

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

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Objections of: CLARENCE S DEISCH )  
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To the Nomination ) No.: 19-EB-ALD-097  
Papers of: JUSTIN KREINDLER )  
 )  
Candidate for the office of )  
Alderman of the 46th 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 CLARENCE S DEISCH (“Objector”) to the nomination papers (“Nomination Papers”) of JUSTIN KREINDLER, candidate for the office of Alderman of the 46th 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 said Electoral Board has been legally constituted according to 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, CLARENCE S DEISCH, and/or his Attorneys, JAMES P. NALLY and SCOTT B. ERDMAN; and the Candidate, JUSTIN KREINDLER, pro se.

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 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 759.

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 46th Ward of the City of Chicago. The FINAL Petition Summary Report was served on the parties on December 26, 2018.

13. The Electoral Board's Final Petition Summary Report was served on the parties, showing the final results of the records exam, on December 26, 2018. The following day, the Objector's Attorney, James P. Nally, submitted a Withdrawal of Objection to the Electoral Board on at 5:31 p.m. In light of the fact that the records exam had already completed with the Candidate having well in excess of the minimum valid signatures required, the Electoral Board finds that the Candidate is entitled to a judgment on the merits of the Objections and the Objector's Motion to Withdraw is therefore denied.

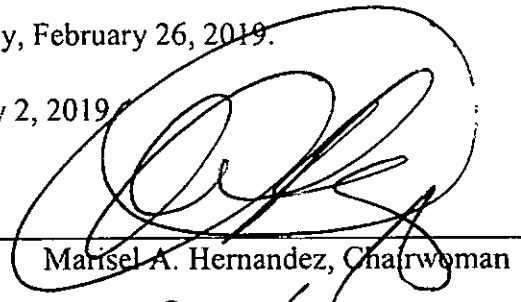
14. The Hearing Officer has tendered to the Electoral Board a report and recommended decision. Based upon the evidence presented, the Electoral Board finds that the Candidate's Nomination Papers contained 759 valid signatures, which exceeds the minimum

number of valid signatures required by law to be placed upon the ballot as a candidate for the office of Alderman for the 46th Ward of the City of Chicago, and that the Candidate's Nomination Papers should be found valid.

15. 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 JUSTIN KREINDLER are, therefore, valid.

IT IS THEREFORE ORDERED that the Objections of CLARENCE S DEISCH to the Nomination Papers of JUSTIN KREINDLER, candidate for the office of Alderman for the 46th Ward of the City of Chicago, are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of JUSTIN KREINDLER, candidate for the office of Alderman for the 46th 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.

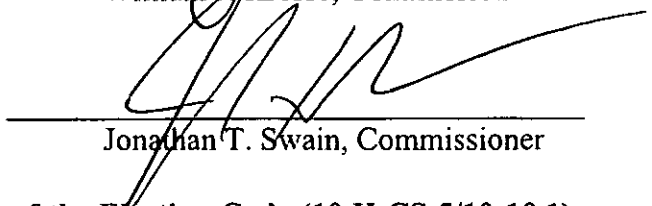
Dated: Chicago, Illinois, on Wednesday, January 2, 2019



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.

**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**

CLARENCE S. DEISCH, Objector )  
 )  
 v. ) Case No. 19-EB-ALD-097  
 )  
JUSTIN KREINDLER, Candidate. )

**HEARING OFFICER 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 CLARENCE S. DEISCH, against the Candidate JUSTIN KREINDLER, and Objector being represented by Counsel and the Candidate appearing pro se, and a WITHDRAWAL OF OBJECTION having been filed with the ELECTORAL BOARD and duly signed by the attorney for the Objector, IT IS HEREBY RECOMMENDED AS FOLLOWS:

**FACTS:**

The Candidate filed his nomination papers on November 19, 2018.

The Objector filed his OBJECTOR' PETITION on December 3, 2018.

A Final Record Exam Report was served upon the parties on December 26, 2018.

The Objector filed his WITHDRAWAL OF OBJECTION on December 27, 2018.

RECOMMENDATION:

There is no objection pending in Case No. 19-EB-ALD-097. It is respectfully recommended that the name of JUSTIN KREINDLER be printed as a candidate for the February 26, 2019 Municipal General Election in the City Of Chicago, Illinois pursuant to his duly filed nomination papers.

**/S/ James D. Rosas**  
Hearing Officer

December 28, 2018