

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

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Objections of: NATHANIEL MOORE )  
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 To the Nomination ) No.: 19-EB-ALD-113  
 Papers of: KIM CURTIS )  
 )  
 Candidate for the office of )  
 Alderman of the 7th 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 NATHANIEL MOORE (“Objector”) to the nomination papers (“Nomination Papers”) of KIM CURTIS, for the office of Alderman of the 7th 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 held on these Objections commenced on Monday, December 10, 2018 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Officer Laura Kotelman 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 Hearing Schedule. The following persons, among others, were present at such hearing: the Objector, NATHANIEL MOORE, and/or his Attorney RANDY CRUMPTON; and the Candidate, KIM CURTIS, and/or her Attorney ADOLFO MONDRAGON.

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 Electoral 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 415.

13. The Electoral Board finds that the number of valid signatures appearing on the Candidate's nominating petition following completion of the records examination was less than the minimum number of valid signatures required by law to be placed upon the official ballot as a candidate for the office of Alderman of the 7th Ward of the City of Chicago.

14. The Hearing Officer conducted a hearing to allow the Candidate an opportunity to present evidence in support of her Rule 8 motion objecting to the Board's clerk's findings during the records examination. However, the Hearing Officer found that the Candidate only appealed eight (8) rulings in her Rule 8 Motion, whereas after the records exam she was left with 58 valid signatures *less than* the statutory requirement of 473. Thus, even if all of the eight Rule 8 signatures were rehabilitated by the Candidate, she still would not have enough valid signatures to qualify for ballot access.

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 only 415 valid signatures, which is less than the minimum number of valid signatures required by law to be placed upon the official ballot as a

candidate for the office of Alderman for the 7th Ward of the City of Chicago, and that the Candidate's Nomination Papers should be found invalid.

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 an insufficient number of valid signatures on her nominating petitions and that the Nomination Papers of KIM CURTIS are, therefore, invalid.

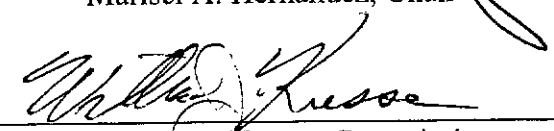
IT IS THEREFORE ORDERED that the Objections of NATHANIEL MOORE to the Nomination Papers of KIM CURTIS, candidate for election to the office of Alderman of the 7th Ward of the City of Chicago, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of KIM CURTIS, candidate for the office of Alderman for the 7th Ward of the City of Chicago, SHALL NOT 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.



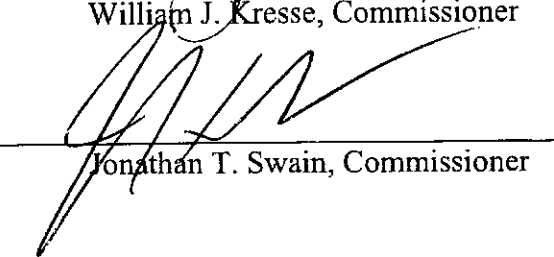
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Marisel A. Hernandez, Chair



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William J. Kresse, Commissioner



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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 FOR THE HEARING AND PASSING UPON  
OBJECTIONS TO THE NOMINATING PAPERS OF CANDIDATES FOR THE  
FEBRUARY 26, 2019 MUNICIPAL ELECTION FOR  
ALDERMAN OF THE 7<sup>th</sup> WARD IN THE CITY OF CHICAGO**

NATHANIEL MOORE	)	
Objector	)	
	)	
v.	)	19-EB-ALD-113
	)	
KIM CURTIS,	)	
Candidate	)	
	)	

**HEARING OFFICER'S REPORT AND RECOMMENDED DECISION**

This matter was first heard on December 10, 2018 by Hearing Officer June Brown. Objector Nathaniel Moore ("Objector") filed an objection petition challenging the nominating papers for election of The Office of Alderman of the 7<sup>th</sup> Ward of the City of Chicago in the State of Illinois filed by the Candidate Kim Curtis ("Candidate"). The Objector appeared through counsel Randy Crumpton and the Candidate appeared through counsel Adolfo Mondragon. Objector and Candidate counsel agreed to the request for a Rule 6 records examination. The matter was scheduled for a hearing on December 29, 2018.

**THE RECORDS EXAMINATION**

The records examination took place on December 21, 2018 at 1:15 p.m. and the final records exam report was served upon the parties through their counsel at 10:05 a.m. on December 28, 2018 via email.

The final results of the records examination were as follows:

- 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 756.
- C. The number of signatures deemed invalid because of objections sustained in the records examination total 431.
- D. The remaining number of signatures deemed valid as a result of the records examination total 415.

The results of the records examination indicated that the candidate had 58 signatures fewer than the statutory minimum.

**December 29, 2018 Hearing**

At the December 29, 2018 hearing, the Objector and the Candidate appeared through counsel. Candidate was also present. Candidate appealed eight findings made by the records examiner during the records examination. Pursuant to Rule 6 (h), Candidate cannot present any evidence or argument with respect to the record examiner's findings unless appealed at the time of the records exam. Candidate did not appeal enough records examiner findings to potentially render the nominating papers valid in further proceedings. Given the impossibility, Candidate does not intend to file any response or motion in connection with Objector's Petition.

Based on the foregoing, a finding that the nominating papers are invalid is made.

**Conclusion**

It is my recommendation that the nominating papers for the Candidate, Kim Curtis, be found invalid and that the Candidate's name, Kim Curtis, **not** be on the ballot at the February 26, 2019 Municipal Election.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Laura Kotelman".

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Laura Kotelman, Hearing Officer