

BEFORE THE DULY CONSTITUTED ELECTORAL BOARD

IN THE MATTER OF THE OBJECTIONS OF:)
)
Randy Hipman,)
)
)
)
Petitioner-Objector,)
)
)
v.)
)
Ralph Pawlikowski,)
)
)
Respondent-Candidate.)

CASE NO. 19-EB-ALD-013

OBJECTOR'S PETITION

NOW COMES, Randy Hipman, (the "Objector"), and pursuant to §10-8 of the Illinois Election Code, 10 ILCS 5/1-1, et seq., states as follows:

Introduction

The Objector, Randy Hipman, states that he resides at 3541 North Neenah Avenue in the 38th Ward of the City of Chicago, Zip Code 60634, County of Cook, State of Illinois, and that he is a duly qualified, registered, and legal voter in the 38th Ward of the City of Chicago, County of Cook, State of Illinois, the political subdivision in which Respondent-Candidate, Ralph Pawlikowski (the "Candidate") is to be voted upon. Objector states that Objector's interest in filing the following objections is that of a citizen desirous of seeing that the election laws governing the filing of nomination papers for the office of Alderman for the 38th Ward of the City of Chicago in the County of Cook, State of Illinois, are properly complied with, and that only qualified candidates appear on the ballot for said office as a candidate at the February 26, 2019 Municipal General Election ("Election").

Therefore, the Objector makes the following objections, upon information and belief, to the Nomination Papers of Ralph Pawlikowski as a candidate for the office of Alderman for the 38th Ward of the City of Chicago in the County of Cook, State of Illinois, to be voted upon at the February 26, 2019 Municipal General Election.

1. Nomination Papers must truthfully allege the qualifications of the candidate, must contain the statutorily required minimum amount of true and genuine signatures of duly qualified, registered, and legal voters in the political subdivision or district in which Candidate seeks nomination or election, must be gathered and presented in the manner provided for in the Illinois Election Code, and must be otherwise executed in the form provided by law.
2. The Candidate has filed Nomination Papers that purport to contain signatures of duly qualified, legal, and registered voters of the political subdivision or district in which the

Candidate seeks elective office in excess of the statutory minimum and, further purport to have been gathered, presented and executed in the manner provided by the Illinois Election Code.

3. The laws pertaining to the securing of ballot access require that certain requirements be met as established by law. Filings made contrary to such requirements must be voided and found invalid, being in violation of the statutes, and/or established case law, in such cases made and provided. Statute and established case law hold these provisions to be mandatory and strictly construed; failing to comply with even one of them will result in the petitions' invalidation.
4. As set forth herein, the Nomination Papers are insufficient in law and fact for the following reasons:

Objections to Nomination Papers & Candidacy

5. Candidates seeking election to the office of Alderman in the City of Chicago must run as nonpartisan candidates and seek election at the February, Municipal General Election. As part of Candidate's Nomination Papers, Candidate submitted a Statement of Candidacy wherein Candidate swears that he is a "qualified Primary voter of the Democratic Party" and was "duly nominated at said party's caucus". A copy of said Statement of Candidacy is attached hereto and incorporated herein as "**Exhibit A**".
6. As a nonpartisan election, candidates seeking election to the office of Alderman in the City of Chicago cannot run with a political party affiliation or label. Candidates for Alderman in the City of Chicago are not nominated by caucus, let alone a caucus of an established political party. Because Candidate's Statement of Candidacy alleges that Candidate was nominated at Democratic Party caucus to seek election to the office of Alderman of the 38th Ward of the City of Chicago, Candidate's Statement of Candidacy fails to satisfy the mandatory requirements for nonpartisan candidates seeking election in the City of Chicago under Illinois Law. Further, Candidate's Statement of Candidacy is false in that there was no "caucus" of the Democratic Party to nominate him for the office he now seeks. These failures to comply with the mandatory requirements of the Election Code, Municipal Code, and the Revised Cities and Village Act, and the Statement of Candidacy being false, render the Statement of Candidacy null and void, and, as such, the entire Nomination Papers are invalid.

Petition Signature Objections

7. The Objection and Appendix-Recapitulation Sheets attached hereto and incorporated herein as "**Group Exhibit B**" set out the following objections to the Candidate's nomination papers.
8. The Nomination Papers contain petition sheets with the names of persons who are not registered voters at the addresses shown opposite their respective names, as is set forth specifically in the Objection and Appendix-Recapitulation Sheet attached hereto and

incorporated herein, under the heading, Column a., "Signer not registered at address shown", in violation of the Illinois Election Code.

9. 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 signatures of registered voters at the addresses shown opposite their names and are forgeries, as is set forth specifically in the Objection and Appendix-Recapitulation Sheet attached hereto and incorporated herein, under the heading, Column b., "Signature not genuine signature of registered voter", in violation of the Illinois Election Code.
10. The Nomination Papers contain petition sheets with the names of persons for whom addresses are stated that are not in the Political Subdivision or District that the Candidate is seeking elective office and such signatures are not valid, as is set forth specifically in the Objection and Appendix-Recapitulation Sheet attached hereto and incorporated herein, under the heading, Column c., "Signer resides outside political subdivision or district", in violation of the Illinois Election Code.
11. The Nomination Papers contain the names of persons for whom the signer's address is missing or incomplete as is set forth specifically in the Objection and Appendix-Recapitulation Sheet attached hereto and incorporated herein, under the heading, Column d., "Signer's address missing or incomplete", in violation of the Illinois Election Code.
12. 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 Objection and Appendix-Recapitulation Sheet attached hereto and incorporated herein, under the heading, Column e., "Signer signed petition more than once at Sheet/Line indicated", in violation of the Illinois Election Code.
13. The Nomination Papers contain the signatures of various individuals who had previously signed a nominating petition of another candidate for the same office, thereby precluding them from petitioning for the Candidate's attempt to access the ballot at the 2019 Municipal General Election in the City of Chicago, as more fully set forth in the Objection and Appendix-Recapitulation, under the heading, Column f., "Signer previously signed petition of another candidate for the same office", in violation of the Illinois Election Code.
14. The Objection and Appendix-Recapitulation sheets have designated "Sheet Numbers," which reference Candidate's petition sheet numbers. An "X" or "✓" placed on a line of the Appendix-Recapitulation indicates that an objection is made to the corresponding signature line of the referenced petition sheet for the reasons stated above, as well as the other specific allegations made in this Objector's Petition.

Notary & Circulator Objections

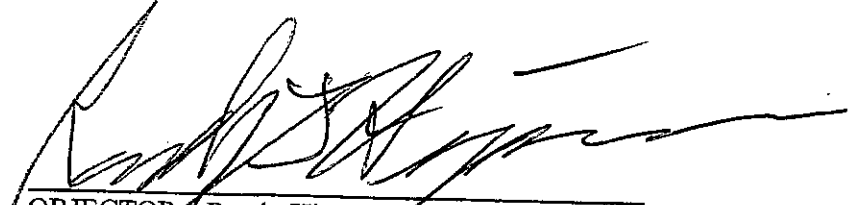
15. In addition to the above-mentioned objections and those more fully set forth below, the Objection and Appendix-Recapitulation sets forth the following objections to Candidate's nomination papers related to purported circulators and notaries.
16. The Nomination Papers contain petition sheets which bear a circulator's affidavit on which the circulator did not personally appear before the Notary Public to subscribe or acknowledge his/her signature as circulator in the presence of said Notary Public, and every signature on such sheets is invalid, as is set forth in the Objection and Appendix-Recapitulation Sheet attached hereto and incorporated herein, under the heading, "Circulator did not appear before Notary".
17. The Nomination Papers contain petition sheets which bear a circulator's affidavit which is not properly sworn to before a Notary Public or other appropriate officer, in that the notarial jurat lacks proper form as prescribed by Illinois law, and every signature on such sheets is invalid, as is set forth in the Objection and Appendix-Recapitulation Sheet attached hereto and incorporated herein, under the heading, "Circulator's affidavit not properly notarized".
18. An "X" or "√" placed on a line at the bottom of the Objection and Appendix-Recapitulation Sheet indicates that an objection is made to all signatures on the referenced petition sheet for the reason specified next to the "X" and the corresponding reasons stated above.

Conclusion

19. This Objection and the Appendix-Recapitulation Sheets attached hereto, and each sheet thereof, as well as the Exhibits attached hereto, are incorporated herein and the objections made therein are a part of this Objector's Petition.
20. Because of the above-listed irregularities and insufficiencies in the Candidate's Nomination Papers, said Nomination Papers contain fewer than the minimum number of signatures of qualified voters required by the Illinois Election code and are invalid in their entirety.

WHEREFORE, Objector prays that the nomination papers of Ralph Pawlikowski as a candidate for the office of Alderman for the 38th Ward of the City of Chicago, County of Cook, State of Illinois, to be voted upon at the February 26, 2019 General Municipal Election be declared to be insufficient and not in compliance with the laws of the State of Illinois, and that the Candidate's name be stricken and **NOT** appear on the February 26, 2019 Municipal General Election ballot, and that this Honorable Electoral Board enter its decision declaring that the name of Ralph Pawlikowski as a candidate for the office of Alderman for the 38th Ward of the City of Chicago, County of Cook, State of Illinois, be **NOT** printed upon the official ballot for the Municipal General Election to be held on February 26, 2019.

Respectfully Submitted,



OBJECTOR - Randy Hipman

Address: 3541 North Neenah Avenue
Chicago, IL 60634

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OBJECTOR'S PETITION

EXHIBIT A

STATEMENT OF CANDIDACY
(NOMINATION BY CAUCUS)

NAME	ADDRESS-ZIP CODE	OFFICE	CITY, VILLAGE OR TOWNSHIP	PARTY
RALPH PAWLIKOWSKI	3628 N PONTIAC AVE CHICAGO, IL 60634	ALDERMAN OF THE THIRTY-EIGHTH WARD OF THE CITY OF CHICAGO, STATE OF ILLINOIS	CHICAGO	NON-PARTISAN

If required pursuant to 10 ILCS 5/7-10.2, 8-8.1 or 10-5.1, complete the following (this information will appear on the ballot)

FORMERLY KNOWN AS _____ UNTIL NAME CHANGED ON _____
(List all names during last 3 years) (List date of each name change)

STATE OF ILLINOIS)
County of COOK) SS.

I, RALPH PAWLIKOWSKI (Name of Candidate) being first duly sworn to (affirmed), say that I reside at 3628 N PONTIAC AVENUE in the City, Village, Unincorporated Area (circle one) of CHICAGO (if unincorporated, list municipality that provides postal service) Zip Code 60634 in the County of COOK State of Illinois; that I am a qualified voter therein and am a qualified Primary voter of the DEMOCRATIC Party; that I am a candidate for election to the office of ALDERMAN OF THE THIRTY-EIGHTH WARD in the CITY OF CHICAGO (city, village or township), as duly nominated at said party's caucus, to be voted upon at the election to be held on FEBRUARY 26th, 2019 (date of election) and that I am legally qualified (including being the holder of any license that may be an eligibility requirement for the office to which I seek the nomination) to hold such office and that I have filed (or I will file before the close of the petition filing period) a Statement of Economic Interests as required by the Illinois Governmental Ethics Act and I hereby request that my name be printed upon the official ballot for election to such office.

2018 NOV 26 1:43
BOARD OF ELECTIONS
COMMISSIONERS

Ralph Pawlikowski
(Signature of Candidate)

Signed and sworn to (or affirmed) by Ralph Pawlikowski before me, on 11/26/2018
(Name of Candidate) (insert month, day, year)

(SEAL)
OFFICIAL SEAL
CARMEN RUIZ-SANCHEZ
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES: 12/16/21

Carmen Ruiz Sanchez
(Notary Public's Signature)

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GROUP EXHIBIT B

OBJECTION & APPENDIX-RECAPITULATION