

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

Objections of: JANELLE RAU-CLAUSON)
)
)
To the Nomination) No.: 15-EB-ALD-169
Papers of: JERRY PASZEK)
)
Candidate for the office of)
Alderman of the 38th 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, 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 JANELLE RAU-CLAUSON (“Objector”) to the nomination papers (“Nomination Papers”) of JERRY PASZEK, candidate for the office of Alderman of the 38th Ward of the City of Chicago (“Candidate”) to be elected at the Municipal General Election to be held on February 24, 2015, having convened on December 8, 2014, 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 8, 2014 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Officer Linda R. Crane 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 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, JANELLE RAU-CLAUSON, by her attorney, Ross D. Secler; the Candidate, JERRY PASZEK, pro se. Attorney Andrew Finko later filed an appearance on behalf of the Candidate.

7. The Candidate filed a motion to strike and dismiss the Objector's Petition, arguing in part that even if all of the objections regarding fraud and pattern of fraud – which the Candidate did not concede – and duplicate signatures were sustained, the Candidate would still have enough valid signatures on his petition. This would have been still true even if the Objector prevailed on each and every signature objection. In light of this, the Hearing Officer has recommended that the Candidate's motion to strike be granted in part to dismiss the fraud objections.

8. An objector's petition that fails to object to a sufficient number of signatures so that even if all of the objections were sustained the candidate's nominating petition would still contain more than the minimum number of valid signatures without any objection whatsoever is properly stricken and dismissed. *Reynolds v. Berrios*, 14-EB-RGA-31, CBEC (2014).

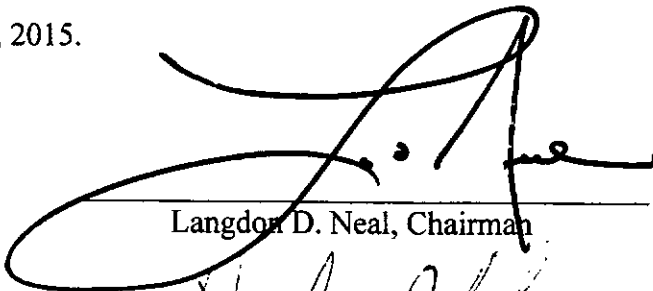
9. The Hearing Officer has tendered to the Electoral Board her report and recommended decision. The Hearing Officer recommends that the Objections to the Candidate's Nomination Papers be overruled and that the Nomination Papers be declared valid.

10. The Electoral Board, having reviewed the record of proceedings in this matter and having considered the report and recommendations of the Hearing Officer, as well as all argument and evidence submitted by the parties, hereby adopts the Hearing Officer's recommended findings and conclusions of law.

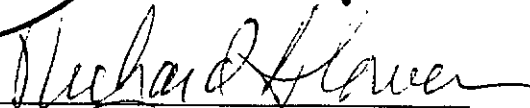
11. For the reasons stated above, the Electoral Board dismisses the Objections to the Candidate's Nomination Papers and finds that the Candidate's Nomination Papers are valid.

IT IS THEREFORE ORDERED that the Objections of JANELLE RAU-CLAUSON to the Nomination Papers of JERRY PASZEK, candidate for election to the office of Alderman of the 38th Ward of the City of Chicago, are hereby DISMISSED and said Nomination Papers are hereby declared VALID and the name of JERRY PASZEK, candidate for election to the office of Alderman of the 38th Ward of the City of Chicago, SHALL be printed on the official ballot for the Municipal General Election to be held on February 24, 2015.

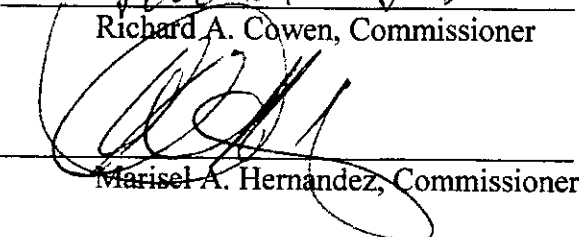
Dated: Chicago, Illinois, on January 9, 2015.



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.