

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

Objections of: RICKEY R. HENDON and)
BERNETTE A. BARNES)
)
)
To the Nomination) No. 08-EB-SS-09
Papers of: AMY SUE MERTENS)
) (rel. case SS-05)
)
Candidate for the office of)
State Senator for the 5th Legislative)
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 RICKEY R. HENDON and BERNETTE A. BARNES ("Objectors") to the nomination papers ("Nomination Papers") of AMY SUE MERTENS, candidate for nomination of the Democratic Party to the office of State Senator for the 5th Legislative 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 Objectors 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 Rodney Stewart for further hearings and proceedings.

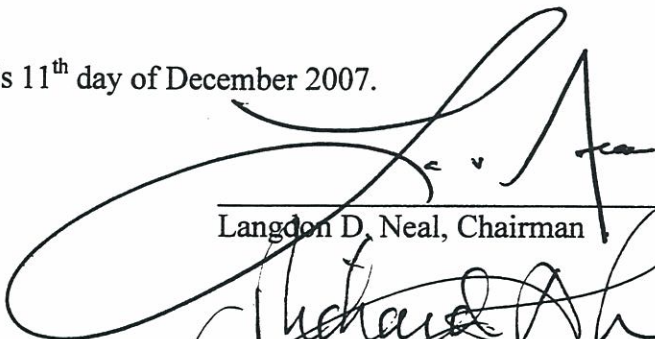
6. The Objectors and the Candidate were directed by the Electoral Board to appear before the Hearing Examiner for a hearing on the date and at the time designated on the Electoral Board's docket. The following persons, among others, were present at such hearing: the Objectors, RICKEY R. HENDON and BERNETTE A. BARNES, appearing by counsel, Michael C. Dorf; and the Candidate, AMY SUE MERTENS, by counsel, Richard K. Means.

7. The Electoral Board finds that the Objectors have file a motion to withdraw their Objections against the Candidate's Nomination Papers.

8. The Electoral Board further finds that there is another objection filed against the Candidate's Nomination Papers in case 08-EB-SS-05 which will determine whether the Candidate's Nomination Papers are valid and whether the Candidate's name will appear on the ballot.

IT IS THEREFORE ORDERED that the Objectors' motion to withdraw their objections to the Nomination Papers of AMY SUE MERTENS is granted and said Objections are WITHDRAWN and the Board's decision in case 08-EB-SS-05 will determine whether the name of AMY SUE MERTENS, candidate for nomination of the Democratic Party to the office of State Senator for the 5th Legislative District, State of Illinois, will be printed on the official ballot for the General Primary Election to be held on February 5, 2008.

Dated: Chicago, Illinois, this 11th day of December 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.