

# STATE OFFICERS ELECTORAL BOARD

## MINUTES

Tuesday, November 17, 2009

### MINUTES

PRESENT: Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman (via Video Conference)  
Patrick A. Brady, Member  
John R. Keith, Member  
Albert S. Porter, Member  
William M. McGuffage, Member  
Jesse R. Smart, Member  
Robert J. Walters, Member

ALSO PRESENT: Daniel W. White, Executive Director  
Steve Sandvoss, General Counsel  
Rupert Borgsmiller, Assistant Executive Director  
Darlene Gervase, Administrative Assistant II

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Chairman Schneider called the State Officers Electoral Board to order at 10:53 a.m. with all members present. The Board is meeting to call cases and accept appearances for objections to candidates' nominating petitions for the February 2, 2010 General Primary Election. He indicated that he would call the cases in the order as posted on the agenda and asked the parties to come forward to confirm the appropriate appearances are on file. Following is that information:

2.
  - a. *Ferritto v. Scheurer*, 09SOEBGP500;  
Sally Saltzberg and Mike Kreloff for the Objector; Andrew Finko for the Candidate
  - b. *Hamos v. Mayers*, 09SOEBGP501;  
Mike Kreloff for the Objector; No one appeared for the Candidate
  - c. *Ferritto v. Farnick*, 09SOEBGP502;  
Sally Saltzberg and Mike Kreloff for the Objector; Jonathan Farnick for the Candidate
  - d. *Nybo v. Manzo*, 09SOEBGP503;  
Christopher Nybo, *pro se*; Richard Means for the Candidate
  - e. *Bartholomae v. Boland*, 09SOEBGP504;  
James Nally for the Objector; William Berry for the Candidate
  - f. *Bartholomae v. Link*, 09SOEBGP505;  
James Nally for the Objector; Andrew Raucci for the Candidate
  - g. *Bartholomae v. Castillo*, 09SOEBGP506;  
James Nally for the Objector; Thomas Castillo *pro se*

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- h. *Zeidman v. Bird*, 09SOEBGP507;  
Lawrence Zdarsky for the objector; Patricia Bird *pro se*  
There was confusion regarding a withdrawal that Ms. Bird had filed. She explained that she was not withdrawing and was only confused about the objection process.
- i. *Arnold v. Votaw*, 09SOEBGP508;  
Stephen Arnold, *pro se*; Mr. Sandvoss indicated that the candidate received his notice yesterday and would not be prepared to appear today. He advised the Hearing Officer to contact Ms. Votaw and schedule a case management
- j. *Perrin v. Forte-Scott*, 09SOEBGP509;  
John Countryman and John Fogarty for the objector; Andrew Spiegel for the candidate
- k. *Bednar v. Blezien*, 09SOEBGP510;  
Andrew Raucci for the objector; no one appeared for the candidate
- l. *True v. Zadek*, 09SOEBGP511;  
Peck & Zimmerman for the objector; no one appeared for the candidate
- m. *True v. Kuna*, 09SOEBGP512;  
Peck & Zimmerman for the objector; Thomas "Tom" Kuna for the candidate
- n. *Reeves v. McQuillan*, 09SOEBGP513;  
Karl Ottosen and Shawn Flaherty for the objector; Bob McQuillan, *pro se*
- o. *Hale v. Doyle*, 09SOEBGP514;  
Josh Karsh and Cara Hendricksen for the objector ; James Nally for the candidate
- p. *Pituc v. Mayers*, 09SOEBGP515;  
Andrew Finko for the objector; no one appeared for the candidate
- q. *Dortch v. Walls, III*, 09SOEBGP516;  
Sarah Gadola, Burt Odelson for the objector; Sidney Smith and Andrew Spiegel for the candidate
- r. *Svitak v. Krishnamoorthi*, 09SOEBGP517;  
James Nally for the objector and Cindy Smyth and Michael Dorf for the candidate
- s. *Dunaway v. Scanlan*, 09SOEBGP518;  
James Nally for the objector; Adam Lasker for the candidate
- t. *Roth v. Dabney*, 09SOEBGP519;  
Michael Kreloff and Joshua Karsch for the objector; Dan Johnson Weinberger for the candidate
- u. *Emami v. Krislov*, 09SOEBGP520;  
Jim Nally for the objector; Adam Lasker for the candidate
- v. *Rosenzweig v. Hebda*, 09SOEBGP521;  
James Nally for the objector; John Countryman and John Fogarty for the candidate
- w. ~~*Panico v. Pistorius*, 09SOEBGP522;~~ (candidate withdrew)

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- x. *Cattron v. Kairis*, 09SOEBGP523;  
Mike Kasper for the Objector; Andrew Finko for the candidate
- y. *Wagner v. Barnes*, 09SOEBGP524;  
Jay Rowell and Mike Kasper for the Objector; Terrell Barnes for the candidate
- z. *Hossfeld v. Rauschenberger*, 09SOEBGP525;  
Mike Kasper & Courtney Nottage for the objector; Sarah Gadola, Burt Odelson for the candidate
- aa. *Lipsman v. Boyd, Jr.*, 09SOEBGP526;  
Mike Kreloff and Josh Karsh for the objector; William Boyd, Jr., *pro se*
- bb. *Juarez v. Boland*, 09SOEBGP527;  
Andrew Raucci for the objector; William Barry for the candidate
- cc. *Reidy v. Pilmer* , 09SOEBGP528;  
Richard Beamster for the objector; John Countryman and John Fogarty for the candidate
- dd. *Else v. Moy*, 09SOEBGP529;  
Patrick Bond for the objector; Kenneth Moy, *pro se*
- ee. *Josifovic v. Dabney*, 09SOEBGP530;  
Richard Means for the objector; Dan Johnson-Weinberger for the candidate
- ff. *Barnes, Hendon v. Turner*, 09SOEBGP531;  
Rickey Hendon and Bernetta Barnes for the objector; Mike Kasper for the candidate
- gg. *Clark v. Boyd*, 09SOEBGP532.  
Richard Means for the objector; Willie "Will" Boyd, Jr., *pro se*

The chairman thanked everyone for their cooperation and announced the next order of business is the approval of the Board's Rules of Procedures. Mr. Sandvoss presented Item 3, Rules of Procedure used by the Board, and indicated the rules have not been changed substantially since the last State Officers Electoral Board convened. He added that changes proposed by Member Keith were incorporated into the rules and outlined rules to be used for the records examination. Other than that, the rules are fairly set forward, the Board has copies, they are on the website, and he offered them to the Board for adoption. Member Porter moved to adopt the Rules of Procedure as presented. Member Smart seconded the motion which passed unanimously by roll call vote.

General Counsel Sandvoss asked the Board to authorize him to appoint hearing officers as required. Member Porter so moved and Member Smart seconded the motion which passed unanimously by 8 voices in unison. Mr. Sandvoss introduced the Hearing Officers and asked them to stand to be identified by the pertinent parties in the trial docket call.

A deadline was proposed to ensure uniformity to file motions. Mr. Sandvoss proposed the deadline for submission of motions would be Wednesday, November 18<sup>th</sup> at 5 p.m., the close of business and responses to those motions would be 5 p.m. Friday, November and replies due no later than close of business on Monday, November 23<sup>rd</sup>. Member Keith moved to adopt the motion presented by the General Counsel and to provide the hearing officers with discretion to deviate from same under what they consider to be extraordinary circumstances. Member Brady seconded the motion which passed unanimously by 8 ayes in unison.

Chairman Schneider asked everyone involved in the election challenges to proceed to Board's offices on the 14<sup>th</sup> floor.

Member Keith moved to recess as the State Officers Electoral Board until the call of the Chairman. Member Smart seconded the motion which passed unanimously by 8 ayes in unison.

The meeting adjourned at 11:27 a.m.

Dated: November 18, 2009

Respectfully submitted,

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Daniel W. White, Executive Director

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Darlene Gervase, Administrative Specialist II