

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

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Objections of: ZEHRA QUADRI	)	
	)	
	)	
To the Nomination	)	No.: 15-EB-ALD-014
Papers of: PETER GEORGE SIFNOTIS	)	
	)	Rel. ALD-130
Candidate for the office of	)	
Alderman of the 50th Ward, City of Chicago	)	

**FINDINGS AND DECISION**

The duly constituted Electoral Board, consisting of Board of Election Commissioners of the City of Chicago 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 ZEHRA QUADRI ("Objector") to the nomination papers ("Nomination Papers") of PETER GEORGE SIFNOTIS, candidate for the office of Alderman of the 50th Ward in the City of Chicago ("Candidate") to be elected at the Municipal General Election to be held on February 24, 2015, having convened on December 8, 2014 at 9:00 a.m., in Room 800, 69 West Washington Street, 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 December 8, 2014 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Officer Richard E. Zulkey for further hearings and proceedings.

6. The Objector and the Candidate were directed by the Electoral Board 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, ZEHRA QUADRI, by his attorneys, Frank Avila and James Skyles; and the Candidate, PETER GEORGE SIFNOTIS, pro se. Attorney Erik R. Peck later filed an appearance on behalf of the Candidate on December 12, 2014.

7. The Hearing Officer ordered that an examination of the voter 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 this records examination.

9. The Candidate and/or his duly authorized representative was present during the examination of the registration records.

10. The Objector and/or her duly authorized representative 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 result of the registration records examination is contained in the Electoral Board's file in this case and a copy has been provided or made available to the parties.

12. The results of the records examination indicate that:

- A. The minimum number of valid signatures required by law for placement on the ballot for the office in question is 473;
- B. The number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 614;
- C. The number of signatures deemed invalid because of objections sustained as a result of the records examination total 218;
- D. The remaining number of signatures deemed valid as a result of the records examination total 396.

13. The Electoral Board finds that the number of valid signatures appearing on the Candidate's nominating petition following completion of the records examination was less than 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 Alderman of the 50th Ward of the City of Chicago.

14. The Candidate's attorney filed a Rule 8 motion objecting to the Board's clerk's findings during the records examination. However, this Rule 8 motion was filed prior to the release of the records examination results. The Objector contested the Rule 8 motion as premature. The Hearing Officer gave the Candidate leave to file another Rule 8 motion until December 30, 2014, which the Candidate did. However, the Hearing Officer noted that record

examination results in another related case in ALD-130 also disclosed that the Candidate had an insufficient number of signatures. The Hearing Officer further noted that neither the Candidate nor anyone on his behalf attended the record examination in ALD-130. Therefore, the Candidate was ineligible under Rule 6(h) of the Electoral Board's rules of procedure to contest the findings of the records examiners in that case. Thus, the Candidate's Nomination Papers would be ruled invalid in ALD-130, making any Rule 8 motion in the instant case moot.

15. The Hearing Officer has tendered to the Electoral Board a report and recommended decision. Based upon the evidence presented, the Hearing Officer found that the Candidate's Nomination Papers contained only 396 valid signatures, which is less than 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 Alderman of the 50th Ward of the City of Chicago, and that the Candidate's Nomination Papers should be found invalid.

16. The Electoral Board, having considered the evidence and arguments tendered by the parties and the Hearing Officer's report of recommended findings and conclusions of law, hereby adopts the Hearing Officer's recommended findings and conclusions of law. A copy of the Hearing Officer's report is attached hereto and is incorporated herein and made a part of the Electoral Board's decision in this case.

17. For the reasons stated above, the Electoral Board finds that the Candidate has an insufficient number of valid signatures on his nominating petitions and that the Nomination Papers of PETER GEORGE SIFNOTIS are, therefore, invalid.

18. The Electoral Board further finds that there were other objections filed against the Candidate's Nomination Papers in related case ALD-130 and that the results of the records examination in that case also indicates that the Candidate's Nomination Papers are invalid.

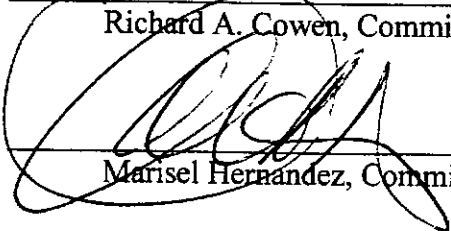
IT IS THEREFORE ORDERED that the Objections of ZEHRA QUADRI to the Nomination Papers of PETER GEORGE SIFNOTIS, candidate for election to the office of Alderman of the 50th Ward of the City of Chicago are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of PETER GEORGE SIFNOTIS, candidate for election to the office of Alderman of the 50th Ward of the City of Chicago, SHALL NOT be printed on the official ballot for the Municipal General Election to be held on February 24, 2015.

Dated: Chicago, Illinois, on January 5, 2015.

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Langdon D. Neal, Chairman



\_\_\_\_\_  
Richard A. Cowen, Commissioner

  
\_\_\_\_\_  
Marisel 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 5 days after service of the decision of the Electoral Board.

**BEFORE THE DULY CONSTITUTED ELECTORAL BOARD  
CITY OF CHICAGO, ILLINOIS**

**ZEHRA QUADRI**

**Objector**

**vs.**

**PETER GEORGE SIFNOTIS**

**Candidate**

**15-EB-ALD-014**

**Related Case 15-EB-ALD-130**

**RECOMMENDATION**

**THIS CAUSE COMES** on to be heard:

**Objector:** Zehra Quadri was represented by attorney Frank Avila.

**Candidate:** Peter George Sifnotis was represented by attorney Eric Peck.

**Issues:** Objections to the candidacy were made as follows:

1. Whether there were a minimum of 473 valid signatures on the candidate's petitions? (Objector's Petition Par. 1 through 5).
2. Whether the circulator actually obtained the signatures as set in the Appendix-Recapitulation attached under the heading "Purported Circulator Did Not Circulate Sheet." (Objector's Petition, par. 6).
3. Whether the circulator "failed to witness each and every person sign the petition." (Objector's Petition, par. 7).
4. Whether the Statement of Candidacy is sufficient for not stating the Ward number (Objector's Petition, par. 9).

**CHICAGO BOARD OF  
ELECTION COMMISSIONERS  
2014 DEC 30 P 5:04**

5. Whether the Statement of Economic Interest is void for not stating the Ward number (Objector's Petition, par. 11).
6. Whether the Petition of the Candidates were properly bound. (Objector's Petition, par. 13).

**Discussion:** The parties through their attorneys presented arguments on all issues and the records were examined at hearing.

1. Signatures. As to the number of signatures, a Record Exam was ordered, and the results are awaited.
2. Circulator not obtaining signatures. This argument relates to the failure of the circulator to obtain signatures as specified in the Appendix-Recap sheet heading "Purported Circulator Did Not Circulate Sheet."

Upon the examination of the objector documents and Appendix-Recap sheets under the heading "Purported Circulator Did Not Circulate Sheet." No checks or marks of any kind were on any of these objection Appendix-Recap Sheets. An objection must adequately and sufficiently apprise the Candidate of the specificity of each objection making evaluation possible. Elysee v. Patterson, 04-EB-RGA-14, (Jan. 20, 2004).

The text of the objection contained the allegation and referred to the appendix for specificity but no such specificity or other reference was contained in the Appendix. This is tantamount to not being attached to the objections at all. The failure to state the nature of the objection renders the objections dismissed. Thapedi v. Williams, 08-EB-RGA-30, CBEC, (Dec. 11, 2007).

3. The objector alleges that the circulator "failed to witness each and every person sign the petition." The record will reflect that there were 43 sheets filed. Although most of the sheets were circulated by the Candidate, other sheets were circulated by Rosetta Jones, Olarokne Akinola, Kathleen Reyes and Andrew Rowlat. An objection must adequately and fully state its nature and the failure to do so renders the objection invalid. Delay v. Simms-Johnson, 00-EB-WC-012, CBEC, (Jan. 28, 2000) and Cleveland v. Sohn, 88-EB-SMAY-15, CBEC, (Jan. 19, 1989). Which circulator "failed to witness each and every person sign the petition" is a statement that fails to identify the nature of the objection and is invalid.
4. The objection is that the Statement of Candidacy fails to state the Ward number. The Ward number is not mentioned, but the office of alderman is. However, all of the petitions clearly refer to the 50th Ward. There is no doubt as to what office and in what ward the Candidate is seeking. The nominating papers must be read as a whole. Lewis v. Dunne, 63 Ill. 2d 48, 344 N.E. 2d 443 (1976) and Barclay v. Marshall, 99-EB-ALD-185, CBEC, (Jan. 15, 1999). The Statement of Candidacy is in compliance and the objection fails.
5. The Statement of Economic Interests failed to state the office sought. The office is not required here. Delay v. Ferral, 08-EB-WC-03, CBEC, (Dec. 7, 2007). Nonetheless, the Objector moved to withdraw this objection and the withdrawal was granted.
6. The final objection urges that the petitions of the Candidates were not properly bound. Section 7-10 of the Election Code provides that petition sheets shall be neatly fastened together in book form. This is a mandatory requirement. An examination of the actual documents found that the Board Receipt for Nomination Papers disclosed the nominating papers were bound with a "metal clip".



Also, it was found that the papers were securely bound by a metal clasp. The papers were properly bound and this objection must fail. *Bendell v. Education Officers Electoral Board*, 338 Ill. App. 3d 458, 788 N.E. 2d 173 (2003) and *Bocanegrar v. Rodriguez*, 11-EB-ALD-197, CBEC (Jan.18, 2011).

### Record Exam Results

The record exam was obtained and disclosed at the hearing on December 29, 2009.

It showed the following:

Signature Required	473
Total Pages	43
Total Signatures	614
Total Valid Signatures	396

There were 77 fewer signatures than the required number of 473.

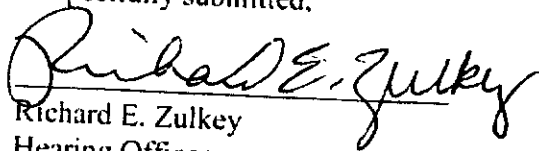
**Discussion:** Days ago, the Candidate's attorney Eric Peck advised that he filed a Rule 8 request with the Board. This was done upon learning that the Candidate had some forty signatures short of the required 473 signatures. The official count did not become known to the Hearing Officer until December 29, 2014. The Candidate represented his desire to pursue the Rule 8 relief. The Candidate's attorney no longer represents him. The Objector through her attorney moved to strike the Rule 8 motion as it was made prior to the time the official count was presented. In the alternative, the Objector's attorney moved for a summary judgment as the Candidate's did not refile the Rule 8 request in the time set by Rule. This was to be "not later than" 5:00 p.m. on the first business day following completion of the completion of the records examination (i.e., the day on which the parties were notified....").

At this time, the Hearing Officer denies both motions, as the Rule 8 request can also be filed "by such other date and time established by the Electoral Board or the Hearing officer." Rules of Procedure, Rule 8, (c) (i) (2). Hence, the Candidate was given to 5:00 p.m., December 30, 2014 to file such a Rule 8 Motion.

All of this discussion, however, is at best academic and for all practical purposes moot. Even though each case must stand on its own, the disposition of a related case must be taken into consideration. Here, the related case, 15EB-ALD-130, disclosed after a record exam that the Candidate was short of signatures. The real problem is in that this related case neither the Candidate nor any of his watchers appealed any findings made by the records examiner at the records examination. Thus, no evidence or argument of any kind may be presented by that party to challenge the records examiner's findings. Rules of Procedure, Rule 6 (h). To pursue the Rule 8 challenge at best would be a Pyrrhic victory.

**Recommendation:** Due to the facts and circumstances in place, there are not enough signatures. It must be recommended that the candidate's name not appear on the ballot for alderman.

Respectfully submitted,

  
Richard E. Zulkey  
Hearing Officer

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