OBJWD2-MUN

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

Objections of: Donna Montgomery	)
	)
	)
To the Nomination	) No.: 11-EB-MUN-003
Papers of: Rahm Emanuel	)
	) Related Cases: 11-EB-MUN-001 thru -002,
	) -004 thru -024, -027 thru -029, -031, -037,
	) -039
Candidate for the Office of	)
Mayor of the 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 Marisel A. Hernandez, 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 Donna Montgomery ("Objector") to the nomination papers ("Nomination Papers") of Rahm Emanuel, candidate for the office of Mayor of the City of Chicago ("Candidate") to be elected at the Municipal General Election to be held on February 22, 2011, having convened on December 6, 2010, at 9:00 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 December 6, 2010 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Officer Joseph A. Morris for further hearings and proceedings.

6. The Objector and the Candidate were directed by the Electoral Board to appear before the Hearing Officer on the date and at the time designated in the Hearing Schedule. The following persons, among others, were present at such hearing: the Objector, Donna Montgomery, by attorney Andrew Finko; and the Candidate, Rahm Emanuel, by attorneys, Michael J. Kasper, Kevin M. Forde, and Michael K. Forde.

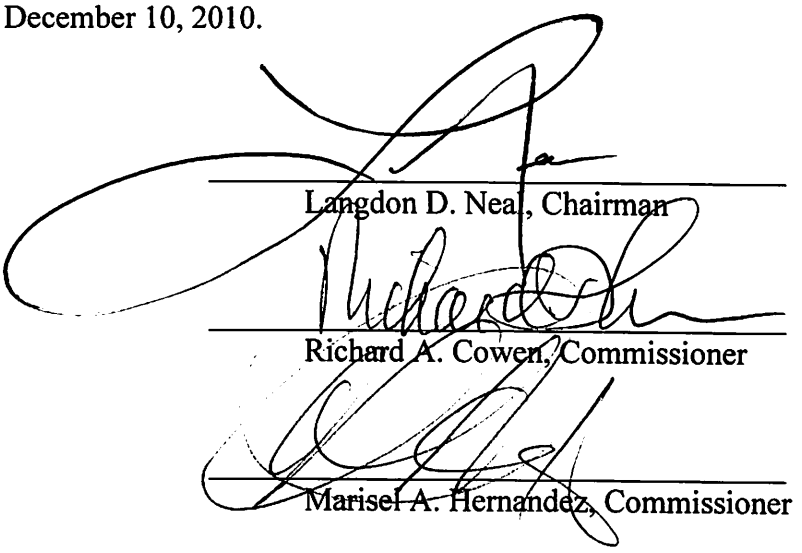
7. The Electoral Board finds that on December 6 the Objector moved to withdraw her Objections against the Candidate's Nomination Papers. The Electoral Board grants the Objector's motion to withdraw the Objections and the Objections are withdrawn.

8. The Objector here also has another objection pending against the Candidate in 11-EB-MUN-012. The dismissal of the Objector's Petition in this case is without prejudice to the Objector's Petition in 11-EB-MUN-012.

9. The Electoral Board further finds that there are other objections filed against the Candidate's Nomination Papers in case Related Cases 11-EB-MUN-001 thru -002, -004 thru -024, -027 thru -029, -031, -037, -039 which will determine whether the Candidate's Nomination Papers are valid or invalid.

IT IS THEREFORE ORDERED that the Objections of Donna Montgomery are withdrawn and this case is dismissed as moot.

Dated: Chicago, Illinois, on December 10, 2010.



Langdon D. Neal, Chairman

Richard A. Cowen, Commissioner

Marisel A. Hernandez, 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 5 days after service of the decision of the Electoral Board.