

BEFORE THE DULY CONSTITUTED ELECTORAL BOARD FOR THE HEARING AND PASSING UPON NOMINATION OBJECTIONS TO THE NOMINATION PAPERS OF CANDIDATES FOR THE OFFICE OF ALDERMAN OF THE **THIRTY-FIFTH WARD OF THE CITY OF CHICAGO**, COUNTY OF COOK, STATE OF ILLINOIS, TO BE VOTED UPON AT THE FEBRUARY 26, 2019, MUNICIPAL GENERAL ELECTION.

ROGELIO VARELA and
MICHAEL E. POLLOCK

Petitioners-Objectors

v.

MAYRA GONZALEZ,

Respondent-Candidate

Case No. **19-EB-ALD-060**

VERIFIED OBJECTORS' PETITION

INTRODUCTION

Rogelio Varela and Michael E. Pollock, hereinafter sometimes referred to as the Objectors, state as follows:

1. The Objectors reside at 2633 North Drake Avenue, Chicago, Illinois, Zip Code 60647, in the Thirty-Fifth Ward of the City of Chicago, County of Cook, State of Illinois, and are both duly qualified, legal, and registered voters at that address.

2. The Objectors' interest in filing this Petition is that of voters desirous that the laws governing the filing of nomination papers for the office of Alderman of the Thirty-Fifth Ward of the City of Chicago, County of Cook, State of Illinois, are properly complied with and that only qualified candidates appear on the ballot for said office.

OBJECTIONS

3. The Objectors make the following objections to the purported nomination papers ("Nomination Papers") of Mayra Gonzalez ("Candidate") as a candidate for election to the office of Alderman of the Thirty-Fifth Ward of the City of Chicago, County of Cook, State of Illinois ("Office") to be voted for at the Municipal General Election on February 26, 2019 ("Election"). The same Objectors have separately filed objections to both of the Candidate's respective separate filings – that is, the filing she made at 2:46 PM on November 26, 2019 and the filing she made at 4:16 PM on November 26, 2019, in case Illinois law would treat each filing as separate candidacies. The Objector states that the Nomination Papers are insufficient in fact and law for the following reasons:

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ELECTORAL BOARD
COUNTY OF COOK
ILLINOIS

4. Pursuant to State Law, nomination papers for the Office to be voted for at the Election must contain the signatures of not less than 473 duly qualified, registered, and legal voters of the Thirty-Fifth Ward of the City of Chicago, County of Cook, State of Illinois, 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 be executed in the form and manner required by law.

5. A candidate for the Office to be voted for at the Election must timely file with the Cook County Clerk a Statement of Economic Interests as required by the Illinois Governmental Ethics Act in relation to his candidacy. In violation of the Election Code, the Candidate has failed to file the required Statement of Economic Interests by the end of the period for the filing of nomination papers.

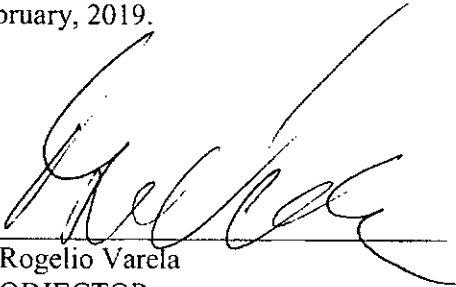
6. A candidate for the Office to be voted for at the Election must timely file with the Chicago Board of Election Commissioners a Receipt for their Statement of Economic Interests from the Cook County Clerk. Such receipt shall be so filed not later than the last day on which nomination papers may be filed. In violation of the Election Code, the Candidate has failed to file the required Receipt for her Statement of Economic Interests by the end of the period for the filing of nomination papers.

7. To wit, the Candidate has filed with the Chicago Board of Elections the incorrect Illinois Secretary of State Statement of Economic Interests form rather than the Cook County Clerk Statement of Economic Interests form as required by the Illinois Governmental Ethics Act. The Secretary of State form contains different questions and is incompatible with the County Clerk form. Further, the candidate did not file a Receipt for a Statement of Economic Interests as required by the Election Code but rather the original incorrect form. The Secretary of State form that the Candidate has filed is attached to this objection as Exhibit A.


8. A candidate for the Office to be voted for at the Election must include a statement of candidacy with her nominating petitions. In violation of the Election Code, The Candidate did not file her Statement of Candidacy with her petitions but rather separately filed them ninety minutes later. The Receipt for the filing of Candidate's petition pages and the first petition page bearing a time stamp of 2:46 PM on November 26, 2019 are attached as Exhibit B. The Receipt for the filing of the Statement of Candidacy and the date-stamped Statement of Candidacy bearing a time stamp of 4:16 PM on November 26, 2019 are attached as Exhibit C.

9. The Candidate's Nomination Papers are legally and factually insufficient due to her failure to file with the Cook County Clerk a Statement of Economic Interests on or before November 26, 2018. The Candidate's Nomination Papers are legally and factually insufficient due to her failure to file with the Chicago Board of Election Commissioners a Receipt for a Statement of Economic Interests on or before November 26, 2018. The Candidate's Nomination Papers are legally and factually insufficient because she did not include her Statement of Candidacy together with her petition sheets but rather filed it separately and ninety minutes later. The Candidate failed to comply with all three of these mandatory provisions of the Illinois Election Code. By the law of the State of Illinois and the precedent of this Electoral Board, the name of Mayra Gonzalez is not eligible to appear on the ballot for the Office at the Election.

WHEREFORE, the Objectors requests: a) a hearing on the objections set forth herein; b) an examination by the aforesaid Electoral Board of the official records relating to voters in the 35th Ward of the City of Chicago, County of Cook, State of Illinois, to the extent that such examination is pertinent to any of the matters alleged herein; c) a ruling that the Nomination Papers are insufficient in law and fact, and d) a ruling that the name of MAYRA GONZALEZ shall not appear and shall not be printed on the ballot for Election to the office of Alderman of the 35th Ward of the City of Chicago, County of Cook, State of Illinois, to be voted for at the Municipal General Election to be held on the 26th day of February, 2019.



Rogelio Varela
OBJECTOR
2633 North Drake Avenue
Chicago, Illinois 60647



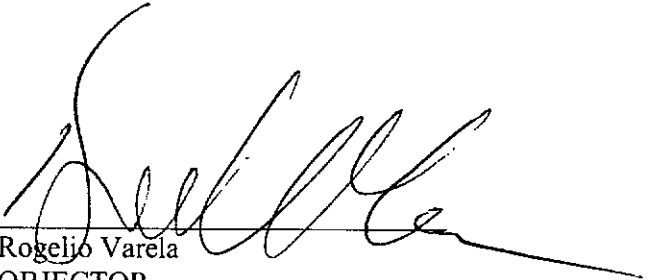
Michael E. Pollock
OBJECTOR
2633 North Drake Avenue
Chicago, Illinois 60647

Pericles C. Abbasi, Esq.
Attorney for Objectors
Cook County Atty No. 57518
ARDC No. 6312209
ElectionLegal.com
6969 W. Wabansia Ave
Chicago, Illinois 60707
Phone: (773) 368-5423
Fax: (773) 309-8884
Pericles@UChicago.edu

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

VERIFICATION

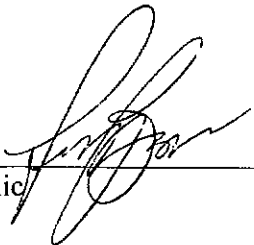
I, Rogelio Varela, being first duly sworn upon oath, depose and state that I have read the above and foregoing VERIFIED OBJECTORS' PETITION, and that the matters and facts contained therein are true and correct to the best of my knowledge and belief.



Rogelio Varela
OBJECTOR
2633 North Drake Avenue
Chicago, Illinois 60647

Subscribed and sworn to before me,
a Notary Public, by Rogelio Varela,
who is to me personally known,

this the 21st day of December, 2018.



Notary Public

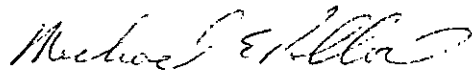


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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

VERIFICATION

I, Michael Pollock, being first duly sworn upon oath, depose and state that I have read the above and foregoing VERIFIED OBJECTORS' PETITION, and that the matters and facts contained therein are true and correct to the best of my knowledge and belief.

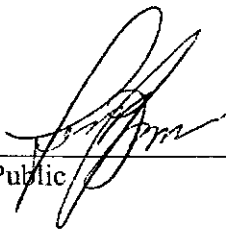


Michael E. Pollock
OBJECTOR
2633 North Drake Avenue
Chicago, Illinois 60647

Subscribed and sworn to before me,
a Notary Public, by Michael E. Pollock,
who is to me personally known,

this the 26th day of December, 2018.

Notary Public



(STAMP)

EXHIBIT A

STATEMENT OF ECONOMIC INTERESTS

TO BE FILED WITH
THE SECRETARY OF STATE



(Type or print name and address in the blank space below.)

Mayra Gonzalez
3431 W. Melrose
Chicago, IL 60618

(List each office or position of employment for which this Statement is filed.)

GENERAL DIRECTIONS

The interest (if constructively controlled by the person making the statement) of a spouse or any other party shall be considered to be the same as the interest of the person making the statement. Campaign receipts shall not be included in this statement.

(If more space is needed, please attach supplemental listing.)

1. List the name and instrument of ownership in any entity doing business in the State of Illinois, in which the ownership interest held by the person at the date of filing is in excess of \$5,000 fair market value or from which dividends in excess of \$1,200 were derived during the preceding calendar year. (In the case of real estate, location thereof shall be listed by street address or, if none, by legal description.) No time or demand deposit in a financial institution nor any debt instrument need be listed.

Business Entity

Instrument of Ownership

_____	_____
_____	_____
_____	_____
_____	_____

2. List the name, address and type of practice of any professional organization in which the person making the statement was an officer, director, associate, partner or proprietor, or served in any advisory capacity, from which income in excess of \$1,200 was derived during the preceding calendar year.

Name

Address

Type of Practice

_____	_____	_____
_____	_____	_____
_____	_____	_____

3. List the nature of professional services rendered (other than to the State of Illinois) of each entity from which income exceeding \$5,000 was received for professional services rendered during the preceding calendar year by the person making the statement.

4. List the identity (including the address or legal description of real estate) of any capital asset from which a capital gain of \$5,000 or more was realized during the preceding calendar year.

5. List the identity of any compensated lobbyist with whom the person making the statement maintains a close economic association, including the name of the lobbyist and specifying the legislative matter or matters that are the object of the lobbying activity, and describing the general type of economic activity of the client or principal on whose behalf that person is lobbying.

Lobbyist	Legislative Matter	Client or Principal
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6. List the name of any entity doing business in the State of Illinois from which income in excess of \$1,200 was derived during the preceding calendar year, other than for professional services, and the title or description of any position held in that entity. (In the case of real estate, location thereof shall be listed by street address or, if none, by legal description.) No time or demand deposit in a financial institution nor any debt instrument need be listed.

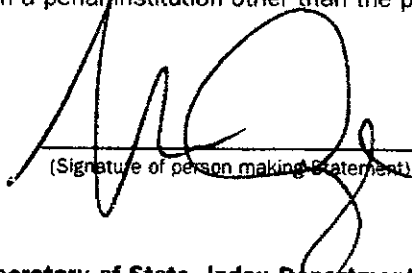
Entity	Position Held
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7. List the name of any unit of government that employed the person making the statement during the preceding calendar year other than the unit or units of government in relation to which the person is required to file.

8. List the name of any entity from which a gift or gifts, or honorarium or honoraria, valued singly or in the aggregate in excess of \$500, was received during the preceding calendar year.

VERIFICATION

I declare that this Statement of Economic Interests (including any accompanying schedules and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of my economic interests as required by the Illinois Governmental Ethics Act. I understand that the penalty for willfully filing a false or incomplete statement shall be a fine not to exceed \$1,000 or imprisonment in a penal institution other than the penitentiary not to exceed one year, or both fine and imprisonment.


(Signature of person making statement)

11/26/18
(Date)

NOTE: This statement must be filed in the Office of the Secretary of State, Index Department, Ethics Section, 111 E. Monroe, Springfield, IL 62756.

EXHIBIT B

Receipt for Nomination Papers – City of Chicago
 For the February 26, 2019 Municipal Election
 Board of Election Commissioners for the City of Chicago
 Lance Gough, Executive Director

Name of Candidate Mayra Gonzalez

Address 3431 W. Melrose
Chicago, IL 60618

Office on Petition

Alderman, Ward 35 City Clerk City Treasurer Mayor

Filing Ticket Number _____

Are these items included? (Mark Yes or No)

Yes	No
	X
	X
	X
X	

Statement of Candidacy
 Receipt for Statement of Economic Interests
 Loyalty Oath (This document is optional.)
 Are the Nominating Papers bound?
 If yes, describe how they are bound: BOOKS
 Was Election Board photo taken of Nominating Papers?

BOARD OF ELECTION COMMISSIONERS
 2018 NOV 26 P 2:46

Number on Last Page of Petition 69

Received From Mayra Gonzalez Phone1 (786) 239-7903

Address 3431 W. Melrose, 60618 Phone2 (if available) _____

Email 1 may5681@hotmail.com

Signature of person submitting petition [Signature] Date 11/26/18

The following 2 items will be included on the Chicago Election Board's web site and candidate lists.

1. Campaign Phone (773) 917-5088 2. Campaign Email Mgonzalezahernandez5681@gmail.com

For Election Board Employee to Complete

Notice of Campaign Finance & Disclosure Requirements Given: In Person By Mail

Received By [Signature] Date 11/26/18

Original: Keep with Petition

Copy: For Candidate