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

Objections of: ISAIAH N. P. WHITE	)	
	)	
	)	
To the Nomination	)	No.: 24-EB-SBD-033
Papers of: BRENDA I. DELGADO	)	
	)	
Candidate for the office of	)	
Member of the Chicago Board of Education,	)	
6th District of the City of Chicago	)	

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 ISAIAH N. P. WHITE ("Objector") to the nomination papers ("Nomination Papers") of BRENDA I. DELGADO, candidate for the office of Member of the Chicago Board of Education, 6th District in the City of Chicago ("Candidate") at the General Election to be held on Tuesday, November 5, 2024, having convened on Tuesday, July 9, 2024, at 10:30 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 Objector 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 Tuesday, July 9, 2024 and was continued from time to time. The Electoral Board assigned this matter to Hearing Officer Christopher Agrella for further hearings and proceedings.

5. 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. Appearances were filed by or on behalf of the following persons: the Objector, ISAIAH N. P. WHITE, by Attorney TIFFANY NELSON-JAWORSKI; and the Candidate, BRENDA I. DELGADO, by Attorneys KEVIN MORPHEW, STEVEN H. FINE, MICHAEL KRELOFF, AND MICHAEL J. KASPER.

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 her duly authorized representative was present during the examination of the registration records or waived their right to do so.

9. The Objector and/or his 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 Electoral 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 1000;

B. The number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 1497;

C. The number of signatures deemed invalid because of objections sustained as a result of the records examination total 741;

D. The remaining number of signatures deemed valid as a result of the records examination total 756.

12. 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 the office of Member of the Chicago Board of Education, 6th District, City of Chicago.

13. No motions were filed pursuant Rule 8 of the Electoral Board's Rules of Procedure and no Rule 8 hearing was held.

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 only 756 valid signatures, which is less than the minimum number of valid signatures required by law to be placed upon the official ballot as a

BEFORE THE DULY CONSTITUTED ELECTORAL BOARD FOR THE HEARING AND PASSING UPON OF OBJECTIONS TO THE NOMINATION PAPERS OF CANDIDATES FOR ELECTION TO THE OFFICE OF MEMBER OF THE CHICAGO BOARD OF EDUCATION TO BE VOTED UPON IN THE NOVEMBER 5, 2024, ELECTION

ISAIAH P. WHITE,	)	
	)	
Objector,	)	
	)	
v.	)	No. 24-EB-SBD-033
	)	
BRENDA I. DELGADO,	)	
	)	
Candidate.	)	

HEARING OFFICER'S RECOMMENDATION

This matter first came before this hearing officer on July 9, 2024, set on the call for 2:05 p.m. Counsel for both sides available earlier, it was called for hearing at approximately 1:40 p.m. Objector appeared through counsel, Ms. Tiffany Nelson-Jaworski, *Esq*. The Candidate appeared through counsel, Mr. Michael Kreloff, Esq. and Mr. Kevin Morphew, Esq.

The candidate's nomination papers seek election to the office of Member of the Chicago Board of Education, 6th District, to be voted upon in the November 5, 2024, Election.

Upon calling the case the Hearing Officer marked the original petition papers of the candidate and the objections of the objector as Group Exhibit A and Group Exhibit B, respectively. The Proof of Service of Notice of the Call was marked as Group Exhibit C, and the appearance of the objector was marked as Exhibit D. The candidate's Withdrawal of Candidacy was marked as Exhibit E, all of which were accepted into evidence without objection by objector's counsel.

The objection raised a line by line signature allegation or challenge, incorporating a standard index recapitulation sheet exhibit.

Both sides were informed of the schedule for any requests for subpoenas, as well as the

schedule for any preliminary motions. Each side indicated they had no intent to file any such motions.

The matter was then scheduled for a Rule 6 Examination on July 10, 2024, at 9:30 a.m., one team for each side. Both sides were informed of this schedule while still on the record. At this juncture the matter was adjourned subject to recall upon the completion of the Rule 6 results.

On July 15, 2024, the Rule 6 Examination was completed and a Final Petition Summary Report issued, served on each party at approximately 3:15 p.m. that day.

On Tuesday, July 16, 2024, each side, through emails from counsel, waived any Rule 8 motion procedure, each side electing to rest upon the results of the Rule 6 Examination.

The Hearing Officer set the matter down for further proceedings on July 17, 2024, at 2:00 p.m., notifying both sides via email.

On July 17, 2024, at 2:00 p.m. the matter was recalled. Both sides appeared through counsel, Objector through Ms. Tiffany Nelson-Jaworski, Esq., Candidate through Mr. Kevin Morphew, Esq.

At that time the Final Petition Summary Report was marked as Exhibit E and entered into evidence in the record.

The results of the final Rule 6 Record Examination were read into the record, as follows:

Signatures Required:	1,000
Total Pages:	161
Total Signatures Filed by the Candidate:	1,497
Total Objections:	1,161
Total Objections Ruled On:	1,161
Total Remaining to be Ruled On:	0

Total Sustained Lines:	741
Total Overruled Lines:	98
Findings Preserved For Review (Candidate):	928
Findings Preserved For Review (Objector):	231
Total Valid Signatures:	756
Total Unchallenged Signatures:	658

244 Signatures fewer than the required minimum

With both sides, and in particular the Candidate, waiving any rights to proceed under Rule 8 and agreeing to rest on the results of the final Rule 6 Record Examination, and there being nothing further, the proofs in this matter closed

It is the recommendation of this Hearing Officer to the Board that the results of the Rule 6 Record Examination be accepted and the objection sustained, in that the evidence produced in the course of the Rule 6 Record Examination affirmatively proved that the candidate did not possess the number of valid signatures equal to the minimum number of valid signatures required (1,000) in the nomination papers to permit the candidate's name to be placed on the ballot, that the nomination papers of the candidate be declared invalid and insufficient in law and fact, and that the candidate's name, Brenda I. Delgado, not appear on the ballot for election to the office of Member of the Chicago Board of Education, 6th District, to be voted upon in the November 5, 2024, Election.

Christopher J. Agrella
Hearing Officer
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Respectfully Submitted,

Christopher J. Agrella – Hearing Officer

candidate for the office of Member of the Chicago Board of Education, 6th District of the City of Chicago, and that the Candidate's Nomination Papers should be found invalid.

15. 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 and incorporates them herein.

16. For the reasons stated above, the Electoral Board finds that the Candidate has an insufficient number of valid signatures on her nominating petitions and that the Nomination Papers of BRENDA I. DELGADO are, therefore, invalid.

IT IS THEREFORE ORDERED that the Objections of ISAIAH N. P. WHITE to the Nomination Papers of BRENDA I. DELGADO, candidate for election to the office of Member of the Chicago Board of Education, 6th District, City of Chicago, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of BRENDA I. DELGADO SHALL NOT be printed on the official ballot for the General Election to be held on Tuesday, November 5, 2024.

Dated: July 26, 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.