

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

Objections of: MAUREEN T. ROCHE)	
)	
)	
To the Nomination)	No.: 15-EB-ALD-130
Papers of: PETER GEORGE SIFNOTIS)	
)	Rel. ALD-014
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 MAUREEN T. ROCHE ("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, MAUREEN T. ROCHE, by her attorney, James P. Nally P.C.; and the Candidate, PETER GEORGE SIFNOTIS, appearing pro se. Attorney Erik R. Peck subsequently 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 613;
- C. The number of signatures deemed invalid because of objections sustained as a result of the records examination total 163;
- D. The remaining number of signatures deemed valid as a result of the records examination total 450.

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 Hearing Officer noted that neither the Candidate nor anyone on his behalf attended the record examination in this case. 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. The Candidate argued that the record examination in this case was held at the same time at the record examination conducted in related case ALD-014 and he could not handle two

challenges at the same time. Candidate argued that this was done purposely and objected that it was unfair and violative of his rights.

15. The record in this case shows that the Candidate's attorney was given proper notice in each case of the scheduling of the date and time for the records examination in this case and in related case ALD-014, that the records examinations would be conducted concurrently as is the Board's practice for related cases and that each records examination would be conducted at one station for each case. Thus, Candidate was put on notice that there would be two stations conducting the records examination for both of his cases and he should have made proper arrangements to have watchers at both records examinations.

16. The Electoral Board finds that Rule 6(f) of its Rules of Procedure clearly provide that the "failure of a watcher to timely appear at the examination shall not delay nor affect the validity of the examination and the records examination shall proceed without a watcher."

17. The Electoral Board finds that Rule 6(h) of its Rules of Procedure clearly provides, "IMPORTANT: If a party's watcher does not appeal a finding made by the records examiner at the time of the records examiner's entry of the finding during the records examination, that party shall not be allowed to present any evidence or argument of any kind with respect to the records examiner's finding or the issue to which it relates and any future appeal or reconsideration of the records examiner's finding is waived" The purpose of the rule is to prevent a party from completely ignoring the records examination and later attempting to appeal the results of such proceeding without ever even having attended the proceeding. The necessity of the rule is to provide an efficient, streamlined process for addressing the multitude of objections to individual petition signatures and to allow both the candidate and the objector to examine the registration records at the same time they are examined by a Board employee and

ruled upon such employee. The rule permits a party to appeal a finding by the Board employee, but limits the ability of the party to present evidence and restore a signature only for findings timely appealed by the party while present at the records examination. If parties are allowed to circumvent Rule 6(h) by ignoring the records examination and then later appealing every adverse finding made during the records examination, the hearing officer will essentially have to assume the role of the records examiner and examine every signature and every voter registration record of every person whose signature to which an objection is lodged. Such circumvention of the rule will require the hearing officer to expend unnecessary time and expense to assume duties now performed by Board employees and effectively cause the objection process to come to a grinding halt.

18. 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.

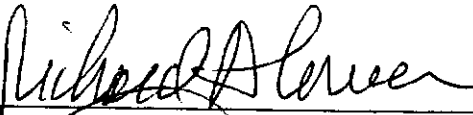
19. The Electoral Board, having considered the evidence and arguments tendered by the parties and the Hearing Officer's report of recommended findings and conclusions of law, hereby adopts the Hearing Officer's recommended findings and conclusions of law.

20. 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.

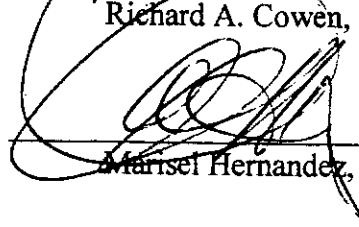
IT IS THEREFORE ORDERED that the Objections of MAUREEN T. ROCHE to the Nomination Papers of PETER GEORGE SIFNOTIS, candidate for election to the office of Alderman of the 50th Ward of the City of Chicago are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of PETER 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.

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.