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

Objections of: MEGAN C. GROCHOWIAK and CHRISTOPHER WALTER DIX	)	
To the Nomination Papers of: PAUL MILLAR	)	**No.: 07-EB-ALD-055**
Candidate for the office of Alderman of the Thirty-second 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 MEGAN C. GROCHOWIAK and CHRISTOPHER WALTER DIX, ("Objector(s)") to the nomination papers ("Nomination Papers") of PAUL MILLAR, candidate for the office of Alderman of the Thirty-second Ward in 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(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 January 2, 2007 and was continued from time to time.

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

6. The Objector(s) and the Candidate were directed by the Electoral Board to appear before the Hearing Examiner on the date and at the time designated in the Hearing Schedule. The following persons, among others, were present at such hearing: the Objector(s), MEGAN C. GROCHOWIAK and CHRISTOPHER WALTER DIX, by counsel, Thomas A. Jaconetty; and the Candidate, PAUL MILLAR, pro se.

7. The Hearing Examiner ordered that an examination of the registration records be conducted by its clerks and agents under the Board's direction and supervision, in accordance with the laws of Illinois and the rules of the Board.

8. The Hearing Examiner directed all parties to appear and be present, either personally and/or by their authorized representatives during this records examination.

9. The Candidate and/or his duly authorized representative was present during the examination of the registration records.

10. The Objector(s) and/or their duly authorized representative was present during the examination of the registration records.

11. The examination of the registration records was completed and the Electoral Board hereby adopts and incorporates by reference the results of the records examination

conducted by its clerks and agents. The written report of the result of the registration records examination is contained in the Electoral Board's file in this case and a copy has been provided to the parties.

12. The Electoral Board has considered all evidence and arguments tendered by the parties and the Hearing Examiner's report of recommended findings and conclusions of law.

13. The results of the records examination indicate that:

A. The minimum number of valid signatures required by law for placement on the ballot for the office in question is 150;

B. The number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 289;

C. The number of signatures deemed invalid because of objections sustained as a result of the records examination total 179;

D. The remaining number of signatures deemed valid as a result of the records examination total 110.

14. Based upon the evidence presented, the Hearing Examiner found that the Candidate's Nomination Papers contained only 110 valid signatures and that the Candidate's Nomination Papers should be found invalid.

15. The Electoral Board finds that the number of valid signatures appearing on the Candidate's nominating petition following completion of the records examination is less than the minimum number of valid signatures required by law to be placed upon the official ballot as a candidate for election to the office of Alderman of the Thirty-second Ward of the City of Chicago.

16. For the reasons stated above, the Electoral Board sustains the Objections and finds that the Nomination Papers of PAUL MILLAR are not valid.

IT IS THEREFORE ORDERED that the Objections of MEGAN C. GROCHOWIAK and CHRISTOPHER WALTER DIX to the Nomination Papers of PAUL MILLAR, candidate for election to the office of Alderman of the Thirty-second Ward of the City of Chicago are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of PAUL MILLAR, candidate for election to the office of Alderman of the Thirty-second 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 28th 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.

BEFORE THE BOARD OF ELECTION COMMISSIONERS
SITTING AS THE DULY CONSTITUTED MUNICIPAL OFFICERS
ELECTORAL BOARD FOR THE CITY OF CHICAGO

CHRISTOPHER WALTER DIX **MEGAN C. GROCHOWIAK** **Petitioners-Objectors**	)	
vs.	)	**No. 07 - EB - ALD-055**
PAUL MILLAR **Respondent-Candidate**	)	

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HEARING EXAMINER'S RECOMMENDED DECISION

The Respondent-Candidate, **PAUL MILLAR**, filed Nomination Papers (petition sheets) in support of his nomination to the office of Alderman of the 32nd Ward in the City of Chicago to be voted upon at the election on February 27, 2007 (election). The Petitioners-Objectors, CHRISTOPHER WALTER DIX and MEGAN C. GROCHOWIAK, filed a Verified Objector's Petition objecting to the sufficiency of the Candidate's nomination papers for various reasons stated in Paragraphs 3 through 8 of his Petition. Paragraphs 3 and 4 of the Objectors' Petition contain objections based on legal issues that, if sustained, would destroy the validity of all of the candidate's nomination petitions and signatures. Paragraphs 5 through 8 contain objections to the validity of various individual signatures on the nomination petitions, the majority of which could be resolved by a records examination by the Board. Paragraph 8 of the Objector's Petition alleges that the Candidate's nomination papers contain fewer than the required number of 150 properly collected valid signatures of qualified and duly registered legal voters of the

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32nd Ward, City of Chicago, signed by such voters in their own proper person with proper addresses.

The initial hearing on this matter was held on January 2, 2007 and all parties were present and filed their Appearances: Paul Millar, on his own behalf pro se; and the Objectors, through their attorney, Thomas Jaconetty.

Pursuant to Rule 6 of the Board's Rules of Procedure, a Records Examination was ordered to determine the adequacy of the Petitioner's allegations as to whether the Petitioner had filed the minimum number of required valid signatures as required by the Illinois Election Code. The Records Examination was completed on January 9, 2007. The results were as follows:

Number of Signatures Filed	289
Number of Objections Overruled	32
Number of Objections Sustained	179
Number of Valid Signatures	110
Number of Signatures Required	150

The results of the Record Examination were that the Nomination Papers did not contain the requisite number of valid signatures. The Respondent did not request a Rule 8 hearing nor did he present evidence and arguments that may have rehabilitated a sufficient number of sustained signature objections to bring the number of valid signatures to 150. The results of the record examination render the legal issues raised by the Objectors moot.

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Because of the foregoing, it is my recommendation that the Objector's objections should be sustained and the Respondent's name should be excluded from the ballot in the 32nd ~~6th~~ Ward Aldermanic race in the February 27, 2007 election.

Respectfully submitted,

Date: January 24, 2007

By: Linda R. Crane
LINDA R. CRANE, Hearing Examiner

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