

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

Objections of: ERIC M. GLATSTEIN)	
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)	
To the Nomination)	No.: 15-EB-ALD-030
Papers of: GRADY A. HUMPHREY)	
)	
Candidate for the office of)	
Alderman of the 49th 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 ERIC M. GLATSTEIN ("Objector") to the nomination papers ("Nomination Papers") of GRADY A. HUMPHREY, candidate for the office of Alderman of the 49th Ward of 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 William J. Kresse 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 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, ERIC M. GLATSTEIN, by his attorney, Michael C. Dorf; and the Candidate, GRADY A. HUMPHREY, pro se.

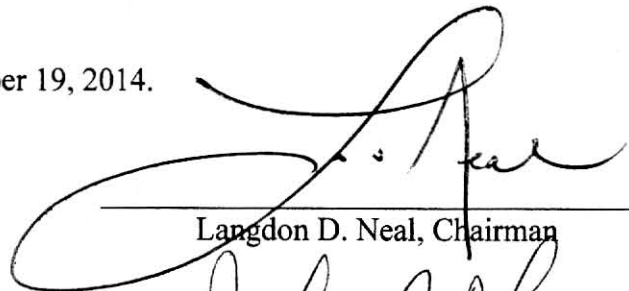
7. The Hearing Officer has tendered to the Electoral Board a report and recommended decision. Based upon the evidence presented, the Hearing Officer finds that on the face of the Candidate's nominating petition, it contains only 472 signatures, one less than the 473 signatures of legal voters required by law. The Hearing Officer recommends, therefore, that the Objections be sustained and that the Candidate's Nomination Papers be declared invalid.

8. 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.

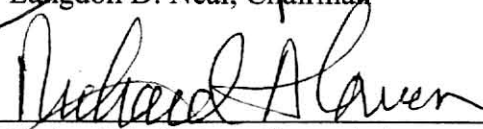
9. For the reasons stated above, the Electoral Board finds that the Candidate's Nomination Papers are invalid.

IT IS THEREFORE ORDERED that the Objections of ERIC M. GLATSTEIN to the Nomination Papers of GRADY A. HUMPHREY, candidate for election to the office of Alderman of the 49th Ward of the City of Chicago, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of GRADY A. HUMPHREY, candidate for election to the office of Alderman of the 49th 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.

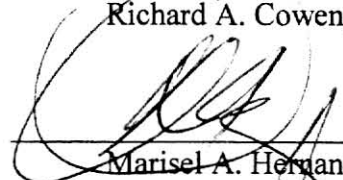
Dated: Chicago, Illinois, on December 19, 2014.



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 5 days after service of the decision of the Electoral Board.

**BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO
AS THE DULY CONSTITUTED ELECTORAL BOARD FOR THE
HEARING AND PASSING UPON OBJECTIONS TO NOMINATION
PAPERS OF CANDIDATES FOR THE FEBRUARY 24, 2015 MUNICIPAL GENERAL
ELECTION IN THE CITY OF CHICAGO**

ERIC M. GLATSTEIN,

Objector,

vs.

GRADY A. HUMPHREY,

Candidate.

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No. 15-EB-ALD-030

Hearing Officer William J. Kresse

Report and Recommended Decision of the Hearing Officer

To the Board of Election Commissioners of the City of Chicago:

Hearing Officer William J. Kresse reports as follows:

1. This matter came before the Hearing Officer, pursuant to notice, for hearing on December 9, 2014. The Objector was present by counsel. The Candidate was present *pro se*. No issue was raised as to sufficiency or timeliness of notice of the objection or of the hearing. Both parties filed written Appearances and Non-Disclosure Agreements.
2. Without objection, the Candidate's nomination papers for the office of Alderman of the 49th Ward of the City of Chicago were admitted into the record as Group Exhibit A; the Objector's Petition and attachments were admitted into the record as Group Exhibit B; the return of service of process, and a copy of the Call and attachments were admitted into the record as

Group Exhibit C; and the completed Appearance forms and Non-Disclosure Agreement forms were admitted into the record as Group Exhibit D.

The Claim of the Objector's Petition

3. The Objector's Petition, filed on December 3, 2014, asserted in substance as follows: That the Candidate's nomination papers contained fewer than the necessary 473 signatures of duly qualified, registered and legal voters of the 49th Ward.

Proceedings on the Objector's Petition

4. At the December 9, 2014 hearing, the Hearing Officer, noting that the Objector's Petition centered on whether the Candidate's nomination papers contained fewer than the necessary 473 signatures of duly qualified, registered and legal voters of the 49th Ward, and pursuant to the Objector's suggestion that even before a Records Examination be conducted that the Candidate's nomination papers contained fewer than 473 signatures of any kind, set a hearing for December 11, 2014 for the purpose of counting all of the signatures on the Candidate's nomination papers. There were no objections from the parties.

5. At the December 11, 2014 hearing, the Objector was present by counsel, and the Candidate was present *pro se*. The Hearing Officer directed that the Clerk place Group Exhibit A between the two parties and that the Clerk flip each page of the Candidate's nomination petition while the Hearing Officer, together with the parties, count aloud the number of signatures on each of the 28 pages of the Candidate's nomination petition. Without objection, the following number of signatures were found to be on each page of the Candidate's nomination petition:

<u>Page</u>	<u>Signatures</u>
1	19

2	17
3	14
4	19
5	15
6	18
7	18
8	19
9	19
10	19
11	16
12	18
13	16
14	20
15	20
16	20
17	20
18	19
19	17
20	2
21	20
22	20
23	6
24	20

25	20
26	1
27	20
28	20

6. The number of signatures on each page, as listed above, were then totaled, and, without objection, it was found that the total came to 472.

7. For inclusion on the ballot for the election to the office of Alderman of the 49th Ward, a total of 473 valid signatures are required. The above tabulation showed that the Candidate's nomination papers, even before a records examination, had 1 fewer petition signatures than the required minimum.

Recommended Findings, Conclusions, and Decision

8. Accordingly, on the basis of an examination of the Candidate's nomination papers, the Hearing Examiner recommends that the Board enter the following finding of fact: The Candidate's nomination papers contained only 472 signatures.

9. The Hearing Examiner recommends that the Board enter the following conclusions of law:

- a. That it is administratively noticed that the minimum number of valid petition signatures required by law for inclusion on the ballot for the 2015 election for the office of Alderman of the 49th Ward of the City of Chicago is 473.
- b. That the Candidate's nomination papers set forth fewer than the minimum number of petition signatures required by law for inclusion on the ballot for the 2015 election for the office of Alderman of the 49th Ward of the City of Chicago.

- c. That the Objector's Petition is well founded, and the relief sought therein should be granted.
- d. That the Candidate's nomination papers are not sufficient in law and fact.

Recommended Decision With Regard to the Objector's Petition

19. The Hearing Examiner recommends that the Electoral Board enter the following final administrative decision:

The name of **GRADY A. HUMPHREY** shall not appear and shall not be printed on the ballot for election to the office of Alderman of the 49th Ward of the City of Chicago to be voted for at the Municipal General Election to be held on February 24, 2015.

Dated: December 16, 2014.

Respectfully submitted,

/s/ William J. Kresse
William J. Kresse
Hearing Officer