

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

Objections of: RYAN SIMAS)	
)	
)	
To the Nomination)	No.: 07-EB-ALD-133
Papers of: RUSSELL JAMES ELLIOTT)	(rel. 07-EB-ALD-172)
)	
Candidate for the office of)	
Alderman of the Eighth 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 RYAN SIMAS (“Objector”) to the nomination papers (“Nomination Papers”) of RUSSELL JAMES ELLIOTT, candidate for the office of Alderman of the Eighth 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 held on these Objections commenced on January 2, 2007 and was continued from time to time.

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

6. The Objector and the Candidate were directed by the Electoral Board's Call served upon them 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 Candidate, RUSSELL JAMES ELLIOTT, *pro se*. The Objector, RYAN SIMAS, did not appear at such hearing nor did he answer after the case was called on three separate occasions on January 2, 2007.

7. The Objector, RYAN SIMAS, was properly served with a copy of the Electoral Board's Call to the January 2, 2007 hearing by the Cook County Sheriff by personal service on December 29, 2006.

8. The Hearing Examiner defaulted the Objector for failing to appear at the scheduled January 2, 2007 hearing after the Objector was properly served with notice and a copy of the Electoral Board's Call to such hearing.

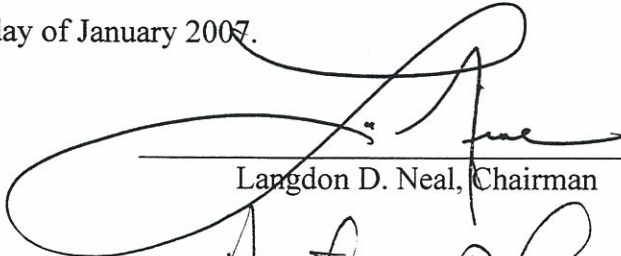
9. The Hearing Examiner recommends that the Objections be, therefore, dismissed.

10. The Electoral Board hereby adopts the Hearing Examiner's recommendation and the Objections are dismissed.

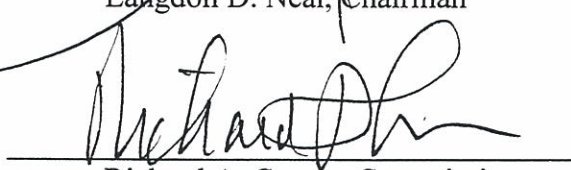
11. The Electoral Board further finds that there is another objection to the Candidate's Nomination Papers in case 07-EB-ALD-172, which will determine whether the Candidate's Nomination Papers are valid or invalid.

IT IS THEREFORE ORDERED that the Objections of RYAN SIMAS to the Nomination Papers of RUSSELL JAMES ELLIOTT, candidate for election to the office of Alderman of the Eighth Ward of the City of Chicago, are DISMISSED.

Dated: Chicago, Illinois, this 9th 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.