

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 Thomas F. Arends for further hearings and proceedings. He was substituted pursuant to the Board's Rule 23 and the Board's general counsel submitted a final report and recommended decision.

6. The Objector and the Candidate were directed by the Electoral Board's Call served upon them 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, RASHIDA N. TUCKER, and/or her Attorney, RANDY CRUMPTON; and the Candidate, SHELLY QUILES, pro se .

7. The general counsel has tendered to the Electoral Board a report and recommended decision. Based upon the evidence presented, the general counsel found that the Candidate's Motion to Dismiss should be denied, because (a) the Objector signed and verified the Objector's Petition on page 4, and the Election Code does not require an objector's petition to be signed or verified.

8. The general counsel also found that the Candidate's Nomination Papers include only 281 signatures, whereas a minimum of 473 are required. The Candidate also failed to timely file a receipt for the Statement of Economic Interests that was required by the Illinois Governmental Ethics Act and Section 10-5 of the Election Code.

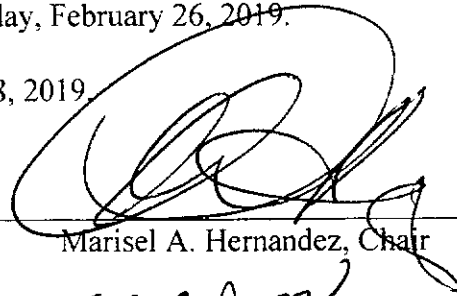
9. The general counsel found, therefore, that the Candidate's Nomination Papers are invalid.

10. The Electoral Board, having considered the evidence and arguments tendered by the parties and the general counsel's report of recommended findings and conclusions of law, hereby adopts the general counsel's recommended findings and conclusions of law.

11. For the reasons stated above, the Electoral Board finds that the Objections filed in this matter should be sustained and that the Candidate's Nomination Papers are invalid.

IT IS THEREFORE ORDERED that the Objections of RASHIDA N. TUCKER to the Nomination Papers of SHELLY QUILES, candidate for the office of Alderman for the 5th Ward of the City of Chicago, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of SHELLY QUILES, candidate for the office of Alderman for the 5th 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.

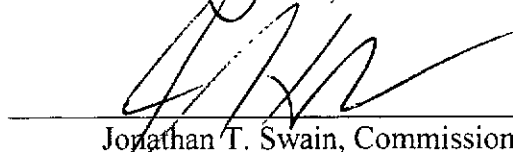
Dated: Chicago, Illinois, on Tuesday, January 8, 2019.



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.

**BEFORE THE BOARD OF ELECTION COMMISSIONERS
FOR THE CITY OF CHICAGO**

RASHIDA N. TUCKER,)	
)	
Objector,)	
)	
vs.)	No. 19-EB-ALD-115
)	(Rel.: 19-EB-ALD-133)
SHELLY QUILES,)	
)	
Candidate.)	

FINAL REPORT AND RECOMMENDED DECISION

This matter was first assigned to Hearing Officer Thomas Arends and was first heard on December 10, 2018. The Objector was present through attorney Randy Crumpton. The Candidate appeared *pro se* and requested leave to file a preliminary motion pursuant to the Electoral Board's Rule 5. The Hearing Officer set a briefing schedule and continued the matter for hearing on the Candidate's motion on December 17.

At the December 17 hearing, Mr. Crumpton again appeared on behalf of the Objector and the Candidate appeared *pro se*. The Hearing Officer entertained arguments on the Candidate's Motion to Strike and Dismiss and took the matter under advisement. Another hearing was scheduled for December 28.

At the December 28 hearing, Mr. Crumpton appeared on behalf of the Objector and the Candidate appeared *pro se*. The Hearing Officer informed the parties that the case was under advisement and he would issue a final report and recommended decision.

Due to the unavailability of the Hearing Officer to timely submit a final report and recommended decision, on January 6, 2019, the Electoral Board's general counsel relieved the Hearing Officer of his duties and reassigned this matter to himself as the substituted hearing

officer for purposes of reviewing the case file and submitting this Final Report and Recommended Decision, as authorized by Electoral Board Rule 23.

The general counsel finds that the sole issue raised in Candidate's Motion to Dismiss is that "The objection itself was not technically signed, a signature on the objection signature line was missing and not submitted." The Candidate therefore argues that the Objector's Petition should be dismissed.

A review of the verified Objector's Petition shows that on the fourth page of that document is a sworn oath verification with a signature line under which is typed the name "Rashida N. Tucker" and above which is a signature that appears to be the name "Rashida Tucker." This verification purports to have been signed and notarized on December 2, 2018. It is sealed by the signature and stamp of notary public Randy Crumpton, who also is the Candidate's attorney of record in this case. While there is an un-signed signature line for Randy Crumpton in his role as legal counsel on the third page of the Objector's Petition, the Objector's Petition nonetheless appears on its face to have been signed under oath by the Objector prior to its filing.

Furthermore, the Illinois Election Code does not require an objector's petition to be signed by the objector or her attorney. 10 ILCS 5/10-8. This Electoral Board has previously ruled that the failure to sign an objector's petition does not invalidate the objections. See, for example, *Shearer v. Sveen*, 96-EB-WC-56 (CBEC 1996), and *Powell v. Long*, 95-EB-ALD-183 (CBEC 1995).

For the above reasons, the Candidate's Motion to Dismiss should be denied.

The general counsel further finds that paragraphs 11 and 12 of the Objector's Petition state claims that, if taken as true, would result in a finding that the Candidate's nomination papers are legally invalid. Paragraph 11 alleges the nomination papers contain fewer than the

required minimum of 473 petition signatures, as required by the Illinois Revised Cities and Villages Act of 1941 (65 ILCS 20/21-28(a)). Paragraph 12 alleges the Candidate failed to file a receipt for a Statement of Economic Interests in violation of Section 10-5 of the Election Code (10 ILCS 5/10-5) and the Governmental Ethics Act (5 ILCS 420/1-101, *et seq.*).

A review of the exhibits in the record of this case, including the Candidate's original Nomination Papers, shows on the face of the documents that the Candidate filed only about 281 petition signatures and that the Candidate failed to file a receipt for a Statement of Economic Interests.

WHEREFORE, it is the general counsel's recommendation that the Electoral Board find that the Candidate Nomination Papers are invalid in fact and law for the reasons stated above and that the Candidate's name shall not be printed upon the ballot for the February 26, 2019, election.

Respectfully submitted,

/s/ Adam W. Lasker
General Counsel