

**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-23
Papers of: ANDRE THAPEDI)	
)	(rel. case RGA-16)
)	
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 ANDRE THAPEDI, 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 Gerald B. 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, CLARA KIRK, appearing by counsel, Michael J. Kasper; and the Candidate, ANDRE THAPEDI, by counsel, Llwellyn Thapedi.

7. The Electoral Board finds that on November 24, 2007, the Objector filed a motion to withdraw her Objections against the Candidate's Nomination Papers.

8. The Electoral Board finds that there was another objection filed against the Candidate's Nomination Papers in case 08-EB-RGA-16, but the objections filed in that case were overruled.

9. In the absence of any objections to the Candidate's Nomination Papers, those papers are deemed valid.

IT IS THEREFORE ORDERED that the Objector's motion to withdraw the Objections is granted, said Objections are withdrawn, and this case is dismissed as moot and the Nomination Papers of ANDRE THAPEDI, candidate for nomination of the Democratic Party to the office of Representative in the General Assembly for the 32nd District, State of Illinois are hereby declared VALID and the name of ANDRE THAPEDI, 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 be printed on the official ballot for the General Primary Election to be held on February 5, 2008.

Dated: Chicago, Illinois, this 30th day of November 2007.

Langdon D. Neal, Chairman



Richard A. Cowen, Commissioner

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.

**BEFORE THE BOARD OF ELECTION CONMMISONERS
FOR THE CITY OF CHICAGO**

CLAEA KIRK

PETITIONER-OBJECTOR

08-EB-RGA-23

v

ANDRE M. THAPEDI

RESPONDENT-CANDIDATE

HEARING OFFICER'S REPORT AND RECOMMENDATION

This cause was heard on November 20, 2007 upon the objection of petitioners alleging that the candidate had presented insufficient number of signatures to satisfy requirements of the Election Code

The objector appeared through counsel, and the candidate appeared through counsel and was also present.

After the filing of appearances, the candidate presented a motion to strike and dismiss the objection, and on November 21, 2007 the objector filed a response to that motion. A Records Examination was scheduled, with the parties to be notified.

On November 24, 2007 the objector filed a motion to withdraw the objection.

Accordingly, the Hearing Officer granted the motion and dismissed the objection. There being no further objection, it is recommended that the Records Examination be cancelled, the hearing scheduled for November 26, 2007 at 2:00PM be vacated, and the matter be dismissed.

The Hearing Officer recommends that the Board adopt this decision.

Respectfully submitted,



Gerald B. Mullin

November 26, 2007

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