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

Objections of: YVETTE WILLIAMS	)	
	)	
	)	
To the Nomination	)	**No.: 07-EB-ALD-025**
Papers of: MICHAEL CLARK	)	**(rel. 07-EB-ALD-041)**
	)	
Candidate for the office of	)	
Alderman of the Seventeenth 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 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 YVETTE WILLIAMS ("Objector") to the nomination papers ("Nomination Papers") of MICHAEL CLARK, candidate for the office of Alderman of the Seventeenth Ward of the City of Chicago ("Candidate") to be elected at the Municipal General Election to be held on February 27, 2007, having convened on January 2, 2007, at 10:00 a.m., in Room 800, 69 West Washington 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 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 January 2, 2007 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Examiner Frank Tedesso for further hearings and proceedings.

6. The Objector and the Candidate were directed by the Electoral Board's Call served upon them to appear before the Hearing Examiner on the date and at the time designated in the Call. The following persons, among others, were present at such hearing; the Objector, YVETTE WILLIAMS, *pro se*; and the Candidate, MICHAEL CLARK, *pro se*.

7. The Objection allege that the Candidate's Nomination Papers are invalid in that such papers were not neatly bound and fastened together in book form as required by section 10-4 of the Election Code.

8. The Candidate admitted at the hearing on January 2, 2007 that the petition sheets were not stapled or fastened together in any manner and were simply contained in a folder. The Candidate alleged that the Board employee who accepted his Nomination Papers advised him that his papers were in proper form.

9. The Hearing Examiner continued the hearing until January 3, 2007 at 4:00 p.m. to allow the Candidate the opportunity to present testimony of Board employee Sharrell Howell and any other witness.

10. On January 3, 2007, the Candidate failed to appear at the schedule hearing to present evidence. The Hearing Examiner delayed the hearing until 4:15 p.m. and called the case again. The Candidate failed to appear. The Objector was present by counsel.

11. The Hearing Examiner has tendered to the Electoral Board his report and recommended decision. The Hearing Examiner recommends that the Objections to the Candidate's Nomination Papers be sustained and that the Nomination Papers be found invalid.

12. The Electoral Board, having reviewed the record of proceedings in this matter and having considered the report and recommendations of the Hearing Examiner, as well as all argument and evidence submitted by the parties, hereby adopts the Hearing Examiner's recommended findings and conclusions of law. A copy of the Hearing Examiner's Report and Recommended Decision is attached hereto and is incorporated herein as part of the decision of the Electoral Board.

13. For the reasons stated above, the Electoral Board sustains the Objections to the Candidate's Nomination Papers and finds that the Candidate's Nomination Papers are invalid.

14. The Electoral Board further finds that there is another objection to the Candidate's Nomination Papers in case 07-EB-ALD-041, but that such objections are moot due to the decision in this case finding that the Candidate's Nomination Papers are invalid.

IT IS THEREFORE ORDERED that the Objections of YVETTE WILLIAMS to the Nomination Papers of MICHAEL CLARK, candidate for election to the office of Alderman of the Seventeenth Ward of the City of Chicago, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of MICHAEL CLARK, candidate for election to the office of Alderman of the Seventeenth Ward of the City of Chicago, SHALL NOT

be printed on the official ballot for the Municipal General Election to be held on February 27, 2007.

Dated: Chicago, Illinois, this 16th day of January 2007.

Langdon D. Neal, Chairman

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.