STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

NBC

ELECTORAL BOARD
FOR THE HEARING AND PASSING UPON OBJECTIONS
TO THE NOMINATION PAPERS OF CANDIDATES FOR
THE OFFICES OF MAYOR, CITY CLERK,
CITY TREASURER AND ALDERMAN FOR THE
CITY OF CHICAGO FOR THE FEBRUARY 28, 1995
ALDERMANIC AND MUNICIPAL PRIMARY ELECTIONS.

Objections of: Salvatore Toia; Dolores Jendrey	)	
To the Nomination Papers of: Bruce T. Modell	)	No: 95-EB-ALD-001 95-EB-ALD-095
Candidate for the Office of Alderman of the 46th Ward.	)	

DECISION

The duly constituted Electoral Board, consisting of MICHAEL J. HAMBLET, ARNETTE R. HUBBARD, and RICHARD A. COWEN, organized by law in response to a Call issued by MICHAEL J. HAMBLET, Chairman of said Electoral Board, for the purpose of hearing and passing upon Objections to Nomination Papers of Candidates for the Offices of Mayor, City Clerk, City Treasurer and Alderman for the City of Chicago: having convened on December 27, 1994, at 1:00 p.m., in Room 308, City Hall, Chicago, Illinois, and having heard and determined the Objections of Salvatore Toia (95-EB-ALD-001); and having convened on January 3, 1995, at 1:00 p.m., in the City Council Chambers, 2nd Floor, City Hall, Chicago, Illinois, and having heard and determined the Objections of Dolores Jendrey (95-EB-ALD-095), to the Nomination Papers 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 Nomination Papers of the Candidate herein were duly filed;

3. A Call to the hearing on said Objections was duly issued and served upon the members of the Electoral Board, the Objectors and the Candidate, by mail and by personal service, as provided by statute;

4. A public hearing was held on these Objections commencing on December 27, 1994 (First Trial Call) and on January 3, 1995 (Second Trial Call);

5. The following persons, among others, were present at such hearings: the members of the Electoral Board and the Candidate pro se (First Trial Call) and the Dolores Jendrey by counsel (Second Trial Call);

6. On December 27, 1994, Candidate made a motion to voluntarily withdraw. The Hearing Officer continued the case until January 3, 1995, giving the Candidate this time to execute the official withdrawal form;

7. On January 3, 1995 at 1:00 p.m., the Candidate failed to appear at the Second Trial Call (95-EB-ALD-095);

8. On January 3, 1995 at 3:00 p.m., the Candidate failed to appear at the second hearing of 95-EB-ALD-001;

9. Although the Candidate expressed on the record his intention to withdrawal as candidate, he did not, in fact, file a Withdrawal of Candidate Nomination Papers with the Chicago Board of Elections;

10. The Board finds that at least one or more Objections constitute sufficient grounds to invalidate the Candidate's Nomination Papers.

IT IS THEREFORE ORDERED, that the objections of Salvatore Toia and Dolores Jendrey are hereby sustained and that the name of Bruce T. Modell, Candidate for election to the office of Alderman of the 46th Ward, shall not be printed on the ballot for the Aldermanic Election to be held on February 28, 1995.

Dated: Chicago, Illinois, this 10th day of January, 1995.

Michael J. Hamblet
MICHAEL J. HAMBLET, Chairman

Arnette R. Hubbard
ARNETTE R. HUBBARD, Commissioner

Richard A. Cowen
RICHARD A. COWEN, Commissioner