

ORIGINAL

BEFORE THE DULY CONSTITUTED ELECTORAL BOARD FOR THE HEARING AND PASSING UPON NOMINATION OBJECTIONS TO THE NOMINATION PAPERS OF CANDIDATES FOR THE OFFICE OF **ALDERPERSON OF THE 33RD WARD**, TO BE VOTED UPON AT THE FEBRUARY 28, 2023, MUNICIPAL GENERAL ELECTION

NICK CARUSI ,

Petitioner-Objector

v.

LAITH SHAABAN,

Respondent-Candidate

Case No. **23-EB-ALD-065**

OBJECTOR'S PETITION

INTRODUCTION

NICK CARUSI, hereinafter sometimes referred to as the Objectors, states as follows:

1. Objector Nick Carusi resides at 3257 West Warner Avenue, Chicago, Cook County, Illinois, Zip Code 60618, in the 33rd Ward of the City of Chicago, Cook County, Illinois, and is a duly qualified, legal, and registered voter at that address.

2. The Objector's interest in filing this Petition is that of a voter desirous that the laws governing the filing of nomination papers for the office of Alderperson of the 33rd Ward of the City of Chicago (in the County of Cook and State of Illinois) are properly complied with and that only qualified candidates appear on the ballot for said office.

3. The Objector prays for and requests as relief: a) a hearing on the objections set forth herein; b) an examination by the aforesaid Electoral Board of the official records relating to voters in the 33rd Ward of the City of Chicago, to the extent that such examination is pertinent to any of the matters alleged herein; c) a ruling that the Nomination Papers are insufficient in law and fact; and d) a ruling that the name of LAITH SHAABAN shall NOT appear upon and shall NOT be printed on the ballot as a candidate for election to of the office of Alderperson of the 33rd Ward of the City of Chicago, to be voted for at the MUNICIPAL GENERAL ELECTION to be held on the 28th day of February, 2023, stating:

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OBJECTIONS

3. The Objector makes the following objections to the purported nomination papers ("Nomination Papers") of Laith Shaaban ("Candidate") as a candidate for election to of the office of Alderperson of the 33rd Ward of the City of Chicago ("Office") to be voted for at the Municipal General Election on February 28, 2023 ("Election"). The Objector states that the Nomination Papers are insufficient in fact and law for the following reasons:

4. Pursuant to State Law, nomination papers for the Office to be voted for at the Election must contain the signatures of not less than 473 legal voters of the 33rd Ward of the City of Chicago (in the County of Cook and State of Illinois), collected in the manner prescribed by law. In addition, said Nomination Papers must truthfully allege the qualifications of the candidate, be gathered and presented in the manner provided for in the Illinois Election Code, and otherwise be executed in the form and manner required by law.

5. The Nomination Papers contain petition sheets with the names of persons who are not registered voters, or who are not registered voters at the address shown opposite their respective names, as is set forth specifically in the Appendix-Recapitulation, attached hereto and incorporated herein, under the column designated with the heading "**A. Signer Not Registered At Address Shown**" in violation of the Illinois Election Code.

6. The Nomination Papers contain petition sheets with the names of persons who did not sign the papers in their own proper persons, and such signatures are not genuine and are forgeries, as is set forth specifically in the Appendix-Recapitulation, attached hereto and incorporated herein under the column designated with the heading "**B. Signature Not Genuine Signature Of Registered Voter**" in violation of the Illinois Election Code.

7. The Nomination Papers contain petition sheets with the names of persons for whom the addresses stated are not in the 33rd Ward of the City of Chicago (in the County of Cook and State of Illinois), and such persons are not legal voters of the 33rd Ward, as is set forth specifically in the Appendix-Recapitulation, attached hereto and incorporated herein under the column designated with the heading "**C. Signer Resides Outside District**" in violation of the Illinois Election Code.

8. The Nomination Papers contain petition sheets with the names of persons for who the addresses given are either missing entirely or incomplete, as is set forth specifically in the Appendix-Recapitulation, attached hereto and incorporated herein, under the column designated with the heading "**D. Signer's Address Missing Or Incomplete**" in violation of the Illinois Election Code.

9. The Nomination Papers contain petition sheets with the names of persons who have signed the Nomination Papers more than one time at the sheets and lines indicated as are set forth specifically in the Appendix-Recapitulation, attached hereto and incorporated herein, under the column designated with the heading "**E. Signer Signed Petition Sheets More Than Once At Sheet/Line Indicated**" in violation of the Illinois Election Code.

10. The following sheets are invalid in their entirety because the purported circulator who signed the circulator affidavit on the respective sheet did not in fact circulate the sheet and the signatures on the sheet were not signed in the presence of the purported circulator, as required by the Illinois Election Code:

Jeremy Pappas

Sheets 89, 97, 100, 101, 102, 104, 105, 106, 109, 112, 113, 122, 125, 127, 132, 139

Eric Junco

Sheets 93, 107, 108, 110, 111, 115, 118, 120, 126, 128, 130

Raymond Ryan

Sheets 81, 86, 87

Michelle Higa

Sheets 134, 138, 140

Tessa Banks

Sheets 88, 90

Guillermo Martinez

Sheets 85, 114, 116, 117, 119, 121, 123, 124, 129, 131, 133, 137, 142, 144, 147, 150, 152

Because the voter signatures on the sheet were not signed in the presence of the purported circulator, the foregoing petition sheets are invalid in their entirety, as they have violated a mandatory provision of the Illinois Election Code, and every signature on said sheets must be stricken. Further, the practice of someone signing the Circulator's Affidavit of the above pages that did not in fact circulate the sheets demonstrate a Pattern of Fraud and disregard of the Illinois Election Code to such a degree that every sheet purportedly circulated by and containing a Circulator's Affidavit signed by said above individuals must be invalidated and every voter signature on the aforementioned pages stricken in order to protect the integrity of the electoral process.

11. The Nomination Papers therefore contain less than 473 validly collected and legally submitted signatures of legal voters of the 33rd Ward of the City of Chicago (in the County of Cook and State of Illinois), signed by such voters in their own proper person with proper addresses, below the number required by Illinois law, as is set forth above.

12. The Candidate's Nomination Papers are legally and factually insufficient due to Candidate filing less than 473 validly collected and legally submitted signatures of legal voters of the 33rd Ward of the City of Chicago (in the County of Cook and State of Illinois), signed by such voters in their own proper person, being registered voters at the address shown opposite their respective names. Therefore, Candidate has failed to comply with mandatory provisions of the Illinois Election Code. By the law of the State of Illinois and the precedent of this Electoral Board and the Courts, the name of Laith Shaaban is not eligible to appear on the ballot for the Office at the Election.

13. The Appendix-Recapitulation is attached and incorporated herein, and the objections made therein are a part of this Objector's Petition.

WHEREFORE, the Objector prays for and requests as relief: a) a hearing on the objections set forth herein; b) an examination by the aforesaid Electoral Board of the official records relating to voters in the 33rd Ward of the City of Chicago, to the extent that such examination is pertinent to any of the matters alleged herein; c) a ruling that the Nomination Papers are insufficient in law and fact; and d) a ruling that the name of LAITH SHAABAN shall NOT appear upon and shall NOT be printed on the ballot as a candidate for election to of the office of Alderperson of the 33rd Ward of the City of Chicago, to be voted for at the MUNICIPAL GENERAL ELECTION to be held on the 28th day of February, 2023.

Respectfully Submitted,



NICK CARUSI, OBJECTOR
By his attorney

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