

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

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Objections of: GINA ZUCCARO and )  
 EMMA JEAN ROBINSON )  
 )  
 To the Nomination ) No.: 19-EB-ALD-129  
 Papers of: MIGUEL BAUTISTA )  
 )  
 Candidate for the office of )  
 Alderman of the 28th 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 GINA ZUCCARO and EMMA JEAN ROBINSON (“Objectors”) to the nomination papers (“Nomination Papers”) of MIGUEL BAUTISTA, candidate for the office of Alderman of the 28th 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 Objectors 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 Barbara Goodman for further hearings and proceedings.

6. The Objectors 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 Objectors, GINA ZUCCARO and EMMA JEAN ROBINSON, and/or their Attorneys, JAMES P. NALLY and BONNY BUMILLER; and the Candidate, MIGUEL BAUTISTA, and/or his Attorney, ED MULLEN.

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 Objectors and/or their 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 784.

13. 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 28th Ward of the City of Chicago.

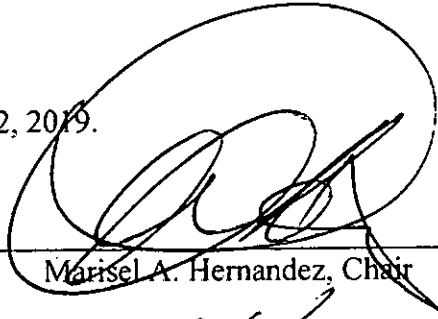
14. The Hearing Officer has tendered to the Electoral Board a report and recommended decision. Based upon the evidence presented, the Hearing Officer found that the Candidate's Nomination Papers contained 784 valid signatures, which exceeds the minimum number of valid signatures required by law to be placed upon the ballot as a candidate for the office of Alderman for the 28th Ward of the City of Chicago, and that the Candidate's Nomination Papers should be found valid.

15. 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.

16. 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 MIGUEL BAUTISTA are, therefore, valid.

IT IS THEREFORE ORDERED that the Objections of GINA ZUCCARO and EMMA JEAN ROBINSON to the Nomination Papers of MIGUEL BAUTISTA, candidate for the office of Alderman for the 28th Ward of the City of Chicago, are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of MIGUEL BAUTISTA, candidate for the office of Alderman for the 28th 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.

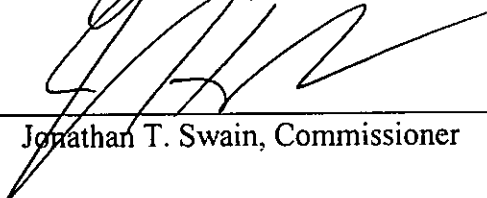
Dated: Chicago, Illinois, on Saturday, January 12, 2019.



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 OF THE CITY  
OF CHICAGO AS THE DULY CONSTITUTED ELECTORAL BOARD**

**GINA ZUCCARO and** )  
**EMMA JEAN ROBINSON** )  
 )  
 Objectors ) 19 EB ALD 129  
-v- )  
 )  
**MIGUEL BAUTISTA** )  
 )  
 Candidate )

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

This matter was first heard on December 10, 2018. The Objectors appeared through counsel James P. Nally. The Candidate appeared through counsel Ed Mullen. The parties were given an opportunity to file preliminary motions. No preliminary motions were filed. A records examination was ordered and the matter was continued for subsequent hearing.

**THE RECORDS EXAMINATION**

The 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 1,525.
- C. The number of signatures deemed invalid because of objections sustained in the records examination total 741.

The remaining number of signatures deemed valid as a result of the records examination total 784.

The results of the records examination indicated that the candidate had 311 signatures more than

the statutory minimum. No motions were filed pursuant to Rule 8 of the Board's Rules of Procedure.

### CONCLUSION

In light of the foregoing, it is my recommendation that the objections of Gina Zuccaro and Emma Jean Robinson to the nominating papers of Miguel Bautista be **overruled** and that the nominating papers of Miguel Bautista for the office of Alderman for the 28<sup>th</sup> Ward of the City of Chicago be deemed **valid** and that the name of Miguel Bautista for said office **be** printed on the ballot at the Municipal General Election to be held on February 26, 2019.

Respectfully submitted,

A handwritten signature in cursive script that reads "Barbara Goodman". The signature is written in black ink and is positioned above a horizontal line.

Barbara Goodman, Hearing Officer  
1/7/19