

BEFORE THE DULY CONSTITUTED ELECTORAL BOARD FOR THE HEARING AND PASSING UPON OBJECTIONS TO NOMINATION PAPERS OF CANDIDATES FOR ELECTION TO OFFICE OF ALDERMAN, 49TH WARD, IN THE CITY OF CHICAGO TO BE VOTED UPON AT THE FEBRUARY 26, 2019 MUNICIPAL GENERAL ELECTION

STEVEN SALTZMAN, TERRY A. FEINGOLD)	
	Petitioners-Objectors,)	
v.) Case No.:	19-EB-ALD-008
BILL MORTON,)	
	Respondent-Candidate.)	70 S S S S S S S S S S S S S S S S S S S

OBJECTORS' PETITION

Steven Saltzman and Terry A. Feingold, referred to herein as the "Objectors", tring this Objector's Petition as citizens desirous of seeing that the Election Code of Illinois as well as other election laws governing the filing of nomination papers for the office of Alderman of the Ward, City of Chicago, County of Cook, State of Illinois, ("Office") are properly complied with, and that only qualified candidates who meet all statutory and legal requirements appear on the applicable ballot as candidates for said office for the February 26, 2019 Municipal General Election. In support of this Objectors' Petition, Objectors state as follows:

THE PARTIES

- 1. Steven Saltzman, Objector, resides at 6823 N. Lakewood Avenue, Chicago, Illinois 60626, and is a duly qualified and registered legal voter at that address.
- 2. Terry A. Feingold, Objector, resides at 1337 W. Lunt Avenue, Chicago, Illinois, 60626, and is a duly qualified and registered legal voter at that address.
- 3. Bill Morton ("Candidate") has filed nomination papers ("Nomination Papers") as a candidate for Alderman of the 49th Ward, City of Chicago, County of Cook, State of Illinois, to be voted at the election to be held on February 26, 2019 ("Election").

NATURE OF OBJECTION

4. Pursuant to 10 ILCS 5/10-8, Objectors makes the objections set forth herein to the

nomination papers of Candidate as a candidate for the Office to be voted upon at the Election.

5. This duly constituted electoral board has jurisdiction over this Objectors' Petition pursuant to the authority granted it under the Election Code of Illinois, including without limitation, 10 ILCS 5/10-9 and 10 ILCS 5/10-10.

Residency/False Swearing

- 6. Nominating petitions for election to the office of Alderman of the 49th Ward, City of Chicago, require the signatures of not less than 473 duly qualified, registered, and legal voters of the 49th Ward, collected and filed in a proper and legal form and manner, together with various supporting documents as required by law.
- 7. The Candidate has filed his nominating petitions representing to the public, swearing under oath, and certifying that he is a duly qualified, registered, and legal voter from the 49th Ward, and a legal resident of the City of Chicago, when, in fact, he is not a legal resident at the address given in all of his nominating petitions.
- 8. The Candidate has filed a false, fraudulent, and perjurious Statement of Candidacy in which he swears under oath that he is in fact a qualified voter residing at 6902 N. Glenwood Avenue, Chicago, Illinois 60626, when, in fact, he does not reside at that address.
- 9. Each and every one of the petition signatures sheets filed contains a false statement in the introductory portion to the effect that the Candidate is a duly qualified, registered, and legal voter from the 49th Ward of the City of Chicago, when, in fact, he is not.

Insufficient Signatures

- 5. Pursuant to state law, Nomination Papers for the election to the Office to be voted for at the February 26, 2019 Consolidated Election, must contain the signatures of not fewer than 473 duly qualified, registered and legal voters of the 49th Ward of the City of Chicago collected in the manner prescribed by law. In addition, said Nomination Papers must truthfully allege the qualifications of the candidate, be gathered and presented in the manner provided for in the Illinois Election Code, and otherwise executed in the form provided by law. The Nomination Papers purport to contain signatures in excess of 473 such voters, and further purport to have been gathered, presented and executed in the manner provided by the Illinois Election Code.
- 6. The Nomination Papers contain the names of persons who did not sign said papers in their own proper persons, and said signatures are not genuine and are forgeries, as is set forth specifically in the Appendix-Recapitulation attached hereto and incorporated herein, under the heading, Column A, "Signer Not Validly Registered at Address Shown on Petition" in violation of the Illinois Election Code. These include signatures, such as printed signatures, where the signatures do not match the signature on the Voter Registration record.

- 7. The Nomination Papers contain the names of persons who are not properly registered voters at the addresses shown opposite their respective names, as is set forth specifically in the Appendix-Recapitulation attached hereto and incorporated herein, under the heading, Column B, "Signature not genuine signature of registered voter", in violation of the Illinois Election Code.
- 8. The Nomination Papers contain petition sheets with the names of persons for whom addresses are stated which are not in the 49th Ward of the City of Chicago, County of Cook, State of Illinois and such signatures are not valid, as is set forth specifically in the Appendix-Recapitulation attached hereto and incorporated herein, under the heading, Column C, "Signer resides outside of jurisdiction (Ward 49)", in violation of the Illinois Election Code.
- 9. The Nomination Papers contain the names of persons who have signed the Nomination Papers more than one time as is set forth specifically in the Appendix-Recapitulation attached hereto and incorporated herein, under the heading, **Column D**, "Signed multiple times: (PAGE #, LINE #)", in violation of the Illinois Election Code, thereby invalidating at least one of the duplicate signatures.
- 10. The Nomination Papers contain petition sheets with the names of persons who had previously signed another candidate's petition for nomination for the same office, and such signatures are therefore invalid as set forth specifically in the Appendix-Recapitulation attached hereto and incorporated herein under the heading **Column F** "Signed another petition first" in violation of the Illinois Election Code.
- 12. The Nomination Papers contain less than 473 validly collected signatures of qualified and duly registered legal voters of the 49th Ward of the City of Chicago, County of Cook, State of Illinois, signed by such voters in their own proper person with proper addresses, below the number required under Illinois law, as is set forth by the objections recorded in the Appendix-Recapitulation attached hereto and incorporated herein.
- 13. The Appendix-Recapitulation is incorporated herein and the objections made therein are a part of this Verified Objector's Petition.

WHEREFORE, Objector requests a hearing on the objections set forth herein, an examination by the aforesaid Electoral Board of the official records relating to voters in the applicable district, to the extent that such examination is pertinent to any of the matters alleged herein, a ruling that the Nomination Papers are insufficient in law and fact, and a ruling that the name of BILL MORTON shall not appear and not be printed on the ballot for election to the office of Alderman of the 49th Ward, City of Chicago, County of Cook, State of Illinois, to be voted for at the Municipal General Election to be held February 26, 2019.

Respectfully Submitted,

Steven Saltzman, Petitioner-Objector

Terry A. Feingold, Petitioner-Objector