

**BEFORE BOARD OF ELECTION 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
ELECTION TO THE OFFICE ALDERMAN OF THE THIRTY-FIFTH (35th) WARD OF
CHICAGO, TO BE VOTED UPON ON FEBRUARY 26, 2019**

ROGELIO VARELA and)
MICHAEL POLLOCK,)
)
Petitioners-Objectors,)
)
vs.)
)
WALTER ZARNECKI,)
)
Respondent-Candidate.)

No. **19-EB-ALD-119**

NOTICE OF FILING VERIFIED OBJECTOR'S PETITION

To:
Walter Zarnecki
2707 N. Drake
Chicago, Illinois 60647

Via : Chicago Board of Election Commissioners

Please take notice that on December 3, 2018, the Petitioner-Objector, has filed a Verified Objector's Petition to the Respondent-Candidate's Nominating Papers, a copy of which is attached hereto.

/s/ Stephen Berrios
Stephen Berrios
Attorney for Petitioner Objector
Shiller Preyar Law Offices
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Chicago, Illinois 60612
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2019-02-26 10:00 AM

**BEFORE BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO
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WALTER ZARNECKI,)		
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Respondent-Candidate.)		

VERIFIED OBJECTOR'S PETITION

Rogelio Varela and Michael Pollock, hereafter "Objectors", state as follows:

1. Rogelio Varela and Michael Pollock reside at 2633 N. Drake Ave., Chicago, Illinois, 60647, and are a duly qualified, legal and registered voters at that address, which lies within the 35th Ward of Chicago, Illinois.
2. The Objectors' interest in filing this Petition is to ensure that the laws governing the filing of nomination papers for the office of Alderman of the City of Chicago are properly complied with, and that only qualified candidates appear on the ballot for said office.
3. The Objectors make objections to the nomination papers, hereafter Nomination Papers, of Walter Zarnecki, hereafter Respondent, as candidate for the office of Alderman of the Thirty-Fifth (35th) Ward of the City of Chicago, to be voted on at the general municipal election on February 26, 2019. The Objectors state that the Nomination Papers are insufficient in fact and law for the reasons stated below.
4. Pursuant to 65 ILCS 20/21-28(a) nomination papers for candidates for the office of Alderman of any ward in the City of Chicago, must contain at least 473 signatures from valid qualified voters that reside within the boundaries of that ward and in a manner prescribed by law. Additionally, said nomination papers must truthfully allege the qualifications of the candidate, be gathered and presented in a manner consistent with the Illinois Election Code. The Nomination Papers of Walter Zarnecki, purport to contain a sufficient number of signatures from such voters and purport to have been collected in a manner consistent with the Illinois Election Code.

5. The Candidate did not file a statement of economic interest with the City of Chicago, only with the County of Cook, in violation of the Illinois Election Code and the Municipal Code for the City of Chicago.
6. The Nomination Papers contain petition sheets with the names of persons who are not registered voters at the addresses shown next to their names, as is set forth in the Appendix-Recapitulation attached to this Petition as Exhibit A, under Column A, under the heading, "Signer Not Registered at Address Shown," in violation of the Illinois Election Code.
7. The Nomination Papers contain petition sheets with the names of persons who did not sign said papers in a manner consistent with the signature registered with the Board of Elections, and therefore are not genuine and/or are forgeries, as is set forth in the Appendix-Recapitulation attached to this Petition as Exhibit A, under Column B, under the heading, "Signer's Signature Not Genuine," in violation of the Illinois Election Code.
8. The Nomination Papers contain petition sheets with the names of persons who do not reside within the 35th Ward of the City of Chicago, as is set forth in the Appendix-Recapitulation attached to this Petition as Exhibit A, under Column C, under the heading, "Signer Resides Outside of District," in violation of the Illinois Election Code.
9. The Nomination Papers contain petition sheets with the names of persons for whom the addresses stated missing, incomplete or illegible, as is set forth in the Appendix-Recapitulation attached to this Petition as Exhibit A, under Column D, under the heading, "Signer's Address Missing or Incomplete", in violation of the Illinois Election Code.
10. The Nomination Papers contain petition sheets with the names of persons for whom the signer signed the petition more than once, or signed Candidate Amanda Yu Dieterich's Nomination Papers first, as is set forth in the Appendix-Recapitulation attached to this Petition first as Exhibit A, under Column E, under the heading, "Signer Signed Petition More Than Once at Sheet/Line Indicated", with references to the Nomination Papers of Amanda Yu Dieterich as AYD with the corresponding Date/Month/Year that the signature was acquired, and copy of Candidate Amanda Yu Dieterich's Petition showing the signature, in violation of the Illinois Election Code.
11. The Nomination Papers contain petition sheets circulated by persons (circulators) whose sheets contain an affidavit where the Circulator certifies and swears to false assertions of signers being registered and signatures being genuine and demonstrate a pattern of fraud and disregard of the Illinois Election Code to such a degree that each sheet circulated by each such Circulator is invalid, and should be stricken in their entirety as invalid. Such petitions are: sheets no. 1-13.
12. The Nomination Papers contain petition sheets circulated by persons (circulators) whose signatures are not genuine, and do not match the signature of the circulator that is registered with the Board of Election, in violation of the Illinois Election Code. Such petitions are: sheets no. 14-27.

13. Exhibit A is an Appendix-Recapitulation and reference the Nomination Papers. An "X" placed on a line in a column indicates that the Objector is objecting to that particular signature for the corresponding reason listed in the column.
14. Based on the above listed irregularities and insufficiencies, the Nomination Papers are invalid in their entirety.

WHEREFORE, the Objectors request a hearing on the objections set forth herein, an examination by the aforesaid Electoral Board of the official records relating to voters in the applicable district, to the extent that examination is needed for any other matters alleged, a ruling that the nomination papers are insufficient in fact and law, and a ruling that the name Walter Zarnecki shall not appear and not be printed on the ballot for the office of Alderman of the thirty-fifth (35) ward, of the City of Chicago, Illinois, for the municipal election to be held on February 26, 2019.

Respectfully submitted,



Attorney for Objectors

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VERIFICATION BY CERTIFICATION

I, MICHAEL E POLLOCK, certify, pursuant to 735 ILCS 5/1-109 of the Illinois Code of Civil Procedure, that I have read the attached pleading, and that the statements set forth therein are true and correct, except as to matters therein stated to be upon information and belief, and as to such matters, the undersigned certifies as aforesaid that they verily believe the same to be true.

Michael E Pollock

/s/ Signature

Date

State of Illinois

County of Rock

This instrument was acknowledged before me on 12/02/15 (date) by

Michael Pollock (name of person acknowledged).

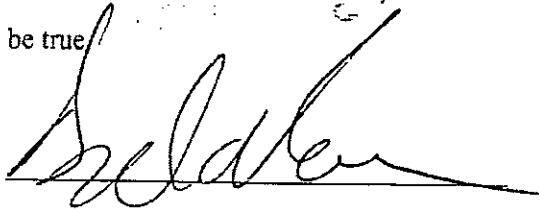
(Seal)

[Signature]
Notary Public's Signature



VERIFICATION BY CERTIFICATION

I, Rogelio Varela, certify, pursuant to 735 ILCS 5/1-109 of the Illinois Code of Civil Procedure, that I have read the attached pleading, and that the statements set forth therein are true and correct, except as to matters therein stated to be upon information and belief, and as to such matters, the undersigned certifies as aforesaid that they verily believe the same to be true.



/s/ Signature

Date

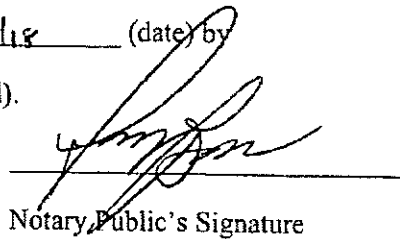
State of Illinois

County of Cox

This instrument was acknowledged before me on 12/2/18 (date) by

Rogelio Varela (name of person acknowledged).

(Seal)


Notary Public's Signature



EXHIBIT

A