

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

Objections of: LAROY DAVIS)
)
)
To the Nomination) No.: 19-EB-ALD-019
Papers of: PATRICIA A. FOSTER)
) Rel.: 19-EB-ALD-047
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 for 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 PATRICIA A. FOSTER, candidate for the office of Alderman of the 21st Ward of the City of Chicago (“Candidate”) at the General Municipal Election to be held on Tuesday, February 26, 2019, having convened on Monday, 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.

4. A public hearing was held on these Objections commencing on Monday, December 10, 2018 and was continued from time to time.

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

6. The Objector 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 Call. The following persons, among others, were present at or filed appearances during such hearing: the Objector, LAROY DAVIS, and/or his Attorneys ERIC M WHITE and KEITH L. SPENCE; and the Candidate, PATRICIA A. FOSTER, and/or her Attorney, SCOTT B ERDMAN.

7. 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.

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

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

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

11. 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 Board's file in this case and a copy has been provided or made available to the parties.

12. 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 remaining number of signatures deemed valid as a result of the records examination total 572.

13. The Electoral Board finds that the number of valid signatures appearing on the Candidate's nominating petition following completion of the records examination exceeds the minimum number of valid signatures required by law to be placed upon the ballot as a candidate for the office of Alderman for the 21st Ward of the City of Chicago.

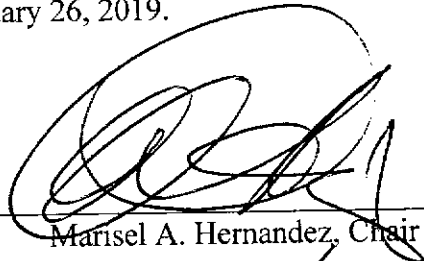
14. The Hearing Officer has tendered to the Electoral Board a report and recommended decision. Based upon the evidence presented, the Hearing Officer found that the Candidate's Nomination Papers contained 572 valid signatures, which exceeds the minimum number of valid signatures required by law to be placed upon the ballot as a candidate for the office of Alderman for the 21st Ward of the City of Chicago, and that the Candidate's Nomination Papers should be found valid.

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

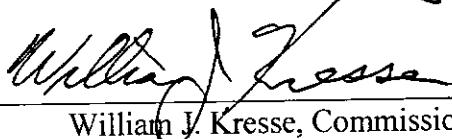
16. For the reasons stated above, the Electoral Board finds that the Candidate has a sufficient number of valid signatures on her nominating petitions and that the Nomination Papers of PATRICIA A. FOSTER are, therefore, valid.

IT IS THEREFORE ORDERED that the Objections of LAROY DAVIS to the Nomination Papers of PATRICIA A. FOSTER, candidate for the office of Alderman for the 21st Ward of the City of Chicago, are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of PATRICIA A. FOSTER, candidate for the office of Alderman for the 21st Ward of the City of Chicago, SHALL be printed on the official ballot for the General Municipal Election to be held on Tuesday, February 26, 2019.

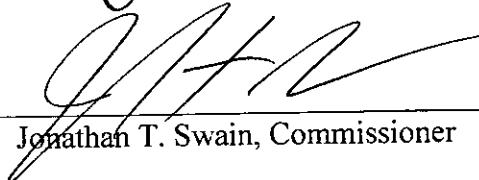
Dated: Chicago, Illinois, on January 12, 2019.



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.

**THE BOARD OF ELECTIONS COMMISSIONERS OF THE CITY OF CHICAGO
AS THE DULY CONSTITUTED ELECTORAL BOARD FOR THE
HEARING AND PASSING UPON OBJECTIONS TO NOMINATION PAPERS OF
CANDIDATES FOR THE FEBRUARY 26, 2019 MUNICIPAL GENERAL ELECTION
IN THE CITY OF CHICAGO, STATE OF ILLINOIS**

LAROY DAVIS,)
Objectors)
v.) **Case No. 19-EB-ALD-019**
PATRICIA A. FOSTER)
Candidate.)

HEARING OFFICER FINAL RECOMMENDATION

This matter comes before the THE BOARD OF ELECTIONS COMMISSIONERS OF THE CITY OF CHICAGO, on the Objector's Petition, and related matters, by LAROY DAVIS, against the Candidate PATRICIA A. FOSTER, and both parties being represented by Counsel and being fully advised in the premises, IT IS HEREBY RECOMMENDED AS FOLLOWS:

FACTS:

An official Final Record Exam Report was prepared by Chicago Board Of Elections officials and was served upon the parties on January 4, 2019 with a conclusion that the Candidate had 572 valid signatures greater than the required minimum.

A public status hearing was held on January 9, 2019, with due notice and with attorneys for both parties being present. At public hearing, attorneys for both parties

stated, on the record, that they would stand on the findings reported in the Final Record Exam Report and not present any further evidence.

RECOMMENDATION:

There being no challenge or objection to the Final Record Exam Report in Case No. 19-EB-ALD-047, it is respectfully recommended that the name of PATRICIA A. FOSTER be printed as a candidate for the February 26, 2019 Municipal General Election in the City Of Chicago, Illinois pursuant to her duly filed nomination papers.

/s/ James D. Rosas
Hearing Officer

January 9, 2019