NBCOFF-SS

BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO AS THE DULY CONSTITUTED ELECTORAL BOARD

Objections of: BERNETTE A. BARNES	)
	)
To the Resolution to Fill a Vacancy in Nomination and to the Nomination Papers of: MATTHEW LONERGAN	)
	) No. 02-EB-RES-04
Candidate for the office of State Senator for the 5th Legislative District, State of Illinois, Libertarian Party	)

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of Board of Election Commissioners of the City of Chicago Commissioners Langdon D. Neal, Theresa M. Petrone and Richard A. Cowen, 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 BERNETTE A. BARNES to the Resolution to Fill a Vacancy in Nomination and the nomination papers ("Nomination Papers") of MATTHEW LONERGAN, candidate of the Libertarian Party for the office of State Senator for the 5th Legislative District, ("Candidate"), having convened on June 4, 2002, at 10:00 AM, in the Board's Conference, Room 800, 69 West Washington, 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 Objectors, by registered or certified mail and by Sheriff's service, as provided by statute, and the Candidate accepted service of said documents through his attorney and having waived statutory service.

4. A public hearing held on these Objections commenced on June 4, 2002 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, BERNETTE A. BARNES, by his attorney, Michael J. Kasper; and the Candidate, MATTHEW LONERGAN, by his attorney, Andrew Speigel.

6. By agreement of the parties, these Objections, along with the Objections in cases 02-EB-RES-02, 02-EB-RES-03 and 02-EB-RES-05, were consolidated with case 02-EB-RES-01 for purposes of briefing and argument because these cases share the same nucleus of facts and issues of law.

7. For the same reasons stated in case 02-EB-RES-01, the Electoral Board finds that the Objector's Petition is sustained in full and that the Candidate's Nomination Papers are declared invalid.

IT IS THEREFORE ORDERED, that the Objections of BERNETTE A. BARNES to the Nomination Papers of MATTHEW LONERGAN, candidate of the Libertarian Party for the office of State Senator for the 5th Legislative District, State of Illinois, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of MATTHEW LONERGAN, candidate of the Libertarian Party for the office of State Senator for the 5th Legislative District, State of Illinois, SHALL NOT be printed on the official ballot for the November 5, 2002 General Election.

Dated: Chicago, Illinois, this 16th day of July, 2002.

Langdon D. Neal, Chairman

Theresa M. Petrone, Commissioner

Richard A. Cowen, 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.