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

Objections of: Joseph A. Barton	)	
	)	
	)	
To the Nomination	)	No.: 12-EB-RES-09
Papers of: Evelyn Reid	)	
	)	(Rel. Case No. 12-EB-RES-10)
Candidate for the nomination of the	)	
Republican Party for the office of	)	
Representative in the General Assembly of the	)	
33rd Representative District, State of Illinois	)	

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of Board of Election Commissioners for 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 Joseph A. Barton ("Objector") to the nomination papers ("Nomination Papers") of Evelyn Reid, candidate for the nomination of the Republican Party for the office of Representative in the General Assembly of the 33rd Representative District in the State of Illinois ("Candidate") at the General Election to be held on November 6, 2012, having convened on June 18, 2012 at 9:00 AM, 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 June 18, 2012 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Officer Mary C. Meehan 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, Joseph A. Barton, pro se; and the Candidate, Evelyn Reid, pro se. At a subsequent proceeding on July 6, 2012, attorney Laura Jacksack filed an appearance on behalf of Ms. Reid.

7. The Hearing Officer ordered that an examination of the voter registration records be conducted by 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 Officer 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 her duly authorized representative was present during the examination of the registration records.

10. The Objector and/or his 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 or made available to the parties.

12. 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 500;

B. The number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 591;

C. The number of signatures deemed invalid because of objections sustained as a result of the records examination total 163;

D. The remaining number of signatures deemed valid as a result of the records examination total 428.

13. The Electoral Board finds that the number of valid signatures appearing on the Candidate's nominating petition following completion of the records examination was less than the minimum number of valid signatures required by law to be placed upon the official ballot as a candidate for the nomination of the Republican Party for the office of Representative in the General Assembly of the 33rd Representative District of the State of Illinois.

14. The Candidate timely filed a Rule 8 motion objecting to the Board's clerk's findings during the records examination; however, the Candidate's attorney notified the Board via email that the Candidate was no longer going to defend against any objections to her candidacy.

15. The Hearing Officer has tendered to the Electoral Board a report and recommended decision. Based upon the evidence presented, the Hearing Officer found that the

Candidate's Nomination Papers contained only 428 valid signatures, which is less than the minimum number of valid signatures required by law to be placed upon the official ballot as a candidate for nomination of the Republican Party for the office of Representative in the General Assembly for the 33rd Representative District of the State of Illinois, and that the Candidate's Nomination Papers should be found invalid.

16. The Electoral Board, having considered the evidence and arguments tendered by the parties and the Hearing Officer's report of recommended findings and conclusions of law, hereby adopts the Hearing Officer's recommended findings and conclusions of law. A copy of the Hearing Officer's report is attached hereto and is incorporated herein and made a part of the Electoral Board's decision in this case.

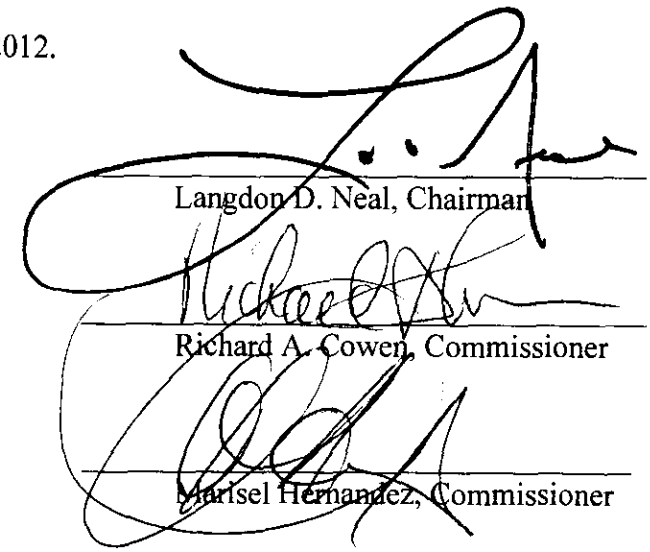
17. For the reasons stated above, the Electoral Board finds that the Candidate has an insufficient number of valid signatures on her nominating petitions and that the Nomination Papers of Evelyn Reid are, therefore, invalid.

18. The Electoral Board further finds that in another objection to the Candidate's Nomination Papers in case 12-EB-RES-10 the Electoral Board also found that the Candidate's Nomination Papers were invalid.

IT IS THEREFORE ORDERED that the Objections of Joseph A. Barton to the Nomination Papers of Evelyn Reid, candidate for the nomination of the Republican Party for election to the office of Representative in the General Assembly of the 33rd Representative District of the State of Illinois are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of Evelyn Reid, candidate for nomination of the Republican Party for the office of Representative in the General Assembly for the 33rd Representative

District of the State of Illinois, SHALL NOT be printed on the official ballot for the General Election to be held on November 6, 2012.

Dated: Chicago, Illinois, on July 13, 2012.



Langdon D. Neal, Chairman

Richard A. Cowen, Commissioner

Marisel 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.

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

JOSEPH A. BARTON	)	
Objector	)	**12-EB-RES-09**
	)	
-v-	)	
	)	
EVELYN REID	)	**Mary C. Meehan**
Candidate	)	**Hearing Officer**

BOARD OF ELECTION
COMMISSIONER
2012 JUL 11 P 2:23

RECOMMENDED FINDINGS AND DECISION

The above named cause came to be heard before the Chicago Board of Election Commissioner's ("CBOE") on verified objection of Joseph Barton ("Objector") to the nomination papers of Evelyn Reid ("Candidate") for the Office of Representative in the General Assembly in and for the 33rd Representative District for the Republican Party, Mary C. Meehan, Hearing Officer finds and recommends as follows:

1. The initial hearing in this matter was conducted on June 18th, 2012. Both Candidate and Objector filed appearances representing themselves pro se. On July 6th, 2012 at a status hearing Attorney Laura Jacksack filed an appearance on behalf of the Candidate, Evelyn Reid. Objector, Joseph Barton continued to represent himself.

2. A records examination was completed on June 27th, 2012 at 7:07pm. The examination of the records is hereby adopted and incorporated by reference to the results of the records examination. Both parties acknowledged receipt of the records examination results by copy in a timely manner.

3. The Candidate filed a timely Rule 8 Motion and the Objector responded. The above matter came to be heard before this Hearing Officer on July 06, 2012 at 10 a.m. for a Status to narrow issues for an Evidentiary Hearing. The Evidentiary Hearing was set for July 10th at 1:30p.m.

4. On July 09th, 2012 Attorney for the Candidate, Laura Jacksack notified the board of her intentions via email stating "Due to a different objection to her candidacy which she

cannot overcome, Evelyn Reid is no longer going to be defending against any objections to her candidacy.". Said email was incorporated into the record as Board Exhibit E.

5. On July 10th, 2012 1p.m. the matter was called. Objector was present in person. Attorney Jacksack appeared on behalf of the Candidate via phone. Ms. Jackson presented no evidence, acknowledged the email (Exhibit E), and rested on the results of the records exam. Objector Barton also rested on the results of the records exam.

6. The Hearing Officer has considered all evidence and arguments offered by the parties and finds that:

    A. The minimum number of valid signatures required by law for placement on the ballot for the office in question is 500;
    B. The total number of signatures is 591;
    C. The total number of objections to signatures is 392;
    D. The number of signatures deemed invalid because of objections sustained total 163;
    E. The number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 428; which is 72 signatures fewer than the required the minimum.

7. The Hearing Officer finds that the number of valid signatures appearing on the Candidate's nominating petition following completion of the records examination is below the minimum number of valid signatures required by law to be placed upon the official ballot as a candidate for the office of Representative in the General Assembly for the 33th District, State of Illinois.

8. The Hearing Officer finds, therefore, the objections to signatures appearing on certain sheets and lines of the Objector's Petition are sustained in part and overruled in part as more fully indicated in the results of the records examination.

9. For reasons stated above, the Hearing Officer recommends the Electoral Board find that the Nominating Papers of Evelyn Reid are invalid and her name not be printed on the ballot for the General Election on November 6th, 2012.

ENTERED THIS 11th day of July, 2012.

Mary C. Meehan
Hearing Officer

2012 JUL 11 P 2:23
BOARD OF ELECTIONS
COMMISSIONER