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

Objections of: REYNA CORTEZ and BRENDAN O'CONNOR	)	
To the Nomination Papers of: VIDAL VASQUEZ	)	No.: 24-EB-RGA-003
Candidate for the nomination of the DEMOCRATIC Party for the office of Representative in the General Assembly, 21st Representative District of the State of Illinois	)	

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of the Board of the Election Commissioners for 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 REYNA CORTEZ and BRENDAN O'CONNOR ("Objectors") to the nomination papers ("Nomination Papers") of VIDAL VASQUEZ, candidate for the nomination of the DEMOCRATIC Party for the office of Representative in the General Assembly, 21st Representative District in the State of Illinois ("Candidate") at the General Primary Election to be held on Tuesday, March 19, 2024, having convened on December 18, 2023, at 9:30 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 were duly and timely filed.

2. The Electoral Board was constituted according to 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 Objectors and the Candidate, by registered or certified mail and by Sheriff's service, as provided by statute or statutory service was waived and service by email was authorized.

4. A public hearing held on these Objections commenced on December 18, 2023 and was continued from time to time. The Electoral Board assigned this matter to Hearing Officer Edmundo Cuevas for further hearings and proceedings.

5. The Objectors 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. Appearances were filed by or on behalf of the following persons: the Objectors, REYNA CORTEZ and BRENDAN O'CONNOR, by Attorney ROSS D SECLER; and the Candidate, VIDAL VASQUEZ, by Attorney MICHAEL SCOTTI.

6. 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.

7. The Hearing Officer directed all parties to appear and be present, either personally and/or by their authorized representatives during this records examination.

8. The Candidate and/or his duly authorized representative was present during the examination of the registration records or waived their right to do so.

9. The Objectors and/or their duly authorized representative was present during the examination of the registration records or waived their right to do so.

10. 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 Board's file in this case and a copy has been provided or made available to the parties.

11. 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 500.

B. The number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 650.

C. The number of signatures deemed invalid because of objections sustained as a result of the records examination total 167.

D. The remaining number of signatures deemed valid as a result of the records examination total 483.

12. The Electoral Board finds that the number of valid signatures appearing on the Candidate's nominating petition following completion of the records examination is **less** than the minimum number of valid signatures required by law to be placed upon the ballot as a candidate for the nomination of the DEMOCRATIC Party to the office of Representative in the General Assembly of the 21st Representative District, State of Illinois.

13. Both parties filed motions pursuant to Rule 8 of the Board's Rules of Procedure objecting to the Board's clerk's findings during the records examination. The Hearing Officer conducted a hearing over the course of at least three days to allow the parties an opportunity to present evidence in support of their respective Rule 8 motions.

14. 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 502 valid signatures, which exceeds the minimum number of valid signatures required by law to be placed upon the ballot as a candidate of the DEMOCRATIC Party for the office of Representative in the General Assembly of the 21st Representative District, State of Illinois, and that the Candidate's Nomination Papers should be found valid.

15. Sheet 24, Line 7, was signed by Maureen Najera and was objected to on the basis of the genuineness of the signature. The Board's registration record and the affidavit (Candidate's Exhibit 29) submitted by the Candidate listed the signer's name as Maureen Foster-Najera. The Hearing Officer found similarities in the signatures on the petition, the affidavit and the registration signature clip, but sustained the ruling from the records exam because the names did not match.

16. The Electoral Board finds that the evidence established that the signature at Sheet 24, line 7 on the petition was the genuine signature of the voter and the finding of the Hearing Officer should be reversed and the Candidate's Rule 20 Motion as to this signature should be granted. The reversal as to this signature brings the number of valid signatures to 503.

17. Having considered the evidence and arguments tendered by the parties and the Hearing Officer's report of recommended findings and conclusions of law, the Electoral Board hereby adopts the Hearing Officer's recommended findings and conclusions of law and incorporates them herein, except as to the signature addressed in paragraph 15 above.

18. The Electoral Board heard extensive additional argument from the parties in a Rule 20 hearing, and it finds that its Hearing Officer committed to procedural errors nor abuses of discretion, but for the one signature described in paragraph 15 above.

19. For the reasons stated above, the Electoral Board finds that the Candidate's Nomination Papers contain a sufficient number of valid signatures and that the Nomination Papers of VIDAL VASQUEZ are, therefore, valid.

IT IS THEREFORE ORDERED that the Objections of REYNA CORTEZ and BRENDAN O'CONNOR to the Nomination Papers of VIDAL VASQUEZ, candidate for nomination of the DEMOCRATIC Party for the office of Representative in the General Assembly of the 21st Representative District, State of Illinois, are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of VIDAL VASQUEZ, candidate for nomination of the DEMOCRATIC Party for the office of Representative in the General Assembly of the 21st Representative District, State of Illinois, SHALL be printed on the official ballot for the General Primary Election to be held on Tuesday, March 19, 2024.

Dated: January 23, 2024.

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 by 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.