

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

Objections of: MICHAEL D. DANIELS)
)
To the Nomination) **No.: 07-EB-ALD-116**
Papers of: JEFFREY L. LEWIS)
)
Candidate for the office of)
Alderman of the Sixteenth Ward,)
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 and Richard A. Cowen, 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 MICHAEL D. DANIELS (“Objector”) to the nomination papers (“Nomination Papers”) of JEFFREY L. LEWIS, candidate for the office of Alderman of the Sixteenth Ward of the City of Chicago (“Candidate”) to be elected at the Municipal General Election to be held on February 27, 2007, having convened on January 2, 2007, at 10:00 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 herein were duly and 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 was held on these Objections commencing on January 2, 2007 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Examiner Linda Crane for further hearings and proceedings.

6. The Objector and the Candidate were directed by the Electoral Board to appear before the Hearing Examiner on the date and at the time designated in the Call. The following persons, among others, were present at such hearing; the Objector, MICHAEL D. DANIELS, by counsel, Dan Johnson-Weinberger; and the Candidate, JEFFREY L. LEWIS, pro se.

7. The Hearing Examiner ordered that an examination of the registration records be conducted by its 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 Examiner directed all parties to appear and be present, either personally and/or by their authorized representatives during this records examination.

9. The Candidate or his duly authorized representative was present during the examination of the registration records at all times.

10. The Objector and/or his duly authorized representatives were present during the examination of the registration records at all times.

11. The examination of the registration records was suspended after completing the examination of 14 pages of the Candidate's nominating petition sheets and determining that the Candidate had at least 172 valid signatures. The minimum signature requirement is 116.

12. 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 was made available to the parties.

13. The Electoral Board has reviewed the applicable law and has considered all evidence and arguments tendered by the parties and the Hearing Examiner's report of recommended findings and conclusions of law.

14. 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 election to the office of Alderman of the Sixteenth Ward of the City of Chicago.

15. For the reasons stated above, the Electoral Board overrules the Objections and finds that the Nomination Papers of JEFFREY L. LEWIS are valid.

IT IS THEREFORE ORDERED that the Objections of MICHAEL D. DANIELS to the Nomination Papers of JEFFREY L. LEWIS, candidate for election to the office of Alderman of the Sixteenth Ward of the City of Chicago, are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of JEFFREY L. LEWIS, candidate for election to the office of Alderman of the Sixteenth Ward of the City of Chicago, SHALL be printed on the official ballot for the Municipal General Election to be held on February 27, 2007.

Dated: Chicago, Illinois, this 28th day of January, 2007.



Langdon D. Neal, Chairman



Richard A. Cowen, 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.

BEFORE THE BOARD OF ELECTION COMMISSIONERS
SITTING AS THE DULY CONSTITUTED MUNICIPAL OFFICERS
ELECTORAL BOARD FOR THE CITY OF CHICAGO

MICHAEL D. DANIELS

Petitioner-Objector

vs.

JEFFERY L. LEWIS

Respondent-Candidate

No. 07 - EB - ALD - 116

2011 JUN 25 A 7:16

HEARING EXAMINER'S RECOMMENDED DECISION

The Respondent-Candidate, **JEFFERY L. LEWIS**, filed Nomination Papers (petition sheets) in support of his nomination to the office of Alderman of the 8th Ward in the City of Chicago to be voted upon at the election on February 27, 2007 (election). The Petitioner-Objector, **MICHAEL D. DANIELS**, filed a Verified Objector's Petition objecting to the sufficiency of the Candidate's nomination papers for various reasons stated in his Petition. The Objector's Petition alleges that the Candidate's nomination papers contain fewer than the required number of 272 validly collected signatures of qualified and duly registered legal voters of the 8th Ward, City of Chicago, signed by such voters in their own proper person with proper addresses. The Objector's Petition contained no legal issues to be determined and no briefs or motions were filed.

The initial hearing on this matter was held on January 2, 2007 and both parties were present with their attorneys, Daniel Johnson Weinberger for the Objector and Marc Hamilton for the Candidate, who filed their Appearances. Pursuant to Rule 6 of the Board's Rules of Procedure, a Records Examination was ordered to determine the adequacy of the Petitioner's allegations as to whether the Petitioner had filed the minimum number of valid signatures as required by the Illinois Election Code. The Records Examination was completed on January 13, 2007. The results were as follows:

Number of Signatures Filed	735
Number of Valid Signatures	172+
Number of Signatures Required	116

The results of the Record Examination were that the Nomination Papers contained more than the requisite number of valid signatures. Because of the foregoing, it is my recommendation that the Objector's objections should be overruled.

Respectfully submitted,

Date: January 24, 2007

By:



LINDA R. CRANE, Hearing Examiner