NBCOFF-REP

BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO AS THE DULY CONSTITUTED ELECTORAL BOARD FOR THE HEARING AND PASSING UPON OBJECTIONS TO THE NOMINATION PAPERS OF NEW POLITICAL PARTY CANDIDATES FOR THE NOVEMBER 3, 1998 GENERAL ELECTION IN THE CITY OF CHICAGO

Objections of: Martha Soto	)
	)
To the Nomination	)
Papers of: Pemberton H. Shober, Jr.	) No.: 98-EB-NPP-1
	)
Candidate for the Nomination of the Libertarian Party for the Office of Representative in The General Assembly for the 3rd Representative District, State of Illinois	)

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of Board of Election Commissioners of the City of Chicago Commissioners Langdon D. Neal, Richard A. Cowen, and Theresa M. Petrone, organized by law in response to a Call issued by Langdon D. Neal, Chairman of said Electoral Board, for the purpose of hearing and passing upon Objections of Martha Soto to Nomination Papers of Pemberton H. Shober, Jr., Candidate for the nomination of the Libertarian Party for the office of Representative in the General Assembly for the 3rd Representative District of the State of Illinois, having convened on August 17, 1998, in City Hall, 121 North LaSalle Street, Chicago, Illinois, and having heard and determined the Objections to the Nomination Papers in the above entitled matter, finds that:

1. Objections to the Nomination Papers of the Candidate herein were duly and timely filed.

2. The said Electoral Board has been legally constituted according to the laws of the State of Illinois.

3. A Call to the hearing on said Objections was duly issued by the Chairman of the Electoral Board and served upon the members of the Electoral Board, the Objector(s) and the Candidate, by certified mail and by Sheriff's service, as provided by statute.

4. A public hearing was held on these Objections commencing on August 17, 1998 and was continued from time to time.

5. The following persons, among others, were present at such hearing: the members of the Electoral Board, and the Objector, by counsel. Neither the Candidate nor any representative of the Candidate appeared at the August 17, 1998 hearing called in this matter.

6. The record shows that the Candidate, Pemberton Shober, Jr., was served with a copy of the Objector's petition and the Call to the meeting by personal service by the Cook County Sheriff's office on August 13, 1998 at 10:33 p.m..

7. The Board finds that:

   a. Pursuant to State law, the nomination papers of a new political party candidate for the office in question must contain the signatures of not fewer than 877 duly qualified, registered and legal voters of the district from which the candidate is seeking election.

   b. The Candidate's nomination papers contain only 11 presumptively valid signatures;

8. The Board finds that paragraphs 4 and 5 of the Objector's Petition are sustained..

9. The Board finds that the number of presumptively valid signatures on the nominating petition falls below the minimum number of signatures required by law to be placed upon the ballot as a candidate of the Libertarian Party for election to the office Representative in the General Assembly for the 3rd Representative District of the State of Illinois.

10. For the reasons stated above, the Board finds that the Candidate's nominating petitions are not valid.

IT IS THEREFORE ORDERED that the Objections of Martha Soto, to the Nomination Papers of Pemberton H. Shober, Jr., Candidate for the nomination of the Libertarian Party for the office of Representative in the General Assembly for the 3rd Representative District of the State of Illinois, are hereby SUSTAINED and said Nomination Papers are hereby declared be INVALID and the name of Pemberton H. Shober, Jr., Candidate for the nomination of the Libertarian Party for the office of Representative in the General Assembly for the 3rd Representative District of the State of Illinois, SHALL NOT be printed on the ballot for the General Election to be held November 3, 1998.

Dated: Chicago, Illinois, this 25th day of August 1998.

Langdon D. Neal, Chairman

Richard A. Cowen, Commissioner/Member

Theresa M. Petrone, Commissioner/Member

NOTICE: Pursuant to Section 10-10.1 of the Election Code (10 ILCS 5/10-10.1) a party aggrieved of this decision and seeking judicial review of this decision must file a petition for judicial review with the Clerk of the Circuit Court of Cook County within 10 days after the decision of the Electoral Board.