

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

Objections of: LAROY DAVIS)
)
)
To the Nomination) No.: 19-EB-ALD-017
Papers of: HOWARD B. BROOKINS, JR.)
)
Candidate for the office of)
Alderman of the 21st Ward of the City of)
Chicago)

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of the Board of Election Commissioners of the City of Chicago, Commissioners Marisel A. Hernandez, William J. Kresse, and Jonathan T. Swain, 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 LAROY DAVIS (“Objector”) to the nomination papers (“Nomination Papers”) of HOWARD B. BROOKINS, JR., candidate for the office of Alderman of the 21st Ward of the City of Chicago (“Candidate”) to be elected at the Municipal General Election to be held on February 26, 2019, having convened on December 10, 2018, at 8:30 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 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 Objector 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 December 10, 2018, and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Officer Maurice Sone for further hearings and proceedings.

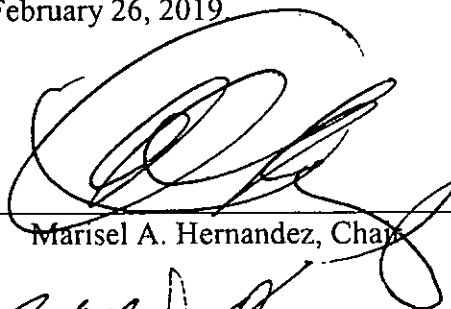
6. The Objector and the Candidate were directed by the Electoral Board's Call served upon them to appear before the Hearing Officer on the date and at the time designated in the Hearing Schedule. The following persons, among others, were present at such hearing: the Objector, LAROY DAVIS and/or his Attorney, ERIC M WHITE; and the Candidate, HOWARD B. BROOKINS, JR. and/or his Attorney, MICHAEL J KASPER.

7. The Electoral Board finds that on December 28, 2018 the Objector moved to withdraw his Objections against the Candidate's Nomination Papers. The Electoral Board grants the motion to withdraw the Objections and the Objections are withdrawn.

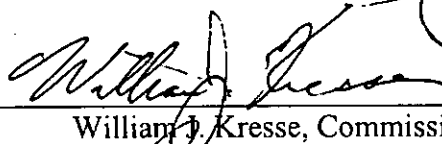
8. The Electoral Board further finds that there are no additional Objections filed against the Candidate's Nomination Papers.

IT IS THEREFORE ORDERED that, the Objections having been withdrawn and there being no other objections to the Candidate's Nomination Papers, the Nomination Papers are legally valid and the name of HOWARD B. BROOKINS, JR., candidate for election to the office of Alderman of the 21st Ward of the City of Chicago, SHALL be printed on the official ballot for the Municipal General Election to be held on February 26, 2019

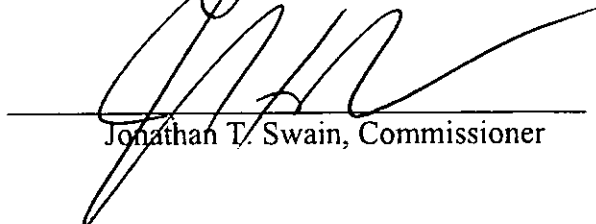
Dated: Chicago, Illinois, on January 2, 2019.



Marisel A. Hernandez, Chair



William J. Kresse, Commissioner



Jonathan T. Swain, 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.

either by himself or through counsel. At 10:27AM, the Candidate still had not appeared at the status hearing and the Hearing Officer stated that he would recommend that the Candidate be held in default under Rule 12(a) for failure to appear at the status hearing. However, a few hours after the hearing adjourned, the Candidates' counsel, Mr. Kasper e-mailed the hearing officer and opposing counsel stating that he had two other matters up at the same time as the instant matter and that by the time he arrived to the hearing room, the parties had adjourned. In light of the foregoing, the Hearing Officer found that the Candidate had shown good cause for his absence and vacated the Hearing Officer's Status Report signed earlier in the day and continued the matter for further status to December 21, 2018. The Hearing Office exercised the discretion afforded under Rule 1(b) (2) (ii) to re-open hearings.

On December 21, 2018, a status hearing was held with both parties represented through counsel. The Candidate's counsel stated that since the Petition Summary Report stated that there were 1,042 unchallenged signatures, he would be filing a Motion for Directed Finding, claiming that even if all of allegations in Objectors' Petition were sustained, the Candidate would still have more than the required minimum signatures. The matter was continued for hearing on Candidate's motion to December 28, 2018. On December 21, 2018, the Candidate filed his Motion for Directed Finding. The Objector filed no response.

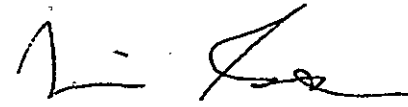
The hearing commenced at 10:00AM on December 28, 2018. The Candidate was present through counsel and no one appeared on behalf of the Objector. The Hearing Officer granted the Candidate's Motion for Directed Finding as it was clear that even if all of the allegations in the Objector's Petition were sustained, the Candidate would still have more than the statutory required minimum signatures for the office of Alderman of the 21st Ward of the City of Chicago.

However, after the hearing adjourned it was discovered that the Objector had filed a

Motion to Withdraw Objector's Petition earlier in the morning, prior to the commencement of the hearing. Since the Objector's Motion to Withdraw was filed prior to the hearing, there is no ruling as to the Candidate's Motion for Directed Finding and the Objector's Motion to Withdraw is granted.

Therefore, the Hearing Officer recommends that the objections of Laroy Davis to the nominating papers of Howard B. Brookins, Jr. be overruled and that the nominating papers of Howard B. Brookins, Jr. for the Office of 21st Ward in the City of Chicago be deemed valid and that the name of Howard B. Brookins, Jr. for said office be printed on the ballot at the February 26, 2019, Municipal General Election.

December 31, 2018.



Maurice Sone, Hearing Officer