

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

Objections of: DEBRA PARKER and)
GERALDA MORGAN)
)
To the Nomination) No.: 19-EB-ALD-046
Papers of: MARVIN MCNEIL)
)
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, Chairwoman of said Electoral Board, for the purpose of hearing and passing upon objections (“Objections”) of DEBRA PARKER and GERALDA MORGAN (“Objectors”) to the nomination papers (“Nomination Papers”) of MARVIN MCNEIL, 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 Objectors 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 Mary Celeste Meehan for further hearings and proceedings.

6. The Objectors 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 Objectors, DEBRA PARKER and GERALDA MORGAN, and/or their Attorney, JAMES E. HARTMANN; and the Candidate, MARVIN MCNEIL, and/or his Attorney, ERIC M. WHITE.

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 his duly authorized representative was present during the examination of the registration records.

10. The Objectors and/or their 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 number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 1,902.
 - C. The number of signatures deemed invalid because of objections sustained as a result of the records examination total 911.
 - D. The remaining number of signatures deemed valid as a result of the records examination total 991.

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 473, 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 then conducted a hearing in which the Candidate withdrew his Motion to Strike and Dismiss and the parties rested on the results of the records exam.

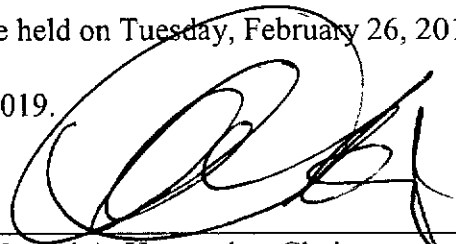
15. The Hearing Officer has tendered to the Electoral Board a report and recommended decision. Based upon the evidence presented, the Hearing Officer found that the Candidate's Nomination Papers contained 991 valid signatures, which exceeds the minimum number of valid signatures required by law to be 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.

16. 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.

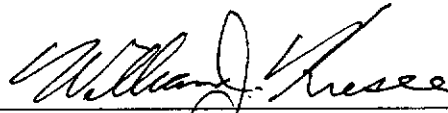
17. For the reasons stated above, the Electoral Board finds that the Candidate has a sufficient number of valid signatures on his nominating petitions and that the Nomination Papers of MARVIN MCNEIL are, therefore, valid.

IT IS THEREFORE ORDERED that the Objections of DEBRA PARKER and GERALDA MORGAN to the Nomination Papers of MARVIN MCNEIL, 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 MARVIN MCNEIL, 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.

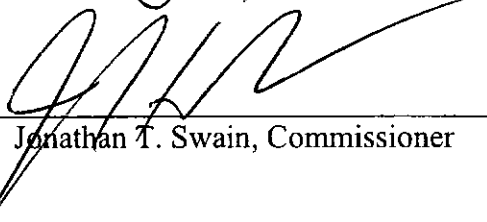
Dated: Chicago, Illinois, on Wednesday, January 2, 2019.



Marisel A. Hernandez, Chairwoman



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.

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

Debra Parker and)
Geralda Morgan,)
Petitioner-Objector)
v.)
Marvin McNeil,)
Respondent-Candidate)

Case No. 19-EB-ALD-046
Hearing Officer Meehan

SUMMARY AND RECOMMENDED DECISION

The above-named cause came to be heard before the Chicago Board of Election Commissioners ("The Board") on the verified objection petition of Debra Parker and Geralda Morgan ("the Objectors") to the nomination papers of Marvin McNeil ("the Candidate") for the Office of Alderman for the 21st Ward, City of Chicago, State of Illinois. Mary C. Meehan, Hearing Officer summarizes and recommends as follows:

The initial hearing in this matter was conducted on December 10, 2018. The Candidate is represented by Attorney Eric White. The Objectors is represented by Attorney James Hartmann. In sum, the Candidate stated he would be filing a Rule 5 motion to strike and dismiss and parties agreed the matter would require a records exam. A records directive was issued. The Candidate filed a timely Motion to Dismiss and the Objector filed a timely Response. On December 17, 2018, the parties reconvened for a hearing on the Motion to Dismiss. The preliminary records exam results were in and the parties requested to wait for argument on the Motion to Dismiss after the final records exam results were tendered. The parties reconvened on December 27, 2018 for a status hearing on the results of the records exam and possible argument on the Motion to Dismiss. At that time the Candidate withdrew his Motion to Dismiss and both parties rested on the results of the records exam.

THE RESULTS OF THE RECORDS EXAMINATION

The records exam was completed on December 20, 2018. The results were as follows:

- A. The minimum valid signatures required by law for placement on the ballot for the office of Alderman for 21st ward is 473;
- B. The total number of signatures is 1902;
- C. Total number of signatures objected to and ruled on is 1860;
- D. The total number of signatures overruled is 949;
- E. The number of signatures deemed invalid because of objections sustained as a result of the records exam total 911.
- F. The number of signatures deemed valid as a result of the records exam is 1019.
- G. The Candidate was **546 signatures above the statutorily required minimum.**

FINDING AND RECOMMENDATION

For reasons stated above, the Hearings Officer recommends the Chicago Board of Electors find the Nominating Papers of Marvin McNeil for the Office of Alderman of the 21st Ward, City of Chicago, State of Illinois to be voted on in the Municipal General Election on February 26, 2019 to be deemed **VALID**.

ENTERED THIS 27th day of December, 2018.



Mary C. Meehan
Hearing Officer