

STATE OFFICERS ELECTORAL BOARD
July 23, 2012

MINUTES

PRESENT: William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers, Member
Betty J. Coffrin, Member
Ernest L. Gowen, Member
Judith C. Rice, Member
Bryan A. Schneider, Member
Charles W. Scholz, Member

ALSO PRESENT: James Tenuto, Assistant Executive Director
Steve Sandvoss, General Counsel
Amy Calvin, Administrative Assistant II

The special meeting of the State Officers Electoral Board was called to order at 10:02 a.m. via videoconference with all Members present. Chairman McGuffage and Members Gowen and Rice were present in Chicago, Vice Chairman Smart and Members Byers, Coffrin and Scholz were present in Springfield and Member Schneider was present via teleconference.

The Chairman presented *Imhoff v. Collins*, 12SOEBGE502, an objection to the nominating papers of a candidate appointed to fill a vacancy in nomination for the November 6, 2012 General Election. The General Counsel concurred with the hearing officer recommendation to overrule the objection. Mike Kasper was present on behalf of the objector and Vincent Geisler was present on behalf of the candidate. Neither party took exception to the recommendation. Vice Chairman Smart moved to accept the recommendation of the General Counsel and overrule the objection. Member Coffrin seconded the motion which passed by roll call vote of 8-0.

Consideration of objections to independent and new party candidate nominating petitions for the November 6, 2012 General Election was next and the Chairman presented *Worthy v. Pierce*, 12SOEBGE102. The General Counsel concurred with the hearing officer recommendation to sustain the objection based on the candidate's failure to submit the minimum number of required signatures. Mike Kasper was present on behalf of the objector and no one appeared for the candidate. Member Scholz moved to accept the recommendation of the General Counsel and sustain the objection. Member Byers seconded the motion which passed by roll call vote of 8-0.

The Chairman presented *Chiles v. Dearing*, 12SOEBGE103 and the General Counsel concurred with the recommendation of the hearing officer to sustain the objection based on the candidate's failure to submit the minimum number of required signatures. John Fogarty was present on behalf of the objector and no one appeared for the candidate. Member Rice moved to accept the recommendation of the General Counsel and sustain the objection. Chairman McGuffage seconded the motion which passed by roll call vote of 8-0.

The Chairman presented *Rakers v. McKerrow*, 12SOEBGE104 and the General Counsel concurred with the recommendation of the hearing officer to sustain the objection based on the candidate's failure to submit the minimum number of required signatures. John Fogarty was present on behalf of the objector and no one appeared for the candidate. Vice Chairman Smart moved to

accept the recommendation of the General Counsel and sustain the objection. Member Scholz seconded the motion which passed by roll call vote of 8-0.

The Chairman presented *Wiss v. Norris*, 12SOEBGE105 and the General Counsel concurred with the recommendation of the hearing officer to sustain the objection based on the candidate's failure to submit the minimum number of required signatures. John Fogarty was present on behalf of the objector and no one appeared for the candidate. Member Byers moved to accept the recommendation of the General Counsel and sustain the objection. Chairman McGuffage seconded the motion which passed by roll call vote of 8-0.

The Chairman presented *Tozer v. Mazo*, 12SOEBGE106 and the General Counsel concurred with the recommendation of the hearing officer to sustain the objection based on the candidate's failure to submit the minimum number of required signatures. John Fogarty was present on behalf of the objector and no one appeared for the candidate. Member Rice moved to accept the recommendation of the General Counsel and sustain the objection. Member Scholz seconded the motion which passed by roll call vote of 8-0.

The Chairman presented *Cushman v. Stufflebeam*, 12SOEBGE107 and the General Counsel concurred with the recommendation of the hearing officer to sustain the objection based on the candidate's failure to submit the minimum number of required signatures. Jeff Jurgens was present on behalf of the objector and no one appeared for the candidate. Member Scholz moved to accept the recommendation of the General Counsel and sustain the objection. Chairman McGuffage seconded the motion which passed by roll call vote of 8-0.

The Chairman presented *Carruthers v. Percy*, 12SOEBGE110 and the General Counsel concurred with the recommendation of the hearing officer to sustain the objection based on the candidate's failure to submit the minimum number of required signatures. John Fogarty was present on behalf of the objector and no one appeared for the candidate. Vice Chairman Smart moved to accept the recommendation of the General Counsel and sustain the objection. Member Scholz seconded the motion which passed by roll call vote of 8-0.

The Chairman presented *DeVivo v. Tucek*, 12SOEBGE504 and Hearing Officer James Tenuto noted that the candidate officially withdrew and the objection was dismissed.

The Chairman presented *Sloan v. Kossack*, 12SOEBGE508 and the General Counsel concurred with the recommendation of the hearing officer to sustain the objection based on the candidate's failure to submit the minimum number of required signatures. Mike Kasper was present on behalf of the objector and no one appeared for the candidate. Vice Chairman Smart moved to accept the recommendation of the General Counsel and sustain the objection. Member Coffrin seconded the motion which passed by roll call vote of 8-0.

The Chairman presented *Hartweg v. Kay (Karkusiewicz)*, 12SOEBGE509 and the General Counsel concurred with the recommendation of the hearing officer to sustain the objection based on the candidate's failure to submit the minimum number of required signatures. Mike Kasper was present on behalf of the objector and the candidate Mr. Kay appeared pro se. After hearing argument from the candidate, Member Scholz moved to accept the recommendation of the General Counsel and sustain the objection. Vice Chairman Smart seconded the motion which passed by roll call vote of 8-0.

The Chairman presented *Uzzell v. Evans*, 12SOEBGE510 and the General Counsel concurred with the recommendation of the hearing officer to sustain the objection based on the candidate's failure to submit the minimum number of required signatures. Mike Kasper was present on behalf of the objector and no one appeared for the candidate. Member Coffrin moved to accept the recommendation of the General Counsel and sustain the objection. Member Scholz seconded the motion which passed by roll call vote of 8-0.

The Chairman presented *Douglas & Posateri v. Reyes*, 12SOEBGE511 and the General Counsel concurred with the recommendation of the hearing officer to sustain the objection based on the candidate's failure to submit the minimum number of required signatures. Mike Kreloff was present on behalf of the objector and candidate Reyes was also present who gave a brief argument. Vice Chairman Smart moved to accept the recommendation of the General Counsel and sustain the objection. Member Byers seconded the motion which passed by roll call vote of 8-0.

The Chairman presented *Sherman v. Clymer & Goode*, 12SOEBGE512 and the General Counsel concurred with the recommendation of the hearing officer to sustain the objection based on the candidate's failure to submit the minimum number of required signatures. Andy Finko was present on behalf of the objector and no one appeared for the candidate. Member Rice moved to accept the recommendation of the General Counsel and sustain the objection. Member Scholz seconded the motion which passed by roll call vote of 8-0.

The Chairman presented *Sherman v. Hawkins*, 12SOEBGE513 and the General Counsel concurred with the recommendation of the hearing officer to sustain the objection based on the candidate's failure to submit the minimum number of required signatures. Andy Finko was present on behalf of the objector and candidate Hawkins was also present. After hearing argument from Mr. Hawkins, Member Byers moved to accept the recommendation of the General Counsel and sustain the objection. Vice Chairman Smart seconded the motion which passed by roll call vote of 8-0.

The Chairman presented *Sherman v. Anderson & Boyd*, 12SOEBGE514 and the General Counsel concurred with the recommendation of the hearing officer to sustain the objection based on the candidate's failure to submit the minimum number of required signatures. Andy Finko was present on behalf of the objector and no one appeared for the candidate. Vice Chairman Smart moved to accept the recommendation of the General Counsel and sustain the objection. Member Byers seconded the motion which passed by roll call vote of 8-0.

The Chairman presented *Sherman v. Alexander & Mendoza*, 12SOEBGE515 and the General Counsel concurred with the recommendation of the hearing officer to sustain the objection based on the candidate's failure to submit the minimum number of required signatures. Andy Finko was present on behalf of the objector and no one appeared for the candidate. Vice Chairman Smart moved to accept the recommendation of the General Counsel and sustain the objection. Member Rice seconded the motion which passed by roll call vote of 8-0.

A subpoena request from the objector in the *Storm/Eck v. Hartman*, 12SOEBGP506 matter was presented and the General Counsel concurred with the hearing officer recommendation to grant the request for subpoenas to the affiants whose affidavits were attached to the Candidate's motion to dismiss. John Fogarty was present on behalf of the objector and Andy Finko was present on behalf of the candidate. Mr. Fogarty concurred with the recommendation of the hearing officer and noting Mr. Finko's issue regarding the inconvenience to the subpoena's persons, offered to travel to the locations of each affiant for deposition. Mr. Finko said the objector did not establish a good faith

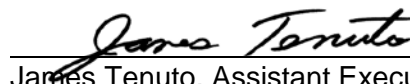
underlying factual basis for the subpoenas and asked that the request be denied. Member Byers moved to deny the request to issue subpoenas and was seconded by Vice Chairman Smart. After discussion, Vice Chairman Smart withdrew his second and moved to place the matter on the August 6 meeting Agenda for consideration. Member Scholz seconded the motion which passed by roll call vote of 7-1 with Member Byers voting in the negative.

With there being no further business before the State Officers Electoral Board, Member Byers moved to recess until August 6, 2012 at 10:00 a.m. Member Scholz seconded the motion which passed unanimously. The meeting recessed at 11:05 a.m.

Respectfully submitted,



Amy Calvin, Administrative Assistant II



James Tenuto, Assistant Executive Director