

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

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Objections of: DOUG E. IBENDAHL )  
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To the Nomination ) No. 08-EB-WC-41  
Papers of: JAMES E. FABBRINI )  
 )  
Candidate for the Office of Ward )  
Committeeman for the 42nd Ward of the )  
City of Chicago, 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 DOUG E. IBENDAHL ("Objector") to the nomination papers ("Nomination Papers") of JAMES E. FABBRINI, candidate for election to the office of Ward Committeeman for the 42nd Ward of the City of Chicago, Republican 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 Gerald B. Mullin for further hearings and proceedings.

6. The Objector and the Candidate were directed by the Electoral Board's Call served upon them to appear before the assigned Hearing Examiner on November 26, 2007, at the time and place indicated on the Electoral Board's docket.

7. The Hearing Examiner conducted an initial hearing of this case on November 26, 2007 at 12:30 p.m. The Objector, appearing pro se, was present. The Candidate did not respond to the call of the case on three occasions and was not otherwise present either in person or through an attorney.

8. The Electoral Board finds that the Candidate, JAMES E. FABBRINI, was served with a copy of the Electoral Board's Call to the November 26, 2007 hearing by certified mail on November 24, 2007 and a Domestic Return Receipt was signed by an individual by the name of Abe Stiggers acknowledging receipt of the certified mail item.

9. The Electoral Board finds that the Candidate, JAMES E. FABBRINI, did not appear at the duly called meeting of the Electoral Board nor at the initial hearing conducted in this matter after having been duly served with a copy of the Call and having been notified of the meeting and hearing in this cause as required by law.

10. The Electoral Board further finds that the Objector's petition, on its face, contained sufficient allegations, if accepted as true, to invalidate the Candidate's Nomination Papers.

11. Therefore, the Electoral Board finds that the Candidate, JAMES E. FABBRINI, is in default, that the Objections are sustained, and that the Candidate's Nomination Papers are invalid.

IT IS THEREFORE ORDERED that the Objections of DOUG E. IBENDAHL to the Nomination papers of JAMES E. FABBRINI, candidate for election to the office of Ward Committeeman for the 42nd Ward of the City of Chicago, Republican Party, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of JAMES E. FABBRINI, candidate for election to the office of Ward Committeeman for the 42nd Ward of the City of Chicago, Republican Party, SHALL NOT be printed on the official ballot for the General Primary Election to be held on February 5, 2008.

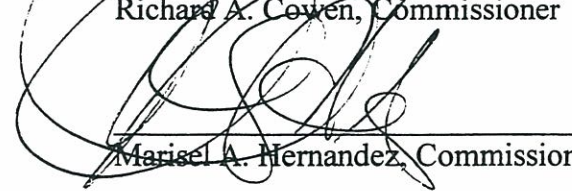
Dated: Chicago, Illinois, this 30<sup>th</sup> day of November 2007.



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 COMMISSIONERS  
FOR THE CITY OF CHICAGO**

**DOUG E. IBENDAHL**

**PETITIONER-OBJECTOR**

**08-EB-RGA-WC-41**

**JAMES E. FABBRINI**

**RESPONDENT-CANDIDATE**

2007 NOV 27

**HEARING EXAMINER'S REPORT AND RECOMMENDATION**

A 9:07

This cause was heard on November 26, 2007 upon the objection of petitioner alleging that the candidate filed nominating papers for Republican Ward Committeeman of the 42<sup>nd</sup> Ward of the City of Chicago, but resided at 1250 North LaSalle Street in the 43<sup>rd</sup> Ward.

Present at the hearing was the objector Doug E. Ibendahl. The candidate did not appear, and the matter was called three times, with the candidate's name announced clearly.

After failure of the candidate to respond, the hearing officer then requested the clerk to (1) examine the voter registration for the candidate, and (2) requested a copy of the 43<sup>rd</sup> ward map. The 43<sup>rd</sup> ward map showed that the address of 1250 North LaSalle Street was within the 43<sup>rd</sup> Ward of the City of Chicago. The voter registration record for James E. Fabbrini obtained by the clerk showed that the candidate was registered to vote in the 43<sup>rd</sup> Ward.

Based upon the foregoing, and the failure of the candidate to appear, the Hearing Examiner granted the objector's petition.

The Hearing Examiner recommends that the Board adopt this decision

  
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Gerald B. Mullin

November 27, 2007.