the ballot for the Municipal Election to be held on February 24, 1987.

Dated: Chicago, Illinois, this 7th day of January, 1987.

Michael E. Lonelle
Chairman

James R. Dolan

Member