

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

Objections of: NATHANIEL A MOORE)
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)
To the Nomination) No.: 23-EB-ALD-036
Papers of: JOCILYN FLOYD)
)
Candidate for the office of)
Aldersperson of the 7th Ward, City of Chicago)
)

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of the Board of Election Commissioners of the City of Chicago, Commissioners Marisel A. Hernandez, William J. Kresse, and June A. Brown, organized by law in response to a Call issued by Marisel A. Hernandez, Chair of said Electoral Board, for the purpose of hearing and passing upon objections (“Objections”) of NATHANIEL A MOORE (“Objector”) to the nomination papers (“Nomination Papers”) of JOCILYN FLOYD, Candidate for the office of Aldersperson of the 7th Ward in the City of Chicago (“Candidate”) to be elected at the Municipal General and Aldersperson Elections to be held on February 28, 2023, having convened on Friday, December 9, 2022, at 4:00 p.m. 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 were duly and timely filed.
2. The Electoral Board was legally constituted under the laws of the State of Illinois.
3. A Call to the hearing on said Objections was duly issued by the Chair 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 or service was waived.

4. A public hearing held on these Objections commenced on Friday, December 9, 2022 and was continued from time to time. The Electoral Board assigned this matter to Hearing Officer Lynne Ostfeld for further hearings and proceedings.

5. The Objector and the Candidate were directed by the Electoral Board's Call served upon them to appear before the Hearing Officer on the date and at the time designated in the Hearing Schedule. The following persons, among others, were present at such hearing: the Objector, NATHANIEL A MOORE, through his attorneys JAMES E HARTMANN and MICHAEL J KASPER; and the Candidate, JOCILYN FLOYD through her attorneys, SEAN MCGRATH, BURTON S. OLDELSON and JAYMAN A. AVERY, III .

6. The Electoral Board finds that during the evidentiary hearing on this matter on January 3, 2023, the Candidate's attorney stated on the record that the Candidate intended to submit a notarized withdrawal affidavit. An agreement was therefore reached between the parties that the withdrawal would render the Objector's Petition moot and all ongoing matters related to the case were therefore concluded. This includes that the January 3rd evidentiary hearing was stopped, at the Candidate's request, in the midst of the hearing in relation to the Objector's main claim, that being a challenge to the Candidate's lawful residency for ballot-access purposes.

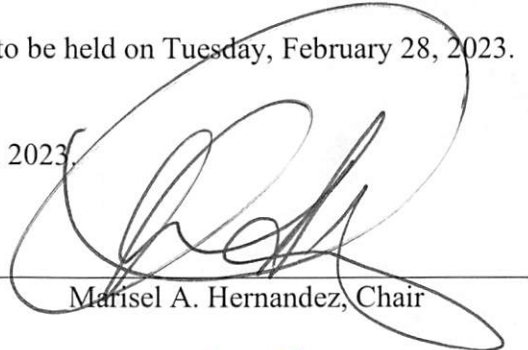
7. The Electoral Board further finds that on January 5, 2023, attorney Odelson submitted via email a copy of the Candidate's signed but not-yet-notarized withdrawal affidavit. Mr. Odelson also stated via email on behalf of the Candidate that she waived her rights to file motions under Electoral Board Rule 8 and Rule 20, and that the Candidate had no objection to the Electoral Board entering its Final Decision in this matter on January 6, based upon the

Candidate's stated intent to withdraw and her request to prematurely cease the proceedings against her.

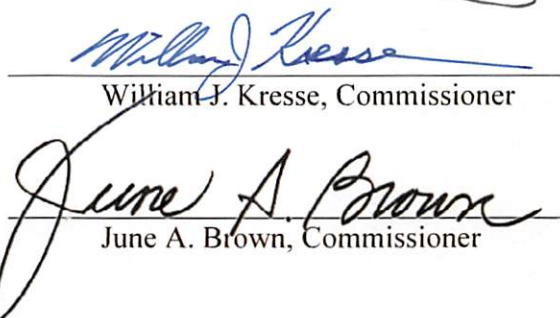
8. For these reasons, the Electoral Board finds that the Candidate is not qualified for the ballot, the Objector's Petition is moot due to the Candidate's representations of her intent to withdraw and due to her stated waivers. The Electoral Board therefore sustains the Objector's Petition to the extent that the Candidate's name shall not appear on the ballot.

IT IS THEREFORE ORDERED that the name of JOCILYN FLOYD, candidate for the office of Alderperson for the 7th Ward, SHALL NOT be printed on the official ballot for the Municipal General and Alderperson Elections to be held on Tuesday, February 28, 2023.

Dated: Chicago, Illinois, on Friday, January 6, 2023.



Marisel A. Hernandez, Chair



William J. Kresse, Commissioner



June A. Brown, 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 5 days after service of the decision of the Electoral Board.