

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

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Objections of: LANYAIRD SMITH )  
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To the Nomination )  
Papers of: DIANE BANHIDI ) No. 08-EB-RES-04  
 )  
Candidate for the office of Representative in )  
the General Assembly, 5th Representative )  
District, State of Illinois, Republican Party )

**FINDINGS AND DECISION**

The duly constituted Electoral Board, consisting of Chicago Board of Election Commissioners Langdon D. Neal, Richard A. Cowen, and Marisel A. Hernandez, 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 LANYAIRD SMITH ("Objector") to the nomination papers ("Nomination Papers") of DIANE BANHIDI, candidate for nomination of the Republican Party to the office of Representative in the General Assembly for the 5th Representative District, State of Illinois ("Candidate"), having convened on April 22, 2008, at 69 W. Washington Street, 8<sup>th</sup> Floor Conference Room, 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 April 22, 2008 and was continued from time to time.

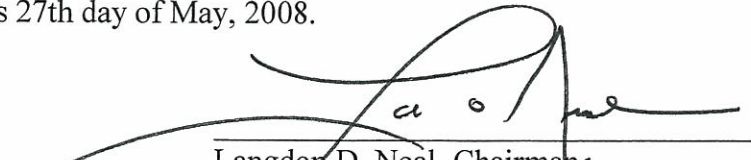
5. The Electoral Board assigned this matter to Hearing Examiner GERALD MULLIN for further hearings and proceedings.

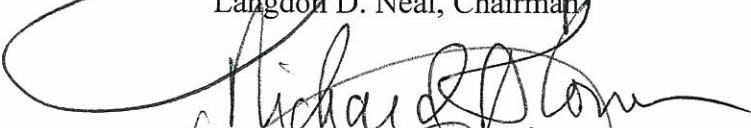
6. The Objector and the Candidate were directed by the Electoral Board to appear before the Hearing Examiner for a hearing on the date and at the time designated on the Electoral Board's docket. The following persons, among others, were present at such hearing: the Objector, LANYAIRD SMITH, appearing by counsel, MICHAEL J. KASPER; and the Candidate, DIANE BANHIDI, appearing by counsel, STEPHEN F. BOULTON.

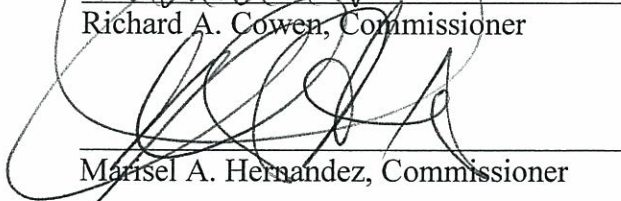
7. The Electoral Board finds that on May 1, 2008, the Candidate filed papers with the Illinois State Board of Elections withdrawing as a candidate and requesting that her name not be printed on the ballot, thus rendering the Objections moot.

IT IS THEREFORE ORDERED that the name of DIANE BANHIDI, candidate for the nomination of the Republican Party to the office of Representative in the General Assembly for the 5th Representative District, State of Illinois, SHALL NOT be printed on the official ballot for the General Election to be held on November 4, 2008.

Dated: Chicago, Illinois, this 27th day of May, 2008.

  
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Langdon D. Neal, Chairman

  
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Richard A. Cowen, Commissioner

  
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Marisel A. Hernandez, 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.