

Next was consideration of objections to independent and new party candidate petitions for the November 4, 2014 General Election. The General Counsel presented Agenda item 3.a, *Sherman v. Davis*, 14SOEBGE507 and 3.c, *Atsaves & Gale v. Davis*, 14SOEBGE512. He concurred with the hearing officer recommendation that the objections be sustained based on a lack of sufficient number of signatures (candidate submitted one signature on each petition). Roger Davis was present and said he felt that he did not need a minimum number of signatures to be on the ballot and disputed the state's ability to establish a signature requirement for federal office. Member Schneider moved to adopt the recommendation of the General Counsel to sustain the objection for Agenda item 3.a and not certify the candidate to the ballot. Member McGuffage seconded the motion which passed by roll call vote of 7-0. Vice Chairman Scholz recused himself from the matter. Member Schneider moved to adopt the recommendation of the General Counsel to sustain the objection for Agenda item 3.c and not certify the candidate to the ballot. Member McGuffage seconded the motion which passed by roll call vote of 7-0. Vice Chairman Scholz recused himself from the matter.

The General Counsel presented Agenda items 3.b & d, *Sherman v. Moore & Bourland*, 14SOEBGE508 and *Atsaves & Gale v. Moore & Bourland*, 14SOEBGE513 and concurred with the hearing officer recommendation that the objections be sustained based on a lack of sufficient number of signatures. Caroline Bourland was present and indicated she did not give permission for her name to appear on the nominating petition. The General Counsel verified that a written letter was received from Ms. Bourland indicating same. Gregg Moore was present as well and indicated he did not agree with the recommendation. Member Schneider moved to adopt the recommendation of the General Counsel to sustain the above objections and not certify the candidates to the ballot. Vice Chairman Scholz seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 3.e, *Allen v. Samuels*, 14SOEBGE517 and concurred with the hearing officer recommendation that the objection be sustained based on a lack of sufficient number of signatures. Vice Chairman Scholz moved to adopt the recommendation of the General Counsel to sustain the objection and not certify the candidate to the ballot. Member Byers seconded the motion which passed by roll call vote of 8-0.

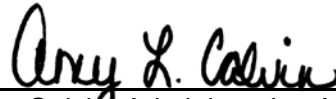
The General Counsel presented subpoena requests for Agenda items 4.a, b & d: *Atsaves & Gale v. Oberline*, 14SOEBGE514; *Atsaves & Gale v. Grimm*, 14SOEBGE515; and *Flores v. Ward*, 14SOEBGE519 and recommended the requests be granted. Member Schneider moved to grant the subpoena requests in those matters. Member Byers seconded the motion which passed by roll call vote of 8-0.

The General presented a subpoena request for Agenda item 4.c, *Yarbrough v. Lopez*, 14SOEBGE516 and concurred with the hearing officer recommendation to grant the requests for subpoenas to the various election authorities and deny the request for the appearance of Karen Yarbrough since the basis of the candidate's request is irrelevant to the proceedings. Andrew Finko was present on behalf of the candidate and said the subpoena to request the appearance of Ms. Yarbrough should be granted in order to hear her testify as to her review of candidate's petition and preparation of her objector's petition. Mike Kasper was present on behalf of the objector and said the appearance of his client should not be granted because it was unnecessary and constituted harassment. He also offered to enter into a stipulation that would provide all the information Mr. is seeking. After discussion, Member Schneider moved to adopt the recommendation of the General

Counsel to grant the subpoena requests to the election authorities and deny the subpoena requesting the appearance of the objector and her documents. Member Gowen seconded the motion which passed by roll call vote of 8-0.

With there being no further business before the State Officers Electoral Board, Vice Chairman Scholz moved to recess until August 22, 2014 at 10:30 a.m. Member Byers seconded the motion which passed unanimously. The meeting recessed at 11:45 a.m.

Respectfully submitted,



Amy Calvin, Administrative Assistant II



Rupert Borgsmiller, Executive Director