

**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 THE FEBRUARY 23, 1999 MUNICIPAL GENERAL ELECTION
FOR MAYOR, CLERK, TREASURER AND ALDERMAN
IN THE CITY OF CHICAGO**

Objections of: SALLY JOHNSON)
)
To the Nomination)
Papers of: JAMES J. LASKI, JR.) No.: 99-EB-MUN-04
)
Candidate for the Office of)
City Clerk in the City of Chicago)

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of Board of Election Commissioners of the City of Chicago Commissioners Langdon D. Neal, Richard A. Cowen, and Theresa M. Petrone, organized by law in response to a Call issued by Langdon D. Neal, Chairman of said Electoral Board, for the purpose of hearing and passing upon objections ("Objections") of SALLY JOHNSON to nomination papers ("Nomination Papers") of JAMES J. LASKI, JR., candidate for the office of City Clerk for the City of Chicago ("Candidate"), having convened on December 28, 1998, at 9:00 a.m., in the City Council Chambers, City Hall, 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 herein were duly 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 Chairman 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 December 28, 1998 and was continued from time to time.
5. The following persons, among others, were present at such hearing: the members of the Electoral Board, the Objector, SALLY JOHNSON, by counsel; and the Candidate, JAMES J. LASKI, JR, by counsel.

6. The Electoral Board assigned this matter to Hearing Examiner BARBARA GOODMAN for further hearings and proceedings.
7. The Candidate filed a Motion to Strike and Dismiss alleging that the objections were not brought in good faith and were "shot gunned." As part of his Motion, the candidate alleged that on some of the Objector's appendix-recapitulation sheets, the number of sheet and line allegations exceeded the number of signatures contained on the corresponding petition sheet.
8. A sample records examination was ordered by the Hearing Examiner as to those sheets where there were allegedly more allegations than signatures. Each party also chose ten additional sheets to examine. The Candidate selected sheets 1-10 and the Objector selected sheets 990-1000. Additionally, all objections contained throughout the Objector's petition as to circulator signatures and/or registrations were examined.
9. The Electoral Board directed all parties to appear and be present, either personally and/or by their authorized representatives during this records examination.
10. The Candidate or his duly authorized representatives were present during the examination of the registration records at all times.
11. The Objector or her duly authorized representatives were present during the examination of the registration records at all times.
12. The results of the sample records examination established the following:

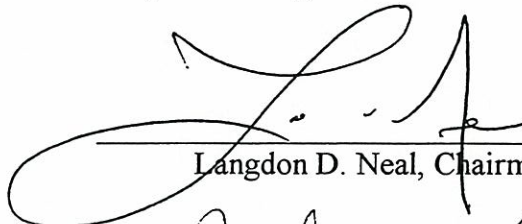
Although the number of signatures filed was not provided, the Candidate's uncontradicted claim was that the nominating papers contained approximately 70,000 signatures. A total of 982 objections were made to individual signatures on the pages sampled. Of those, 288 objections were sustained or 29.3% of the objections. Within those sheets, 18 circulators were challenged as to registration or genuineness of signature. Of those, 16% were sustained. On the other sheets sampled as to circulator allegations only, a total of 345 circulators were challenged. Of those, 84 were sustained or 24.3%.
13. Further, the Hearing Examiner noted that:
 - A) Two or more objections were made to every signatures objected to which, theoretically, should have increased the likelihood that objections would be sustained.
 - B) The number of overruled objections do not take into account the allegations made where there was no corresponding signature. These allegations could not be "worked" at the records examination and therefore were not included in the above totals or any totals provided on the board's worksheets. These allegations were

not considered in calculating the ratio of overruled to sustained objections, but had they been considered, the ratio of overruled to sustained allegations would have been significantly higher.

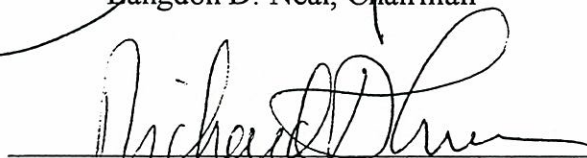
- C) There were numerous allegations that certain sheets within the sample were photocopies rather than originals. None of those allegations were true.
14. All of the foregoing established that the Objector's petition was not prepared in good faith with concern for the truth or falsity of the allegations contained therein and that the objections were prepared in a "shot gunned" fashion. Accordingly, it is the Hearing Examiner's recommendation that the Motion to Strike and Dismiss be granted, that the Objector's petition be dismissed, that the Candidate's nominating papers be declared valid and that his name appear on the ballot at the February 23, 1999 Municipal General Election.
 15. The Electoral Board hereby adopts the recommended findings and conclusions of the Hearing Examiner and the Candidate's motion to strike and dismiss the Objector's petition is granted and the same is dismissed.
 16. For the reasons stated above, the Board finds that the Nomination Papers of JAMES J. LASKI, JR. are valid.

IT IS THEREFORE ORDERED, that the Objections of SALLY JOHNSON, to the Nomination Papers of JAMES J. LASKI, JR., Candidate for the office of City Clerk, City of Chicago, are hereby DISMISSED and said Nomination Papers are hereby declared VALID and the name of JAMES J. LASKI, JR., Candidate for the office of City Clerk, City of Chicago, SHALL be printed on the official ballot for the Municipal General Election for Mayor, City Clerk, City Treasurer and Alderman to be held on February 23, 1999.

Dated: Chicago, Illinois, this Twenty-Second day of January, 1999.



Langdon D. Neal, Chairman



Richard A. Cowen, Commissioner



Theresa M. Petrone, 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 10 days after the decision of the Electoral Board.