CANDWD-ALD

**BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO
AS THE DULY CONSTITUTED ELECTORAL BOARD
FOR THE HEARING AND PASSING UPON OBJECTIONS
TO NOMINATION PAPERS OF CANDIDATES
FOR THE FEBRUARY 23, 1999 MUNICIPAL GENERAL ELECTION
FOR MAYOR, CLERK, TREASURER AND ALDERMAN
IN THE CITY OF CHICAGO**

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| Objections of: JAMES BALCER | ) | |
| | ) | |
| To the Nomination | ) | |
| Papers of: ROBERT P. BERKOWICZ | ) | No.: 99-EB-ALD-078 |
| | ) | |
| Candidate for the Office of | ) | |
| Alderman of the 11th Ward, | ) | |
| City of Chicago | | |

## 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 ("Objections") of JAMES BALCER to nomination papers ("Nomination Papers") of ROBERT P. BERKOWICZ, candidate for the office of Alderman of the 11th for the City of Chicago ("Candidate"), having convened on December 28, 1998, at 9:00 a.m., in the City Council Chambers, City Hall, 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 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 registered or certified mail and by Sheriff's service, as provided by statute.

4. A public hearing held on these Objections commenced on December 28, 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, the Objector(s), JAMES BALCER, and the Candidate ROBERT P. BERKOWICZ.

6. The Electoral Board assigned this matter to Hearing Examiner BRYAN SCHNEIDER for further hearings and proceedings.

7. The Board finds that on December 31, 1998, the Candidate filed papers with the Board of Election Commissioners withdrawing as a candidate for election and requesting that his/her name not be printed upon the ballot, thus rendering the Objections moot.

IT IS THEREFORE ORDERED, that the name of ROBERT P. BERKOWICZ, candidate for election to the office of Alderman of the 11th Ward, shall NOT be printed on the official ballot for the Municipal General Election for Mayor, City Clerk, City Treasurer and Alderman to be conducted in the City of Chicago on February 23, 1999.

Dated: Chicago, Illinois, this Eighth day of January, 1999.

Langdon D. Neal, Chairman

Richard A. Cowen, Commissioner

ABSTAIN

Theresa M. Petrone, Commissioner

**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.**