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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: Delores Clark	)	
	)	
To the Nomination	)	
Papers of: David Travis	)	
	)	No. 98-EB-NPP-2
Candidate for the Nomination of the Libertarian Party	)	
for the Office of Representative in the General	)	
Assembly for the 6th Representative District,	)	
State of Illinois	)	Consolidated with

Objections of: Robert M. O'Neill	)	
	)	
To the Nomination	)	
Papers of: David Travis	)	
	)	No. 98-EB-NPP-4
Candidate for the Nomination of the Libertarian Party	)	
for the Office of Representative in the General	)	
Assembly for the 6th 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 Delores Clark to Nomination Papers of David Travis, Candidate for the nomination of the Libertarian Party for the office of Representative in the General Assembly for the 6th Representative District of the State of Illinois (No. 98-EB-NPP-2), and for the purpose of passing upon Objectionsof Robert M. O'Neill to the Nomination Papers of David Travis, Candidate for the nomination of the Libertarian Party for the office of Representative in the General Assembly for the 6th Representative District of the State of Illinois (No. 98-EB-NPP-4), 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 matters, finds that:

1. Objections to the Nomination Papers of the Candidate herein were duly and timely filed in each of the above-captioned cases.

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 Objectors in each of the above-captioned cases, and the Candidate, by certified mail and by Sheriff's service, as provided by statute.

4. The Cook County Sheriff twice attempted to serve Candidate David Travis in each of the above-captioned cases at the address given on the Candidate's nomination papers. The return of service for the first attempt indicated that the reason no service was made is that there was no such address. The return of service for the second attempted service by the Sheriff indicated that the reason no service was made is that the building was vacant. There are no certified mail receipts returned by the Post Office for the Candidate.

5. Public hearings were held on these above-captioned Objections commencing on August 17, 1998 and was continued from time to time.

6. The following persons, among others, were present at such hearing: the members of the Electoral Board and the Objectors, by counsel. Neither the Candidate nor any representative of the Candidate appeared at the August 17, 1998 hearing or at any subsequent hearing of the Electoral Board in either of the above-captioned cases.

7. The Board finds that both of the above-captioned cases are against the same Candidate and the same set of Nomination Papers, present common issues of fact and law and that, in the interests of economy, these cases are consolidated for purposes of hearing and decision.

8. 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 1,554 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;

9. The Board finds that paragraphs 4 and 5 of the Objector's Petition in case No. 98-EB-NPP-2 and that paragraph 4, 5, 7 and 8 of the Objector's Petition in case No. 98-EB-NPP-4 are sustained.

10. The Board finds that the number of presumptively valid signatures on the Candidate's nomination papers 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 6th Representative District of the State of Illinois.

11. For the reasons stated above, the Board finds that the Candidate's Nomination Papers are not valid.

IT IS THEREFORE ORDERED that the Objections of Delores Clark to the Nomination Papers of David Travis, Candidate for the nomination of the Libertarian Party for the office of Representative in the General Assembly for the 6th Representative District of the State of Illinois, and the Objections of Robert M. O'Neill to the Nomination Papers of David Travis, Candidate for the nomination of the Libertarian Party for the office of Representative in the General Assembly for the 6th Representative District of the State of Illinois, are hereby SUSTAINED and said Nomination Papers are hereby declared be INVALID and the name of David Travis, Candidate for the nomination of the Libertarian Party for the office of Representative in the General Assembly for the 6th 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.