

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

Objections of: CLARA KIRK)
)
)
To the Nomination) No. 08-EB-RGA-21
Papers of: YVETTE WILLIAMS)
) (rel. RGA-30)
)
Candidate for the office of)
Representative in the General Assembly,)
32nd District, State of Illinois, Democratic)
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 CLARA KIRK ("Objector") to the nomination papers ("Nomination Papers") of YVETTE WILLIAMS, candidate for nomination of the Democratic Party to the office of Representative in the General Assembly for the 32nd District, State of Illinois ("Candidate"), having convened on November 20, 2007, at 10:00 a.m., at 69 W. Washington Street, 8th 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 November 20, 2007 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Examiner Frank Tedesso 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, CLARA KIRK, appearing by counsel, Michael J. Kasper; and the Candidate, YVETTE WILLIAMS, appearing pro se.

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

9. The Candidate or her duly authorized representative(s) was present during the examination of the registration records.

10. The Objector or her duly authorized representative(s) 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 results of the registration records examination is contained in the Electoral Board's file in this case and is available for inspection upon request of a party.

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 500;

B. The number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 1,909;

C. The number of signatures deemed invalid because of objections sustained total 781;

D. The remaining number of signatures deemed valid total 1,128.

13. The Electoral Board finds that the number of valid signatures appearing on the Candidate's nominating petition following completion of the records examination exceeded the minimum number of valid signatures required by law to be placed upon the official ballot as a candidate for nomination of the Democratic Party to the office of Representative in the General Assembly for the 32nd District, State of Illinois.

14. Follow the completion of the records examination, the Hearing Examiner conducted an evidentiary hearing to consider further objections to the Candidate's

Nomination Papers alleging a “pattern of fraud” in the circulation of the petitions circulated by the Candidate.

15. After hearing from the witnesses, examining the evidence and considering the arguments of the parties, the Hearing Examiner concluded that there was overwhelming evidence that of the 120 petition sheets signed by the Candidate as the circulator of those sheets, she did not, in fact, personally circulate 79 of those petition sheets. The Hearing Examiner further concluded that the Candidate’s act of signing said sheets as the circulator of those sheets evidenced a pattern of fraud in regard to false swearing and that all of said sheets should be stricken in their entirety. The Hearing Examiner has further recommended that all 120 of the petition sheets circulated by the Candidate be stricken in their entirety due to the obvious pattern of false swearing of the petition sheets allegedly circulated by the Candidate. If all such sheets are invalidated, the Candidate would be left with only 109 valid signatures, fewer than the minimum signature requirement of 500 for office sought.

16. The Hearing Examiner has tendered to the Electoral Board his report and recommended decision. The Hearing Examiner recommends that the Objections to the Candidate’s Nomination Papers be sustained and that the Nomination Papers be found invalid.

17. The Electoral Board, having reviewed the record of proceedings in this matter and having considered the report and recommendations of the Hearing Examiner, as well as all argument and evidence submitted by the parties, hereby adopts the Hearing Examiner’s recommended findings and conclusions of law. A copy of the Hearing

Examiner's Report and Recommended Decision is attached hereto and is incorporated herein as part of the decision of the Electoral Board.

18. For the reasons stated above, the Electoral Board sustains the Objections to the Candidate's Nomination Papers and finds that the Candidate's Nomination Papers are invalid.

19. The Electoral Board further finds that there were additional objections filed against the Candidate's Nomination Papers in case number 08-EB-RGA-30, but the objections in that case were stricken and dismissed.

IT IS THEREFORE ORDERED that the Objections of CLARA KIRK to the Nomination Papers of YVETTE WILLIAMS, candidate for nomination of the Democratic Party to the office of Representative in the General Assembly for the 32nd Representative District, State of Illinois, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of YVETTE WILLIAMS, candidate for nomination of the Democratic Party to the office of Representative in the General Assembly for the 32nd Representative District, State of Illinois, SHALL NOT be printed on the official ballot for the General Primary Election to be held on February 5, 2008.

Dated: Chicago, Illinois, this 14th day of December, 2007.



Langdon D. Neal, Chairman



Richard A. Cowen, Commissioner



Marcel 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.

**BEFORE THE DULY CONSTITUTED ELECTORAL BOARD
FOR THE HEARING AND PASSING UPON OF NOMINATION OBJECTIONS
TO NOMINATION PAPERS OF CANDIDATES FOR NOMINATION TO THE
OFFICE OF REPRESENTATIVE IN THE GENERAL ASSEMBLY FOR THE
32nd REPRESENTATIVE DISTRICT OF THE STATE OF ILLINOIS**

CLARA KIRK,)	
)	
Petitioner-Objector,)	
)	
v.)	Case No. 08-EB-RGA-21
)	
YVETTE WILLIAMS,)	
)	
Respondent-Candidate.)	

**HEARING EXAMINERS RECOMMENDED FINDINGS OF FACT AND
RECOMMENDED DECISION**

1. The Respondent – Candidate, YVETTE WILLIAMS, filed Nomination Papers for nomination to the Office of Representative in the General Assembly for the 32nd Representative District of the State of Illinois, Democratic Party, to be voted upon at the February 5, 2008 Primary Election.

2. That the Petitioner– Objector, CLARA KIRK, filed an Objector's Petition objecting to the Nomination Papers of the Candidate.

3. On November 20, 2007, this matter appeared on the Board's Initial Trial Call. Petitioner-Objector appeared through her attorney, Michael Kasper, and Respondent-Candidate appeared pro sé. The following Board Documents were entered into evidence by the Hearing Examiner: "Board Group Exhibit A" consisting of the Candidate's Nomination Papers; "Board Group Exhibit B" consisting of the Objector's Petition and attachments; "Board Group Exhibit C" consisting of a copy of the call and proof of service of the call; and "Board Group Exhibit D" consisting of the parties' appearances. The Hearing Examiner granted the Candidate leave to file a Motion to

Strike and Dismiss the Objector's Petition, granted the Objector leave to file her Response, and set the Candidate's Motion to Strike and Dismiss for hearing on November 29, 2007. The Hearing Examiner also ordered a Records Examination pursuant to Rule 6 of the Board's Rules of Procedure.

4. On November 29, 2007, the Hearing Examiner heard argument on the Candidate's Motion to Strike and Dismiss. The Candidate's motion alleged the Objector's Petition should be dismissed because it failed to fully state the nature of the objections; the Objector did not personally view the Candidate's nominating papers or purchase a copy of said papers, and the Objector is ineligible due to her profession to file objections. The Hearing Examiner denied the Candidate's Motion to Strike and Dismiss and found that the Objector's Petition complied with Section 10-8 of the Election Code in that it provides the objector's name and residence address, states fully the nature of the objections to the nomination papers or petitions in question, and states the interests of the objector and what relief is requested. The Hearing Examiner noted that paragraphs 5, 6, 7 and 8 of the Objector's Petition made specific objections to signatures contained in the nominating petitions and the individual signatures objected to and the grounds of the objections are contained in the "Appendix-Recapitulation" attached and incorporated within the petition. Section 10-8 does not place any prerequisite upon the objector except that the objector is "a legal voter", and one's profession does not prohibit the filing of an objector's petition. The Hearing Examiner continued the matter until December 3, 2007 for status on the results of the Rule 6 Records Examination and December 7, 2007 for evidentiary hearing pursuant to Rule 8 on the Objector's Petition.

5. The Rule 6 Records Examination was completed on December 2, 2007 with the following results:

*Number of Signatures on Petition:	1909
*Number of Objections Overruled:	391
*Number of Objections Sustained:	781
*Valid Signatures:	1128
*Minimum Signature Requirement:	500

6. On December 3, 2007, a conference call was held with the parties regarding the results of the Records Examination and issues to be resolved at the Rule 8 Hearing. The Hearing Examiner directed the parties to submit their request for subpoena in writing and be prepared to proceed to an evidentiary hearing on the objector's allegation of a "pattern of fraud" in the circulation of petitions circulated by the candidate.

7. On December 7, 2007, the Objector's Petition proceeded to an evidentiary hearing and the following testimony and exhibits were received into evidence by the Hearing Examiner:

A. The Petitioner-Objector presented the following witnesses and documents in her case in chief:

1. Juliette Ball testified that she lives at 6615 S. Winchester, Chicago, Illinois. Ms. Ball identified her signature appearing on sheet 27, line 15 of the Candidate's nominating petitions. Ms. Ball testified that she signed the petition in the presence of two men. A woman was not present when she signed the Candidate's Nominating Petition.

On cross examination, Ms. Ball testified she did not remember the date she signed the petition and does not remember the office sought. Ms. Ball described one circulator as a tall and stocky male and the other male as tall and thin. She described the weather as nice.

2. James Edwards testified that his signature appears on sheet 11, line 10 of the Candidate's Nominating Petition. Mr. Edwards was unsure whether a man or woman circulated the petition sheet he signed. Mr. Edwards stated "he did not think that the candidate was the circulator" but was unsure.

3. Annie Harrison identified her signature appearing on sheet 47, line 10 of the Candidate's nominating petition. She testified that a young man asked her to sign the petition and she signed it on her front porch. A woman did not ask her to sign the petition and a woman was not with the young man who requested her signature.

On cross examination, Ms. Harrison testified she only signed one petition. Ms. Harrison was shown Respondent's Exhibit #1 (a copy of an affidavit attached to the Objector's Petition with a picture of the candidate). Ms. Harrison did not remember seeing the person depicted in the picture when she signed the petition.

4. Shirley Jamison-Drexel identified he signature appearing on Sheet 27, Line 2 of the Candidate's Nominating Petition. She testified she was at home when her sister brought a man upstairs and asked her to sign the petition. On cross examination the witness testified that she never saw the person depicted in Candidate's Exhibit #1.

5. Geraldine Kyser identified her signature appearing on Sheet 65, Line 11 of the Candidate's Nominating Petition. She was standing in her doorway when she signed the petition and that "ladies came to her house" and asked her to sign the petition. Ms. Kyser further testified that she does not remember who circulated the petition and did not remember the candidate.

6. Readie Martin testified that her signature appeared on Sheet 50, Line 9 of the Candidate's Nomination Petition. She was asked to sign the petition by a woman.

7. Sandra Singleton Wilder identified her signature on Sheet 21, Line 6 of the Candidate's Nominating Petition. She testified that she knows the candidate and the candidate asked her to sign the petition. Ms. Singleton-Wilder was shown Candidate's Exhibit #1 and identified it as an affidavit she signed. A male Caucasian and an African American male brought the affidavit to her. She signed the affidavit believing it supported the Candidate. A notary was not present when she signed the affidavit.

8. Jeanette Slaton testified that her signature appears on Sheet 8, Line 2 of the Candidate's Nominating Petition. She signed it at her mother's house at the door. She thinks a woman asked her to sign the petition; however, the candidate was not the person who asked her to sign the petition.

9. Mary Davis testified that her signature appears on Sheet 28, Line 10 of the Candidate's Nominating Petition. She signed it on her front porch. A lady came to her door and asked her to sign it. Ms. Davis was asked if the candidate asked her to sign, and Ms. Davis testified "I don't think so." On cross

examination, Ms. Davis was shown Candidate's Exhibit #1. Ms. Davis stated she does not know the person in the picture.

10. Stacia Dail testified that her signature appears on Sheet 2, Line 8 of the Candidate's Nominating Petition. She was at home when she signed the petition. She does not know if a man or woman circulated the petition; however, the witness was sure the Candidate did not ask her to sign. On cross examination, Ms. Dail was shown Candidate's Exhibit #1 and stated she did not know if she ever saw the woman in the picture.

11. Gregory Riley testified that his signature appears on Sheet 76, Line 6 of the Candidate's Nominating Petition. Mr. Riley testified that he signed the petition at his home at 7033 S. Damen, Chicago, Illinois. A man asked him to sign the petition and the man was alone. On cross examination, the Mr. Riley testified that he appeared at the hearing because he was served with a subpoena. He further testified that he never saw the woman depicted in Candidate's Exhibit #1.

12. Johnie Webb testified that he signed the Candidate's Nominating Petition and his signature appears on Sheet 105, Line 2. He signed the petition when approached by a young male at the CTA El Station located at 95th Street and the Dan Ryan Expressway. Mr. Webb would not have noticed if someone was with the young man. On cross examination the witness testified that he did not remember what date this occurred on, what he was wearing, and he did not remember if anyone else was present except for the young man.

13. Troy Byther testified that he signed the Candidates Nominating Petition at Sheet 83, Line 7. He did not remember what he signed but a man brought the petition to his house.

14. Arthur Harrison was called to testify and excused when the Hearing Examiner was advised by Mr. Harrison's wife that Mr. Harrison has Alzheimer's disease and she was declared his guardian.

15. Charlie Matthews testified that his signature appears on Sheet 79, Line 14 of the Candidate's Nominating Petition. Mr. Matthews identified the Candidate as the person who brought him the petition to sign.

16. Michael McGee testified that his signature appears on Sheet 30, Line 11 of the Candidate's Nominating Petition. Mr. McGee testified that he signed the petition sheet while sitting in his car outside his "baby's momma's crib", and an older man asked him to sign the petition sheet. On cross examination, the witness was shown Candidate's Exhibit #1 and he stated he does not know if he knows the woman in the picture because it is a copy and unclear.

17. Twanda Hale testified that her signature appears at sheet 30, line 12 of the Candidate's Nominating Petition. She signed it at 6622 S. Green, Chicago, Illinois while in the living room. Only a male was present at the door and in the living room when she signed the petition. On cross examination, the witness was shown Candidate's Exhibit #1 and testified that she never saw the woman in the picture and does not know who she is.

18. Lakiesha Hale testified that her signature appears at Sheet 30, Line 14 of the Candidate's Nominating Petition. Ms. Hale stated that she was at her home at

6622 S. Green Street when a man came up on the porch and asked her to sign the petition. The man was alone and nobody was with him. On cross examination, the witness testified she was wearing boots, blue jeans and a white blouse and she signed the petition on a weekend. The witness further testified that she has never seen the woman depicted in the picture contained on Candidate's Exhibit #1.

19. Debra Hale identified her signature that appears on sheet 30, line 15 of the candidate's nominating petition. She signed the petition in the front yard of 6622 S. Green Street, Chicago, Illinois. An older man asked her to sign the petition and he was alone. On cross examination, the witness stated she did not remember the date she signed the petition, but "it might have been a school day".

20. William Jones testified that his signature appears on Sheet 39, Line 12 of the Candidate's Nominating Petition. He remembers he signed the petition while on his front porch. A man came to the door and asked him to sign the petition. A woman was not with the man. On cross examination, the witness testified that it was still warm when he signed the petition but he could not remember the date he signed. Mr. Jones also testified that he did not know the woman depicted in Candidate's Exhibit #1.

21. The Candidate was called as a witness and testified the picture contained in Candidate's Exhibit # 1 her. Ms. Williams testified the picture was included in literature she used to run for alderman in March of 2007. Ms. Williams testified the picture was taken in November of 2006.

22. The Hearing Examiner also accepted into evidence Objector's Group Exhibit #1. Objector's Group Exhibit #1 consists of 200 affidavits in identical

form as the affidavit attached hereto as Hearing Examiner's Exhibit #1. Each affidavit contains a picture of the Candidate and states: "the person whose photograph appears on this page was not the person who circulated the petition and presented it to me for signature"; "The person whose photograph appears on this page was not present when I signed the Petition Sheet of Yvette Williams.

Objector's Group Exhibit #1 contains the affidavits of the following petition signers:

* Monica Dumas	Sheet 1	Line 6
* Stacia Dial	Sheet 2	Line 8
* Britnic Collins	Sheet 3	Line 1
* Rosel Ettress	Sheet 3	Line 11
* Pearlie Miller	Sheet 4	Line 1
* Silas Miller	Sheet 4	Line 12
* James Hickman	Sheet 5	Line 4
* Shirley Cummings	Sheet 5	Line 5
* William Robinson	Sheet 5	Line 9
* Pamela Richy-Cook	Sheet 7	Line 14
* Dreaderick Cook	Sheet 7	Line 15
*Jeanette Slaton	Sheet 8	Line 2
*Otha Harris	Sheet 8	Line 5
* Lynn Campbell	Sheet 8	Line 15
* Gladys Allen	Sheet 10	Line 1
* Mildred Johnson	Sheet 10	Line 2
* Darrell Alexander	Sheet 10	Line 3
* Shaneka Campbell Alexander	Sheet 10	Line 4
* James Edwards	Sheet 11	Line 10
* Loretta Henderson	Sheet 12	Line 1
* Arlene Kelly	Sheet 12	Line 6
* Walter Bowman	Sheet 12	Line 8
* Isaac Harris	Sheet 12	Line 10
* Hattie King	Sheet 13	Line 1
* Ida Thompson	Sheet 13	Line 3
* Beverley Gill	Sheet 13	Line 12
* Michael Hayes	Sheet 13	Line 13
* Elizabeth Coleman	Sheet 14	Line 1
* Grady Coleman	Sheet 14	Line 2
* Atlean Barnett	Sheet 14	Line 10
* David Fason	Sheet 14	Line 15

* Rosie Garvin	Sheet 15	Line 8
* Joan Davis	Sheet 16	Line 4
* Louise Ollie	Sheet 20	Line 13
* Sandra Singleton Wilder	Sheet 21	Line 6
* Effie Taylor	Sheet 22	Line 11
* Albert Udell	Sheet 25	Line 4
* Fontas Walter	Sheet 25	Line 8
* Catherine McGill	Sheet 25	Line 10
* Lachon Harris	Sheet 25	Line 11
* Glenda Gorden	Sheet 25	Line 13
* Shirley Jamison – Drexel	Sheet 27	Line 2
* Juliette Ball	Sheet 27	Line 15
* Mary Davis	Sheet 28	Line 10
* James Williams	Sheet 32	Line 9
* Mollie Jackson	Sheet 32	Line 10
* Nancy Holmes	Sheet 33	Line 8
* Desiree Wells	Sheet 33	Line 9
* Shirley Copeland	Sheet 35	Line 7
* Dorothy Paulhill	Sheet 36	Line 8
* Lira Jackson	Sheet 37	Line 11
* Allen Clay	Sheet 38	Line 8
* Mary Clay	Sheet 38	Line 11
* Latrena Johnson	Sheet 38	Line 13
* Antonio Johnson	Sheet 38	Line 14
* William Jones	Sheet 39	Line 2
* Johnny Jones	Sheet 39	Line 6
* Gwendolyn Hogan	Sheet 39	Line 10
* Freddie Woodson	Sheet 39	Line 13
* Derrick Gilmore	Sheet 39	Line 14
* Evelyn Kidd	Sheet 40	Line 2
* Shauna Carter	Sheet 40	Line 4
* Annie Sampson	Sheet 40	Line 7
* Billy Manning	Sheet 40	Line 9
* Lincoln Kueke	Sheet 41	Line 6
* Doris Draine	Sheet 41	Line 8
* Jeff Montgomery	Sheet 41	Line 11
* William Lowery	Sheet 42	Line 13
* Tanya Collier	Sheet 44	Line 1
* Bessie Johnson	Sheet 44	Line 11
* Roger Williams	Sheet 44	Line 13
* Brenda Copeland	Sheet 46	Line 12
* Juanita Williams	Sheet 47	Line 4
* Annie Harrison	Sheet 47	Line 10
* Arthur Harrison	Sheet 47	Line 11
* Stase Kaparutis Rudokas	Sheet 48	Line 9
* Jean Johnson	Sheet 48	Line 11

* Brian Lofton	Sheet 48	Line 12
* Helen Webb	Sheet 48	Line 15
* Jasmine Austin	Sheet 49	Line 7
* Cynthia Sullivan	Sheet 49	Line 14
* Jason Lemons	Sheet 49	Line 15
* Readie Martin	Sheet 50	Line 9
* Gail Jackson	Sheet 51	Line 4
* Thelma Neal	Sheet 51	Line 5
* Dorsey Stevenson	Sheet 51	Line 11
* Nakia Hunter	Sheet 52	Line 1
* Lee Etta Peace	Sheet 52	Line 3
* Constance Watford	Sheet 52	Line 11
* Dakarir Stewart	Sheet 52	Line 14
* Rosa Jones	Sheet 53	Line 1
* Vell Teen Crawford	Sheet 55	Line 1
* Kimberley Henderson	Sheet 55	Line 3
* Carol Grimnes	Sheet 55	Line 10
* Palmer Murphy	Sheet 55	Line 13
* Frank Jones	Sheet 56	Line 8
* Tommie Jones	Sheet 56	Line 9
* Kathryn Jackson	Sheet 57	Line 15
* Barbara Smaw	Sheet 58	Line 9
* Maria Harden	Sheet 60	Line 12
* Yvonne Ward	Sheet 61	Line 7
* Allene Miller	Sheet 65	Line 2
* Aslee Weathers	Sheet 65	Line 7
* Rosie Coney	Sheet 65	Line 8
* Geraldine Kyser	Sheet 65	Line 11
* Patricia Blakely	Sheet 65	Line 14
* Vaeshan Hudson	Sheet 66	Line 3
* Jennifer Smith	Sheet 66	Line 7
* Eddie Crane	Sheet 66	Line 11
* Zadie Ford	Sheet 67	Line 16
* Johnny Stewart	Sheet 67	Line 11
* Ronald Wallace	Sheet 67	Line 13
* Shirley Byrd	Sheet 68	Line 6
* Al Smith	Sheet 68	Line 7
* Gladys Burton	Sheet 68	Line 12
* Ricky Johnson	Sheet 70	Line 1
* Karen Stroud	Sheet 70	Line 8
*Gregory Riley	Sheet 76	Line 6
* Laura Irvin	Sheet 76	Line 10
* Berrion Buswell	Sheet 76	Line 12
* Yashika Walker	Sheet 77	Line 5
* Lester Hernandez	Sheet 77	Line 10
* Reyna Ramirez	Sheet 77	Line 12

* Joseph Brown	Sheet 78	Line 1
* Melvin Williams	Sheet 78	Line 2
* Maxine McGee Patterson	Sheet 79	Line 13
* Charlie Matthews	Sheet 79	Line 14
* Charlene Brandy	Sheet 80	Line 5
* Batiste Sidney	Sheet 80	Line 11
* Anitra Conway	Sheet 82	Line 2
* Annie Paham	Sheet 82	Line 10
* Doretha Johnson	Sheet 82	Line 12
* Troy Bythen	Sheet 83	Line 7
* Vivien Jones	Sheet 83	Line 12
* Djuana Taylor	Sheet 83	Line 15
* Darrick Mitchell	Sheet 85	Line 5
* Cheryl Johnson	Sheet 90	Line 4
* Jaqueline Cottle	Sheet 90	Line 7
* Vivian Crawford	Sheet 90	Line 9
* Annie Mae Valentine	Sheet 91	Line 2
* Stanford Norise	Sheet 91	Line 8
* Dion Williams	Sheet 91	Line 15
* Jessie Mae Jakes	Sheet 92	Line 15
* Essie Williams	Sheet 93	Line 13
* Moira Bieronske	Sheet 95	Line 4
* Theresa Emmons	Sheet 95	Line 5
* Tosha White	Sheet 95	Line 6
* Lillie Johnson	Sheet 95	Line 7
* Willie Mae Jackson	Sheet 95	Line 11
* Edwina McGee	Sheet 96	Line 6
* Dora Dotch	Sheet 96	Line 12
* Todd Mitchell	Sheet 96	Line 14
* Tynisha Mitchell	Sheet 96	Line 15
* Linda Harris	Sheet 97	Line 2
* Timothy White	Sheet 100	Line 6
* Patricia Hill	Sheet 100	Line 7
* Mabel Kimbrough	Sheet 100	Line 11
* Jacquelyn McClendon	Sheet 101	Line 1
* Andre Mathews	Sheet 101	Line 2
* Tawanda Mathews	Sheet 101	Line 10
* Jerome Henderson	Sheet 102	Line 9
* Christine Gardner	Sheet 102	Line 9
* Byron Caine	Sheet 102	Line 15
* Sussie Cunningham	Sheet 103	Line 2
* Angelo Dodson	Sheet 103	Line 3
* Fred Tiller	Sheet 103	Line 4
* Jessie Givner	Sheet 103	Line 5
* Edward Galath	Sheet 103	Line 14
* Gloria James	Sheet 105	Line 1

* Johnnie Webb	Sheet 105	Line 2
* Priscilla Jackson	Sheet 105	Line 14
* Katie Smith	Sheet 105	Line 14
* Eliza Emmons	Sheet 106	Line 1
* James Emmons	Sheet 106	Line 2
* Elizabeth Easterling	Sheet 107	Line 1
* Hallie Woodward	Sheet 107	Line 9
* Mary Houston	Sheet 107	Line 11
* Alicia Stratton	Sheet 107	Line 12
* Walter Grady, Jr.	Sheet 107	Line 13
* Rosie Fields	Sheet 107	Line 14
* Michelle Williams	Sheet 108	Line 10
* Linda Beck	Sheet 109	Line 4
* Rachel Coopwood	Sheet 109	Line 9
* David Harroway	Sheet 109	Line 11
* Shirley Samuels	Sheet 109	Line 14
* Ruby Daniels	Sheet 111	Line 1
* Odesseth Caine	Sheet 111	Line 2
* Katrina Sapt	Sheet 118	Line 9
* Terrell Street	Sheet 118	Line 10
* Mildred Owens	Sheet 120	Line 1
* Rochelle Haynes	Sheet 120	Line 14
* Carmelia Nunley	Sheet 121	Line 10
* Earnest Nunley	Sheet 121	Line 11
* Diane Bursey	Sheet 124	Line 5
* Latasha Horton	Sheet 124	Line 12
* Lenie Horton	Sheet 124	Line 13
* Ruth Branch	Sheet 124	Line 15
* Shaneeka Winters	Sheet 126	Line 2
* Tamika McClain	Sheet 126	Line 11
* Rosie Washington	Sheet 126	Line 12
* Patricia Washington	Sheet 126	Line 13
* Susie Morrison	Sheet 127	Line 2
* Retha Berry	Sheet 127	Line 3
* Syble Perry	Sheet 127	Line 5
* Maggie Perkins	Sheet 127	Line 10

23. The Hearing Examiner also received into evidence Objector's Exhibit #2, the Affidavit of Hattie King. Ms. King's affidavit states: she was served with a subpoena to testify at the hearing; she was unable to attend due to illness; she knows Yvette Williams; Ms. Williams came to her house on several occasions to speak to her regarding this case; the last time Yvette Williams was to her house

was December 5, 2007; and a man asked her to sign a petition for Yvette Williams, not Yvette Williams.

B. The Candidate presented the following testimony of witnesses and documents:

1. Gelinda Gorden identified Candidate's Exhibit #2 as an affidavit that a gentleman asked her to sign. She thought it was a statement that the Candidate, in fact, had circulated the petition sheet that she signed. Ms. Gorden testified that a notary was not present when she signed the affidavit and she was not placed under oath. On cross examination, the witness testified that she recognized the picture in Candidate's Exhibit #2 as the Candidate.
2. Frank Jones testified that he was asked to sign a paper verifying that he signed the Candidate's petition. He did not read the paper, but signed it, thinking he was supporting the Candidate. On cross examination, the witness indicated that he knows the Candidate for 12 years and signed her petition in her presence.
3. Virgil Jones testified that he knows the Candidate since she was a little girl. Mr. Jones testified that he did not circulate petitions on behalf of the Candidate, and if he did, he would have signed the petitions he circulated.
4. Terry Holloway testified that he knows the Candidate and she showed him how to campaign and obtain signatures to run for office.
5. The Candidate testified on her own behalf that she took a leave of absence from her job in order to circulate her petitions. She walked the district from 7 a.m. to 8 p.m., and she collected the majority of the signatures on her petition sheets.

8. Section 10-7 of the Election Code requires that circulators of nominating petition sheets sign a sworn statement certifying that signatures contained on a petition sheet "were signed in his or her presence and certifying that the signatures are genuine; and either (1) indicating the dates on which that sheet was circulated, or (2) indicating the first and last dates on which the sheet was circulated, or (3) certifying that none of the signatures on the sheet were signed more than 90 days preceding the last day for the filing of the petition and certifying that to the best of his or her knowledge and belief the persons so signing were at the time of signing the petitions qualified voters of the political party for which a nomination is sought." *10 ILCS 5/7-10*.

9. Compliance with Section 10-7 of the Election Code is mandatory and not directory. *Bowe v. Chicago Electoral Bd.*, 79 Ill. 2d 469 (Ill. 1980); *Lawlor v. Municipal Officer Electoral Board*, 28 Ill. App. 3d 823 (1975). The circulator's affidavit requirement has been "strictly enforced by the courts of this State, which have viewed the circulators' oath as an important way to safeguard fair and honest elections." *Fortas v. Dixon*, 122 Ill. App. 3d 697; 462 N.E.2d 615; 1984 Ill. App. LEXIS 1599; 78 Ill. Dec. 496(1st Dist. 1984). In *Fortas v. Dixon*, the court found that all the signatures on sheets that clearly evidence a pattern of fraud, false swearing, and total disregard for the mandatory requirements of the Election Code should have been stricken by the electoral board since the sheets did not contain the notarized affidavit of the actual circulator. *Fortas v. Dixon*, 122 Ill. App. 3d 697; 462 N.E.2d 615; 1984 Ill. App. LEXIS 1599; 78 Ill. Dec. 496(1st Dist. 1984). A circulator's false affidavit taints the entire sheet. *Huskey v. Municipal Officers Electoral Board*, 156 Ill. App. 3d 201; 509 N.E.2d 555; 1987 Ill. App. LEXIS 2554; 108 Ill. Dec. 859 (1987). The Board relies on the honesty of the circulator

who swears that he witnessed each signature whenever the Board counts the signatures toward the number required for nomination. If the evidence supports a finding that the circulator lied under oath, it further supports a decision to refuse to count any signatures that circulator purportedly witnessed. *Harmon v. Town of Cicero Mun. Officers Electoral Bd.*, 371 Ill. App. 3d 1111 (Ill. App. Ct. 2007) See *Fortas v. Dixon*, 122 Ill. App. 3d at 701; *Canter*, 170 Ill. App. 3d at 369.

10. In this case, the Objector has clearly demonstrated a pattern of fraud, false swearing and total disregard for the mandatory requirements of the Election Code. The Objector presented the unrebutted and credible testimony of Juliette Ball (Sheet 27, Line 15), Shirley Jamison Drexel (Sheet 27, Line 2), Michael McGee (Sheet 30, Line 11), Tawanda Hale (Sheet 30, Line 12), Lakiesha Hale (Sheet 30, Line 14), Debra Hale (Sheet 30, Line 15), William Jones (Sheet 39, Line 12), Annie Harrison (Sheet 47, Line 10), Gregory Riley (Sheet 76, Line 6), Troy Byther (Sheet 83, Line 7), and Johnnie Webb (Sheet 105, Line 2) that a man asked them to sign the Candidate's Nominating Petition and a woman was not with the gentleman that asked the respective witnesses to sign the petition. The circulator named in sheets 27, 30, 39, 47, 76, 83, and 105 is the Candidate Yvette Williams. The Hearing Examiner makes a finding of fact that Yvette Williams did not circulate petition sheets 27, 30, 39, 47, 76, 83, and 105 and that the affidavit that she signed on said petition sheets is false and evidences a pattern of fraud in regard to the circulation of said sheets and all signatures contained in said sheets should be stricken.

The Objector also presented the credible and unrebutted testimony of Jeanette Slaton (Sheet 8, Line 2) and Stacia Dail (Sheet 2, Line 8) that the Candidate was not the person who presented the respective petition sheets to them when they signed them. The

Hearing Examiner makes a finding of fact that Yvette Williams did not circulate petition sheets 2 and 8 and that the affidavit that she signed on said petition sheets is false and evidences a pattern of fraud in regard to the circulation of said sheets and all signatures contained in said sheets should be stricken.

In addition to live witnesses, the Objector offered the affidavits of 193 additional individuals who swore that they signed the Candidate's petition and that the woman depicted in the photograph did not present the respective petition sheets to the signers, and the woman in the picture was not present when they signed the sheet. The Candidate testified that the picture contained in the affidavits is a picture of her taken in November 2006 and was used by her in campaign material she utilized for her March 2007 run for Alderman. The Hearing Examiner has viewed the photo contained in the affidavits and believes that one could recognize the candidate from the picture. The only difference the Hearing Examiner notes from the current appearance of the Candidate is a recent change in hair style. The Affidavits contained in Objector's Group Exhibit #1 implicate the following additional petition sheets: 1, 3, 4, 5, 7, 10, 12, 13, 14, 15, 16, 20, 22, 25, 32, 33, 35, 36, 37, 38, 40, 41, 42, 44, 46, 48, 49, 50, 51, 52, 53, 55, 56, 57, 58, 60, 61, 65, 66, 67, 68, 70, 77, 78, 79, 80, 82, 85, 90, 91, 92, 93, 95, 96, 97, 100, 101, 102, 103, 106, 107, 108, 109, 111, 118, 120, 121, 124, 126, and 127. It should be noted that of the above 70 petition sheets implicated by the affidavits, 34 of the sheets have three or more affidavits attacking the sheets with the greatest number of affidavits attacking a sheet being the 6 affidavits attacking sheet 107. The Candidate's testimony that she obtained the majority of the signatures and that there is a conspiracy to remove her from the ballot lacks credibility and fails to rebut the overwhelming evidence that of the 120 petition sheets

allegedly circulated by the Candidate she did not circulate 79 of those petitions. The candidate's signing the above petitions as circulator evidences a pattern of fraud in regard to false swearing and all 70 of said above mentioned petition sheets are stricken in their entirety.

Also, in view of the overwhelming evidence that the Candidate swore false affidavits in regard to 79 of the 120 sheets she allegedly circulated, each and every sheet that the Candidate circulated is stricken from the Candidates Nominating Petition due to the obvious pattern of false swearing of the petition sheets allegedly circulated by the candidate. The Candidate filed 1909 signatures. The Hearing Examiner recommends the striking of 120 sheets for the reasons stated herein; thereby, invalidating 1800 of the 1909 signatures filed by the Candidate. This leaves the Candidate with no more than 109 valid signatures irrespective of the Records Examination.

11. It is the Hearing Examiner's recommended finding that the Objector's Petition be sustained and the Candidate's name not be placed on the February 5, 2008 ballot due to her failure to submit at least 500 valid signatures.

A handwritten signature in black ink, appearing to read 'Frank A. Tedesso', written over a horizontal line.

Hearing Examiner, Frank A. Tedesso