

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

Objections of: Maurice Perkins and)
Annette Freeman)
)
)
)
)
To the Nomination) No. 10-EB-RGA-05
Papers of: David Schroeder)
)
)
Candidate for the office of Representative)
in the General Assembly, 5th)
Representative 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 Maurice Perkins and Annette Freeman ("Objectors") to the nomination papers ("Nomination Papers") of David Schroeder, candidate for nomination of the Democratic Party for the office of Representative in the General Assembly, 5th Representative District, State of Illinois ("Candidate"), having convened on November 16, 2009, 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 16, 2009 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Officer William P. Jones for further hearings and proceedings.

6. The Objectors and the Candidate were directed by the Electoral Board to appear before the Hearing Officer for a hearing on the date and at the time designated on the Electoral Board's Initial Hearing Schedule. The following persons, among others, were present at such hearing: the Objectors, Maurice Perkins and Annette Freeman, appearing by counsel, John Keigher; and the Candidate, David Schroeder, appearing *pro se*.

7. The Hearing Officer 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 Officer 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) were present during the examination of the registration records.

10. The Objectors or their duly authorized representative(s) were present during the examination of the registration records.

11. The examination of the registration records of the Board was terminated on November 18, 2009 after examining Sheets 1 through 29 of the Candidate's petition sheets and the Candidate had 190 valid signatures on such sheets. Sheets 30 through 146 contained 413 signatures that were not objected to. Combining those numbers indicates that the Candidate's Nomination Papers had, at a minimum, at least 603 valid signatures, which is in excess of the 500 signatures required by law for the office in question.

12. The Electoral Board has considered all evidence and arguments tendered by the parties, as well as the report and recommended findings and conclusions of law of the Hearing Officer.

13. The Electoral Board finds that the number of valid signatures appearing on the Candidate's nominating petition exceeds 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 for the office of Representative in the General Assembly, 5th Representative District, State of Illinois.

14. The Electoral Board finds, therefore, that the Objections are overruled and that the Nomination Papers of David Schroeder are valid.

IT IS THEREFORE ORDERED that the Objections of Maurice Perkins and Annette Freeman to the Nomination Papers of David Schroeder, candidate for nomination of the Democratic Party for the office of Representative in the General Assembly, 5th

Representative District, State of Illinois, are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of David Schroeder, candidate for nomination of the Democratic Party for the office of Representative in the General Assembly, 5th Representative District, State of Illinois, SHALL be printed on the official ballot for the General Primary Election to be held on February 2, 2010.

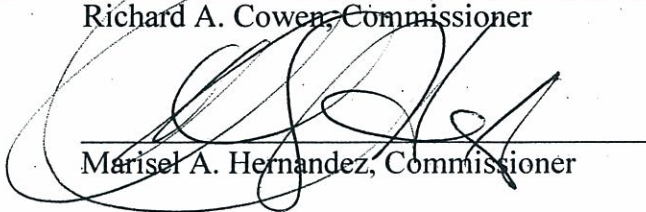
Dated: Chicago, Illinois, on November 24, 2009.



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.