

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

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Objections of: RICKIA M. SMITH )  
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To the Nomination ) No. 08-EB-WC-11  
Papers of: KENNETH 'KEN' DUNKIN )  
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Candidate for the office of Ward )  
Committeeman for the 3rd Ward of the )  
City of Chicago, 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 RICKIA M. SMITH ("Objector") to the nomination papers ("Nomination Papers") of KENNETH 'KEN' DUNKIN, candidate for election to the office of Ward Committeeman for the 3rd Ward of the City of Chicago, Democratic Party ("Candidate"), having convened on November 26, 2007, at 10:00 a.m., 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 November 26, 2007 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Examiner Mario Correa 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, RICKIA M. SMITH, appearing by counsel, James P. Nally; and the Candidate, KENNETH 'KEN' DUNKIN, appearing by counsel, Randy Crumpton.

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 his 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 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 overruled and that the Nomination Papers be found valid.

13. 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.

14. The Electoral Board finds that:

- A. The minimum number of valid signatures required by law for placement on the ballot for the office in question is 325;
- B. The number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 1039;
- C. The number of signatures deemed invalid because of objections sustained total 601;
- D. The remaining number of signatures deemed valid total 438.

15. The Electoral Board finds that the number of valid signatures appearing on the Candidate's nominating petition following completion of the records examination exceeds the minimum number of valid signatures required by law to be placed upon the official ballot as a candidate for election to the office of Ward Committeeman for the 3rd Ward of the City of Chicago, Democratic Party.

16. The Electoral Board finds, therefore, that the sheet and line signature objections in the Objector's Petition are sustained in part and overruled in part as more fully indicated in the results of the records examination.

17. For the reasons stated above, the Electoral Board finds that the Objections are overruled and that the Nomination Papers of KENNETH 'KEN' DUNKIN are valid.

IT IS THEREFORE ORDERED that the Objections of RICKIA M. SMITH to the Nomination Papers of KENNETH 'KEN' DUNKIN, candidate for election to the office of Ward Committeeman for the 3rd Ward of the City of Chicago, Democratic Party, are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of KENNETH 'KEN' DUNKIN, candidate for election to the office of Ward Committeeman for the 3rd Ward of the City of Chicago, Democratic Party, SHALL 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.



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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.