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

Objections of: ROBERT L JACKSON and LAURENCE OLIVIER	)	
To the Nomination Papers of: ALAN SARGON (AL) RASHO	)	No.: 23-EB-ALD-030
Candidate for the office of Alderperson of the 3rd Ward, City of Chicago	)	

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of the Board of Election Commissioners for the City of Chicago, Commissioners Marisel A. Hernandez, William J. Kresse and June A. Brown, organized by law in response to a Call issued by Marisel A. Hernandez, Chair of said Electoral Board, for the purpose of hearing and passing upon objections ("Objections") of ROBERT L JACKSON and LAURENCE OLIVIER ("Objectors") to the nomination papers ("Nomination Papers") of ALAN SARGON (AL) RASHO, for the office of Alderperson of the 3rd Ward ("Candidate") at the Municipal General and Alderperson Elections to be held on Tuesday, February 28, 2023, having convened on Friday, December 9, 2022 at 4:00 p.m. 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 were duly and timely filed.

2. The Electoral Board was legally constituted under the laws of the State of Illinois.

3. A Call to the hearing on said Objections was duly issued by the Chair of the Electoral Board and served upon the members of the Electoral Board, the Objectors and the

Candidate, by registered or certified mail and by Sheriff's service, as provided by statute or service was waived.

4. A public hearing held on these Objections commenced on Friday, December 9, 2022 and was continued from time to time. The Electoral Board assigned this matter to Hearing Officer Kevin E. Bry for further hearings and proceedings.

5. The Objectors 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 Objectors, ROBERT L JACKSON and LAURENCE OLIVIER, through their attorney, MICHAEL J KASPER; and the Candidate, ALAN SARGON (AL) RASHO.

6. 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.

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

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

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

10. 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.

11. 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 473;

B. The number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 484;

C. The remaining number of signatures deemed valid as a result of the records examination total 379.

12. 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 office of Alderperson of the 3rd Ward.

13. No motions were filed pursuant to Rule 8 of the Board's Rules of Procedure.

14. 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 379 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 the office of Alderperson for the 3rd Ward, and that the Candidate's Nomination Papers should be found invalid.

15. 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 and incorporates the Hearing Officer's recommended findings and conclusions of law.

16. For the reasons stated above, the Electoral Board finds that the Candidate has an insufficient number of valid signatures on his nominating petitions and that the Nomination Papers of ALAN SARGON (AL) RASHO are, therefore, invalid.

IT IS THEREFORE ORDERED that the Objections of ROBERT L JACKSON and LAURENCE OLIVIER to the Nomination Papers of ALAN SARGON (AL) RASHO, candidate for election to the office of Alderperson of the 3rd Ward, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of ALAN SARGON (AL) RASHO, candidate for the office of Alderperson for the 3rd Ward, SHALL NOT be printed on the official ballot for the Municipal General and Alderperson Elections to be held on Tuesday, February 28, 2023.

Dated: Chicago, Illinois, on Friday, January 13, 2023.

Marisel A. Hernandez, Chair

William J. Kresse, Commissioner

June A. Brown, 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 ELECION COMMISSIONERS OF THE CITY OF CHICAGO AS THE DULY CONSTITUTED ELECTORAL BAORD FOR THE HEARING AND PASSING UPON OF OBJECTIONS TO THE NOMINATING PAPERS OF THE CANDIDATES FOR THE FEBRUARY 28, 2023, CONSOLIDATED PRIMARY ELECTION FOR ALDERMAN OF THE 3rd WARD IN THE CITY OF CHICAGO

Robert L. Jackson and Laurence Olivier,	)	
Objectors,	)	
v.	)	No. 23 EB ALD 030
Alan Sargon "AL" Rasho,	)	
Candidate.	)	

HEARING OFFICER'S REPORT AND RECOMMENDED DECISION

Factual Background

The Candidate Alan Sargon "Al" Rasho filed nomination papers for the office of Alderman of the 3rd Ward, City of Chicago in the February 28, 2023, Consolidated Primary Election, and Objectors Robert L. Jackson and Laurence Olivier filed an Objectors' Petition relating to said papers. This matter was initially heard on December 12, 2022, and December 16, 2022 and by telephone conference on or about December 22, 2022. The Objectors appeared through counsel, Michael J. Kaspar, and the Candidate appeared. After discussion of the case and electoral board rules, a Records Examination pursuant to Rule 6 of the Board's rules was ordered; said examination limited to the first 200 of the 485 petition signatures.

The Records Examination was set for December 27, 2022 and a Final Report on the Results dated January 5, 2023, revealed that the Candidate's nomination papers contained 94 signatures fewer than the required 473. No Motion pursuant to Rule 8 of the Board's Rules of Procedure was filed by the Candidate.

Recommended Decision

Given the Board's findings at the Records Examination and the lack of Rule 8 Motion filed, the Hearing Officer recommends that under Jackson-Hicks v. East St. Louis Board of Election Commissioners, 2015 IL 118929, 28 N.E.3d 170 (2015) the objections of Robert L. Jackson and Laurence Olivier to the nominating papers of Alan Sargon "Al" Rasho be sustained, that the nomination papers of Candidate Rasho be deemed **invalid** and that the name of Alan Sargon "Al" Rasho for said office **not be** printed on the ballot at the February 28, 2023, Consolidated Primary Election.

Respectfully Submitted,

s/ *Kevin E. Bry*

Kevin E. Bry, Hearing Officer
January 9, 2023