

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LIBERTARIAN PARTY OF ILLINOIS, et al.,)	
)	No. 2022-cv-0578
Plaintiffs,)	
v.)	
)	Honorable Robert W. Gettleman
KAREN YARBROUGH, in her capacity as the)	
COOK COUNTY CLERK, et al.,)	Honorable Jeffrey Cole,
)	Magistrate
Defendants.)	
)	
and)	
)	
ILLINOIS GREEN PARTY, RICHARD GIOVANNI,)	
AND RITA MANIOTIS,)	
)	
Proposed Intervenors.)	

**PROPOSED VERIFIED INTERVENING COMPLAINT FOR
EMERGENCY DECLARATORY AND INJUNCTIVE RELIEF**

Proposed Intervenors Meet Criteria to Intervene Per Rules 24(a) and 24(b)

I. Rule 24(a) runs to intervention as a matter of right. It reads in part: “On timely motion, the court must permit anyone to intervene who: (1) is given an unconditional right to intervene by a federal statute...” In this instance, 42 U.S.C. § 1983, 28 U.S.C. § 2201, and 42 U.S.C. § 1988(b) are indicated. Each of these statutes is predicated (at least in part) upon the Proposed Intervenors’ First and Fourteenth Amendment rights.

II. Rule 24(b) pertains to permissive intervention. It is respectfully suggested that the claims advanced by the Proposed Intervenors have much in common (in both fact and law) with those of the plaintiffs Libertarian Party of Illinois, et al. Further, there is no indication that this proposed intervention, if granted, will prejudice or delay the plaintiffs’ rights to a timely adjudication.

Nature of the Case

1. This is an action for a declaratory judgment and other relief, seeking a declaration that the proposed intervenors Illinois Green Party et al. and its candidates are governed under the established party provisions of the Election Code in relation to the June 28, 2022 primary election to be held in Cook County, Illinois and specifically within the boundaries of the Metropolitan Water Reclamation District of Greater Chicago. The proposed intervenors also are seeking an order directing the Cook County Clerk to accept nomination papers from Illinois Green Party candidates for the June 28, 2022 primary election as established political party candidates under the provisions of the Illinois Election Code (10 ILCS 5/1-1 et seq.) Defendant is a state actor and is the election authority that is willfully and intentionally denying to the Proposed Intervenors their First Amendment rights of association and of ballot access, and their Fourteenth Amendment right to equal protection under the law.

Parties

2. Proposed Intervenors Illinois Green Party, et al., (hereafter, “Green Party” or “Green” or “Greens”), is a political party within Illinois that seeks to nominate candidates statewide, including, but not limited to, certain Cook County elected offices to be nominated at the June 28, 2022 general primary election. Specifically, these include: (1) candidates for commissioners of the Metropolitan Water Reclamation District of Greater Chicago (hereafter, “MWRDGC”) and (2) candidates for township committeepersons of the Green Party for all townships lying within the geographical and political boundaries of the MWRDGC.

3. Proposed intervenor Richard Giovanni is of legal age, resides in Morton Grove, Niles Township, Illinois, and is duly registered to vote. He is a member in good standing of the Illinois Green Party and, as a party member, is desirous of advancing all Green Party candidates throughout

Illinois. Mr. Giovanni meets all eligibility requirements to run for and hold the position of Green Party township committeeperson in Niles Township, and, accordingly, seeks to gain access to the ballot for the consolidated primary election scheduled for June 28, 2022.

4. Proposed intervenor Rita Maniotis is of legal age, lives in the Village of Oak Park and Oak Park Township, Illinois, and is duly registered to vote. She is a member in good standing of the Illinois Green Party and, as a party member, is desirous of advancing all Green Party candidates throughout Illinois. Ms. Maniotis meets all eligibility requirements to run for and hold the position of Green Party township committeeperson for Oak Park Township and, accordingly, seeks to gain access to the ballot for the consolidated primary election scheduled for June 28, 2022.

5. Defendant Karen Yarbrough (“Yarbrough”) is the Cook County Clerk (“Clerk”), and her office is the election authority that oversees and administers elections in suburban Cook County, Illinois (specifically excluding elections solely within the boundaries of the City of Chicago). She has at hand the advice and guidance of her Election Division employees and agents, including, but not limited to, James Nally as the Clerk’s election law attorney, and Colleen Gleason as the Clerk’s Candidate Services Manager.

6. At all times relevant to this action, Defendant, and/or her employees and/or agents, was/were engaged in state action under color of state law.

7. Defendant clerk Yarbrough is being sued in her official capacity as Cook County Clerk for declaratory and injunctive relief under 42 U.S.C. § 1983 and 28 U.S.C. § 2201, as well as for costs and attorney’s fees under 42 U.S.C. § 1988(b).

Jurisdiction

8. This cause is rooted in the Constitution of the United States and in 42 U.S.C. § 1983 and 1988. Jurisdiction is established by 28 U.S.C. 1331, 1343(a)(3), and 134(a)(4).

Venue

9. Venue is appropriate in this District pursuant to 28 U.S.C. 1391(b) in that many (if not all) of the events giving rise to the claims of the proposed intervenors occurred in Cook County, Illinois, and within the boundaries of the Northern District of Illinois (Eastern Division).

Relevant Facts; Election Code

10. As established in *Libertarian Party of Illinois vs. Scholz*, 872 F.3d 518,521 (7th Cir., 2017), “Illinois classifies general-election candidates into three groups: (a) those affiliated with an ‘established’ political party, (b) those affiliated with a ‘new’ political party, and (c) those running as independents. If a candidate is affiliated with a party, whether established or new, the party name appears alongside the candidate’s name on the ballot.”

11. 10 ILCS 5/10-2 describes how a new political party gains established political party status:

...A political party which, at the last election in any congressional district, legislative district, county, township, municipality or other political subdivision or district in the State, polled more than 5% of the entire vote cast within such territorial area or political subdivision, as the case may be, has voted as a unit for the election of officers to serve the respective territorial area of such district or political subdivision, is hereby declared to be an “established political party” within the meaning of this Article as to such district or political subdivision. ...

12. Nomination of established political party candidates for Cook County offices and election of township committeepersons are made pursuant to 10 ILCS 5/7-1, et seq., including: (a) lower signature requirements than new political party candidates; (b) nomination of candidates at a primary election; (c) the ability to elect party officers, including township committeepersons, at a primary

election; and (d) the ability to nominate candidates for the general election ballot where there are vacancies in nomination.

13. For the June 28, 2022 primary election, the petition circulation period was reduced to sixty (60) days, from January 13, 2022 to March 14, 2022; correspondingly, signatures required for candidates seeking election as commissioners of the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC) as stated in 10 ILCS 5/7-10(d)(2) have been reduced by one-third (1/3), per 10 ILCS 5/2A-1.1b(b).

14. The Illinois Green Party desires, in part, to run candidates for commissioners of the MWRDGC, as well as for township committee person posts, in the 2022 general election. In addition to the Election Code, pertinent excerpts from the Metropolitan Water Reclamation District Act (70 ILCS 2605, et seq.) govern this. They include: (a) “All courts in this state shall take judicial notice of the existence of all sanitary districts organized by this act.” 70 ILCS 2605/2. (b) Further, the MWRDGC is to “...be construed in all courts to be a body corporate and politic...” 70 ILCS 2605/3. (c) **“The election of trustees shall be in accordance with the provisions of the general election law.”** 70 ILCS 2605/3. (Emphasis added.)

15. The district’s website states, in part: “The Metropolitan Water Reclamation District (MWRD) is governed by a nine-member Board of Commissioners. **Commissioners are elected at large....**” (emphasis added). <https://mwrld.org/about/commissioners> At-large elections generally have been defined and described in this fashion: “In at-large elections, voters....vote for candidates running for office and the candidates do not represent a specific district....”. <https://www.sog.unc.edu/courses/course-materials/district-versus-large-elections..> On this basis, the MWRDGC was not required to conduct, nor was it subjected to, any redistricting predicated on the 2020 Federal census.

16. At the November 3, 2020 general election, the Illinois Green Party’s three candidates for commissioners of the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC),

namely, Tammie Felicia Vinson ("Vinson"), Rachel Wales ("Wales"), and Troy Antonio Hernandez ("Hernandez"), received votes in the following percentages of the overall totals: Vinson, 8.35%; Wales, 8.90% and Hernandez, 8.41%. This is demonstrated by the following table, excerpted from *Tabulated Statement of the Returns and Proclamation of the Results of the Canvass of the Election Returns for the November 3, 2020 Presidential General Election Held in Each of the Precincts of Cook County, Illinois* issued by the Cook County Clerk, Karen A. Yarbrough (defendant herein).

<u>Commissioner, Water Reclamation Dist</u>		
Vote For 3		
(1531 of 1531 precincts counted)		
DEM - Kimberly Neely Dubuclet	608,291	27.43%
DEM - Eira L. Corral Sepúlveda	494,488	22.30%
DEM - M Cameron "Cam" Davis	545,792	24.61%
GRN - Tammie Felicia Vinson	185,236	8.35%
GRN - Rachel Wales	197,371	8.90%
GRN - Troy Antonio Hernandez	186,431	8.41%
Total	2,217,609	

Source: https://www.cookcountyclerkil.gov/sites/default/files/Summary%20Report_110320_v1.pdf (at page 7)

17. Since three (3) Illinois Green Party candidates (specifically, Vinson, Wales, and Hernandez) received more than five percent (5%) of the votes for the office of commissioner of the Metropolitan Water Reclamation District of Greater Chicago at the November 3, 2020 election, it now is, pursuant to 10 ILCS 5/10-2, classified as an established political party within the geographical boundaries of the MWRDGC.

18. As indicated by the **attached affidavit of proposed intervenor Rita Maniotis**, the Clerk has extended established political party recognition to the Illinois Green Party for election of Green Party township committeepersons in six townships (specifically, Berwyn, Bremen, Oak Park, Rich, River Forest, and Worth). She has denied such recognition in the other twenty-four Cook County Townships.

19. It is anticipated that without action from this court, the Clerk will refuse to accept nomination papers for Green Party township committeepersons from the disaffected twenty-four other townships; further, it is anticipated that absent court action, the Clerk also will reject any Green Party nominations of candidates to fill any ballot vacancies for the general election.

20. The Proposed Intervenors are injured and damaged, and denied their First Amendment and Fourteenth Amendment ballot access rights, through the Clerk's refusal to recognize fully the Illinois Green Party as an established political party within the confines of the MWRDGC for purposes of electing township committeepersons in twenty-four (out of thirty) townships, and thereafter, for purposes of filling vacancies in nomination, as follows:

- (a) being denied full recognition as an established political party within the boundaries of the MWRDGC, and, accordingly, being denied corresponding rights and benefits under the Illinois Election Code;
- (b) being denied the opportunity to elect candidates for twenty-four township committeepersons at the June 28, 2022 primary election pursuant to Article 7 of the Election Code, 10 ILCS 5/7-1 et seq.
- (c) being frustrated, hindered, and delayed in their ability to organize, campaign, and promote the Illinois Green Party as a fully established party within the confines of the MWRDGC,
- (e) being denied the opportunity to nominate candidates of the Illinois Green Party to the November 8, 2022 general election ballot in order to fill vacancies in nomination;
- (f) otherwise defamed, harmed and damaged through denial of the Proposed Intervenors' rights to campaign fully and promote fully the Illinois Green Party to voters within the MWRDGC with respect to the primary election on June 28, 2022;
- (g) otherwise denied First and Fourteenth Amendment rights.

21. Proposed Intervenors are further injured, defamed, and continue to suffer harm to their reputations and have incurred loss of good will through the Clerk's refusal to recognize

publicly the Illinois Green Party as being in all respects a duly and fully established political party within the geographic boundaries of the MWRDGC, thereby hampering and obstructing the Green Party's First Amendment right to associate as a political party, build memberships, promote its platform and candidates, generate financial and other support from voters, and otherwise build and grow the Illinois Green Party.

Count I

**Declaratory Judgment for Recognition of the Illinois Green Party
as an Established Party within the Boundaries of
the Metropolitan Water Reclamation District of Greater Chicago**

1-21. Proposed Intervenor repeat and restate Paragraphs 1-20 above as if fully stated herein.

22. Since the Illinois Green Party polled more than 5% of the entire vote cast within the jurisdiction of the Metropolitan Water Reclamation District of Greater Chicago at the November 3, 2020 general election (the District itself lying within the geographical boundaries of Cook County, IL) it is deemed to have voted as a unit for the election of officers to serve the entire territorial area of said district, and it should be recognized as an "established political party" for all statutory purposes and for all offices being elected within the geographic boundaries of the MWRDGC, per 10 ILCS 5/10-2. Please also see *Libertarian Party of Illinois v. Scholz*, 872 F.3d 518 (7th Cir. 2017).

23. The Clerk's interpretation and application of the Election Code as alleged herein, including her refusal to recognize the Illinois Green Party as a fully established political party for nomination and election of twenty-four (out of thirty) township committeepersons within the boundaries of the MWRDGC, violates rights guaranteed to the Proposed Intervenor by the First and Fourteenth Amendments to the United States Constitution, as enforced through 42 U.S.C. § 1983.

24. In *Eu v. San Francisco County Democratic Central Comm.*, 489 US 214, 223 (1989) the U.S. Supreme Court stated that First Amendment protections are applicable to political party speech as follows:

...Indeed, the First Amendment “has its fullest and most urgent application” to speech uttered during a campaign for political office. *Monitor Patriot Co. v. Roy*, 401 U. S. 265, 272 (1971); see also *Mills v. Alabama*, 384 U. S. 214, 218 (1966). Free discussion about candidates for public office is no less critical before a primary than before a general election. Cf. *Storer v. Brown*, 415 U. S. 724, 735 (1974); *Smith v. Allwright*, 321 U. S. 649, 666 (1944); *United States v. Classic*, 313 U. S. 299, 314 (1941). In both instances, the “election campaign is a means of disseminating ideas as well as attaining political office.” *Illinois Bd. of Elections*, supra, at 186.

25. The Clerk’s decision to deny complete and total established political party recognition to the Illinois Green Party within the confines of the MWRDGC, plus her anticipated refusal to accept nomination papers from Green Party candidates for township committeepersons in twenty-four (out of thirty) townships located within the MWRDGC, directly damages, obstructs, and harms the ability of the Illinois Green Party to promote its platform, policy positions, and candidates to all voters located in the MWRDGC at the June 28, 2022 primary election, and denies all voters in the MWRDGC the ability to have greater diversity and candidates to select from for township committeeperson offices.

26. The Proposed Intervenors are to enjoy First Amendment protected ballot access rights as a political party, as members of a political party, and as voters, which have been recognized by the Supreme Court in *Eu v. San Francisco County Democratic Central Comm.*, 489 US 214, 223 (1989), supra, which also states as follows:

Barring political parties from endorsing and opposing candidates not only burdens their freedom of speech but also infringes upon their freedom of association. It is well settled that partisan political organizations enjoy freedom of association protected by the First and Fourteenth Amendments. *Tashjian*, supra, at 214; see also *Elrod v. Burns*, 427 U. S. 347, 357 (1976) (plurality opinion). Freedom of association means not only that an individual voter has the right to associate with the political party of her choice, *Tashjian*, supra, at 214 (quoting *Kusper*, supra, at 57), but also that a political party has a right to “ ‘identify the people who constitute the association,’ ” *Tashjian*, supra, at 214 (quoting *Democratic Party of United States v. Wisconsin ex rel. La Follette*, 450 U. S. 107, 122 (1981)); cf. *NAACP v. Alabama ex rel. Patterson*, 357 U. S. 449, 460-462 (1958), and to select a “standard bearer who best represents the party’s ideologies and preferences.” *Ripon Society, Inc. v. National Republican Party*, 173 U.

S. App. D. C. 350, 384, 525 F.2d 567, 601 (1975) (Tamm, J., concurring in result), cert. denied, 424 U. S. 933 (1976).

27. The Defendants' actions as alleged herein are arbitrary and capricious, and also a denial of the Proposed Intervenor's First Amendment rights to petition voters, a denial of their First Amendment right to associate as a political party to nominate candidates of their choice, and a denial of their First Amendment right to promote the Illinois Green Party at the June 28, 2022 primary.

28. A real and actual controversy exists between the parties.

29. The Proposed Intervenor has no adequate remedy at law, other than this action pursuant to 42 U.S.C. § 1983 for declaratory and equitable relief.

30. The Proposed Intervenor is suffering irreparable harm as a result of the violations complained of herein, and that harm will continue unless the Clerk's interpretation and application of the Election Code is declared unlawful and enjoined by this honorable Court.

31. It is anticipated that during the time period March 7 – 14, 2022, the Clerk will refuse to accept the nomination papers of Illinois Green Party candidates seeking to serve as township committeepersons in twenty-four (out of thirty) townships for election at the June 28, 2022 primary; further, that Defendants will not prepare any Green Party ballots or program corresponding voting machines, nor otherwise prepare for or administer a primary election for nomination of Green Party candidates for township committeepersons for the twenty-four Cook County townships that she has arbitrarily and capriciously and without basis ignored and omitted.

32. A declaration of the Proposed Intervenor's rights in advance of the March 7 – 14, 2022 filing dates for established political party candidates would assist all parties, as well as all MWRDGC voters, and provide direction to the Defendants in their official capacities as the election authorities within suburban Cook County, IL in advance of the June 28, 2022 primary election.

WHEREFORE, Proposed Intervenor, through their attorney, respectfully request entry of a declaratory judgment as follows:

(a) declaring that the Illinois Green Party is an established political party for all purposes and for all offices pursuant to the Illinois Election Code, 10 ILCS 5/10-2, within the geographic boundaries of the Metropolitan Water Reclamation District of Greater Chicago;

(b) declaring that the Illinois Green Party is vested with all rights authorized under the Election Code to nominate candidates for all MWRDGC offices (i.e., Commissioners thereof) at the June 28, 2022 primary election, and to elect its township committeepersons at the June 28, 2022 primary election in all thirty townships (not just six) located within the boundaries of the MWRDGC, and also is authorized thereafter to fill vacancies in nomination for the November 8, 2022 general election;

(c) declaring that within the geographic boundaries of the MWRDGC, the Illinois Green Party shall enjoy all rights and benefits conferred upon an established political party under the Illinois Election Code for this and subsequent elections through November 2024;

(d) otherwise adjusting the time, signature requirements, and/or other provisions of the Election Code governing submission of Illinois Green Party candidate nomination papers in the interests of justice and to balance the Proposed Intervenor's Constitutional rights being denied by the Clerk.

Count II

Denial of First Amendment ballot access rights (42 U.S.C. § 1983)

1-33. Proposed Intervenor repeat and restate Paragraphs 1-32 above as if fully stated herein.

34. The Supreme Court in *Anderson v. Celebrezze*, 460 U.S. 780, 789, 103 S.Ct. 1564, 1570 (1983) instructed lower courts to “consider the character and magnitude of the asserted injury to the rights protected” by the constitution, to “identify and evaluate the precise interests put forth by the State,” and then to decide whether the interests justify the restriction.

35. Defendants' actions violate rights guaranteed to these Proposed Intervenors by the First Amendment to the United States Constitution, as enforced through 42 U.S.C. § 1983.

WHEREFORE, the Proposed Intervenors respectfully request that this Court enter judgment as follows:

- (1) Assume original jurisdiction over this case;
- (2) Issue a temporary restraining order and/or preliminary injunction as follows:
 - (a) directing the Clerk to amend her "General Information" release detailing petition signature requirements for Illinois Green Party candidates for each of the thirty (as opposed to the present six) township committeepersons being elected within the boundaries of the MWRDGC at the primary election on June 28, 2022; and otherwise amending the said "General Information" statement for recognition of the Illinois Green Party (pursuant to applicable provisions of the Election Code) as a political party established in all respects and for all purposes within the geographic boundaries of the MWRDGC;
 - (b) prohibiting Defendants from striking, rejecting, or refusing acceptance of nomination papers from Illinois Green Party candidates seeking ballot placement as township committeeperson candidates from all thirty Cook County townships (and not just six) for the June 28, 2022 primary election;
 - (c) directing Defendants to accept resolutions to fill vacancies in nomination (plus associated nomination papers) from the Illinois Green Party for the November 8, 2022 general election;
 - (d) directing Defendants to prepare all forms of ballots and voting devices for the Illinois Green Party primary election on June 28, 2022 within the geographic boundaries of the Metropolitan Water Reclamation District of Greater Chicago;

(3) Issue a declaratory judgment stating that the Illinois Green Party is a fully established political party within the boundaries of the MWRDGC and is, accordingly, endowed with all associated rights afforded under the Illinois Election Code to established political parties for all elective and political party offices within the MWRDGC;

(4) Issue a permanent injunction against Defendants prohibiting each from denying recognition of the Illinois Green Party as a duly established political party with all associated rights defined under Article 7 of the Election Code, 10 ILCS 5/7-1, et seq. to nominate and elect candidates of the Illinois Green Party within the MWRDGC for four years subsequent to the November 3, 2020 general election;

(5) Order Defendants to pay to Proposed Intervenor their costs and reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b);

(6) Retain jurisdiction over this matter to enforce this court's order, and

(7) Order Defendants to provide to Proposed Intervenor such further and additional other relief as the Court deems just and appropriate.

Count III

Denial of Fourteenth Amendment Equal Protection Rights (42 U.S.C. § 1983)

1-36. Proposed Intervenor repeat and restate Paragraphs 1-35 above as if fully stated herein.

37. In *Anderson v. Celebrezze*, 460 U.S. 780, 789, 103 S.Ct. 1564, 1570 (1983), *supra*, the Supreme Court instructed lower courts to “consider the character and magnitude of the asserted injury to the rights protected” by the constitution, to “identify and evaluate the precise interests put forth by the State,” and then to decide whether the interests justify the restriction.

38. Defendants' actions violate rights guaranteed to the Proposed Intervenors by the Fourteenth Amendment to the United States Constitution to equal protection under the law, as enforced through 42 U.S.C. 1983

WHEREFORE, the Proposed Intervenors respectfully request that this Court enter judgment as follows:

- (1) Assume original jurisdiction over this case;
- (2) Issue a temporary restraining order and/or preliminary injunction as follows:
 - (a) directing the Clerk to amend her "General Information" release detailing petition signature requirements for Illinois Green Party candidates for each of the thirty (as opposed to the present six) township committeepersons being elected within the boundaries of the MWRDGC at the primary election on June 28, 2022; and otherwise amending the said "General Information" statement for recognition of the Illinois Green Party (pursuant to applicable provisions of the Election Code) as a political party established in all respects and for all purposes within the geographic boundaries of the MWRDGC;
 - (b) prohibiting Defendants from striking, rejecting, or refusing acceptance of nomination papers from Illinois Green Party candidates seeking ballot placement as township committeeperson candidates within all thirty Cook County townships (and not just six) for the June 28, 2022 primary election;
 - (c) directing Defendants to accept resolutions to fill vacancies in nomination (plus associated nomination papers) from the Illinois Green Party for the November 8, 2022 general election;

(d) directing Defendants to prepare all forms of ballots and voting devices for the Illinois Green Party primary election on June 28, 2022 within the geographic boundaries of the Metropolitan Water Reclamation District of Greater Chicago;

(3) Issue a declaratory judgment stating that the Illinois Green Party is a fully established political party within the boundaries of the MWRDGC and is, accordingly, endowed with all associated rights afforded under the Illinois Election Code to established political parties for all elective and political party offices within the MWRDGC;

(4) Issue a permanent injunction against Defendants prohibiting each from denying recognition of the Illinois Green Party as a duly established political party with all associated rights defined under Article 7 of the Election Code, 10 ILCS 5/7-1, et seq. to nominate and elect candidates of the Illinois Green Party within the MWRDGC for four years subsequent to the November 3, 2020 general election;

(5) Order Defendants to pay to Proposed Intervenorors their costs and reasonable attorney's fees pursuant to 42 U.S.C. § 1988(b); and

(6) Retain jurisdiction over this matter to enforce this court's order, and

(7) Order Defendants to provide to Proposed Intervenorors such further and additional other relief as the Court deems just and appropriate.

Respectfully submitted:

By: /s/ Scott K. Summers
Attorney for Proposed Intervenorors

VERIFICATION PURSUANT TO 28 U.S.C. 1746

The undersigned, Scott K. Summers, declares and verifies under penalty of perjury under the laws of the United States of America that the facts contained in the foregoing Proposed Verified Complaint for Emergency Declaratory and Injunctive Relief are true and correct.

/s/ Scott K. Summers
Date: February 25, 2022

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on February 25, 2022, he caused to be filed through the Court's CM/ECF system the foregoing document, a copy of which will be electronically mailed to the parties of record.

/s/ Scott K. Summers

Scott K. Summers, Attorney at Law
P.O. Box 430, Harvard, IL 60033
Voice: 815-345-5200
Email: ScottSummersLaw@gmail.com
ARDC No. 6192355

AFFIDAVIT OF RITA MANIOTIS

RE: Libertarian Party, et. al, vs. Karen Yarborough, in her capacity as Cook County Clerk, et. al

In the United States District Court for the Northern District of Illinois – Eastern Division

Case Number 2022-cv-0578

NOW COMES Rita Maniotis, and as and for her Affidavit herein respectfully states, and hereby swears to, the following facts, under penalty of perjury:

1. My name is Rita Maniotis. I am of legal age.
2. Formerly a resident of Berwyn, Illinois, I now reside in Oak Park, Illinois. Both municipalities are located within the geographical boundaries of Cook County, Illinois; they also lie completely within the geographical boundaries of the Metropolitan Water Reclamation District of Greater Chicago ("MWRDGC"), where the Greens were recognized in 2018 (and earlier) as an established political party under the Illinois election laws because three Green candidates running for MWRDGC Commissioner achieved more than 5% of the overall vote.
3. I am a member in good standing of the Illinois Green Party.
4. During the time I resided in Berwyn, I served by dint of election as the Berwyn Township Committeeperson of the Illinois Green Party ("Green Party", "Greens").
5. Based upon my current residency in Oak Park, I now desire to run in the June 28, 2022 primary election for the position of Oak Park Township Committeeperson for the Illinois Green Party.
6. On January 28, 2022, at 9:25 a.m., I called the Cook County Clerk's office to find out the signature requirements for Township Committeepersons. I was shown how to find the signature requirements on the Cook County Clerk's website: <https://www.cookcountyclerk.il.gov/sites/default/files/pdfs/Important%20Dates%20and%20Signature%20Requirements%20Handout%202022.pdf> (A three page copy is attached.)
7. After studying the posting, I noted on page two the petition signature requirements for township committeepersons. For the Democratic and Republican Parties, they were set forth for thirty different Cook County townships. For the Green Party, only six townships were listed: Bremen, Berwyn, Worth, Oak Park, Bloom, and River Forest. I wondered what the signature requirements would be for the twenty-four townships not listed for the Green Party.
8. On February 02, 2022, I called the Cook County Clerk's office again at 10:54 a.m. I was told to call Colleen Gleason (believed to be an employee in the Clerk's office) about my query, and was given her telephone number.

9. On February 04, 2022 at 10:51 a.m., I left a message for Colleen Gleason. Ms. Gleason called me back at 11:17 a.m. and told me that Greens cannot run in townships that are not listed. I told her that we have always been able to run township committeepersons since the time we have been an established political party within the boundaries of the MWRDGC. She said that she would have their legal counsel call me back.

10. On February 07, 2022, at 2:48 p.m., James Nally, legal counsel for the Cook County Clerk's office, called me and said that the Greens would have to be an established party *in the townships* (as opposed to within the entirety of the MWRDGC) in order to run committeepersons. He said that only the six townships where committeepersons were elected in 2018 could be on the ballot. I told him that this did not make sense because:

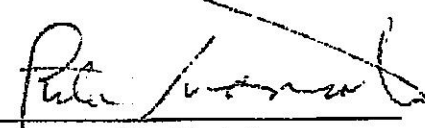
(a) The Greens have always run committeepersons in the past under former Cook County Clerk David Orr. Nothing has changed but the leadership.

(b) This would mean that those Committeepersons who were appointed cannot even run for their own seats.

(c) In the townships where Green Party Committeepersons were on the ballot in past years, Cook County didn't even print a ballot because the races were uncontested; further, such committeepersons were on the primary ballot because of the Green Party being established in the MWRDGC, not because they were established by prior township races.

11. On February 08, 2022, I called the Cook County Clerk's office and left a voicemail message on Mr. Nally's phone asking him to email me the particular state statutes he was referencing. I have not received a response.

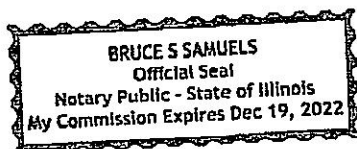
FURTHER AFFIANT SAYETH NAUGHT.


Rita Maniotis

STATE OF ILLINOIS)

COUNTY OF COOK)

Subscribed to and signed before me on this day of February, 2022.




NOTARY PUBLIC



Office of the County Clerk

Karen A. Yarbrough, Cook County Clerk

Tuesday, June 28, 2022 – Primary Election General Information

Federal, State and Judicial candidates file with the Illinois State Board of Elections in Springfield. Candidates for County offices, the Metropolitan Water Reclamation District, the Board of Review and Township Committeeperson file with the Cook County Clerk's office.

Candidate Filing Dates & Deadlines

Thursday, January 13: First day to circulate petitions for established political party candidates

Monday, March 7 – Monday, March 14: Petition filing period for established political party candidates

Monday, March 21: Last day for filing objections to nomination papers of candidates who filed during the March 7 – Monday, March 14 filing period

- Last day to withdraw for candidates who filed for incompatible offices

Wednesday, March 23: Last day to conduct lottery for ballot placement

Thursday, April 21: Last day to file withdrawal papers with the State Board of Elections

Wednesday, April 27: Last day to file withdrawal papers with the County Clerk

Thursday, April 28: Last day to file a notarized declaration of intent to be a write-in candidate (5:00 PM)

Referenda Question Deadlines

Monday, March 21: Last day for filing petitions for referenda for the submission of questions of public policy with the local election authority

Monday, April 11: Last day for local governing boards to adopt a resolution or ordinance to allow a binding public question to appear on the ballot

Certification of Ballot Deadlines

Thursday, April 21: Certification of Ballot by the State Board of Elections

- Certification of Ballot by local election authorities

Wednesday, April 27: Certification of Ballot to the City of Chicago

Voter Registration, Early Voting & Mail Voting

Wednesday, March 30: First day for to apply for a ballot by mail

Friday, May 13: Military & overseas ballots available

Tuesday, May 31: Voter registration closes for deputy registrars and local election officials

Wednesday, June 1 – Monday, June 27: Grace period registration & voting

Sunday, June 12: Online voter registration closes

Monday, June 13 – Monday, June 27: Early Voting period

Thursday, June 23: Last day to apply for a ballot by mail

Friday, June 24: Nursing home voting

Disclaimer: This is not legal advice. The Cook County Clerk's office is providing this for general information purposes only. All Candidates should consult with legal counsel regarding election matters. The Cook County Clerk's office cannot recommend an attorney or give legal advice on these matters.

For the complete Election Calendar and Candidates Guide please visit the Illinois State Board of Elections Website:
www.elections.il.gov

Visit the Cook County Clerk's Website: www.cookcountyclerk.gov

June 28, 2022 Primary Election Signature Requirements

Countywide Offices

Office	Democratic	Republican	Libertarian
Board President	8,827 5,885	4,306 2,871	739 493
County Clerk	8,827 5,885	4,306 2,871	739 493
Sheriff	8,827 5,885	4,306 2,871	739 493
Treasurer	8,827 5,885	4,306 2,871	739 493
Assessor	8,827 5,885	4,306 2,871	739 493

Cook County Commissioner

Office	County Board District	Democratic	Republican
Commissioner	1 st District	519 346	253 169
Commissioner	2 nd District	519 346	253 169
Commissioner	3 rd District	519 346	253 169
Commissioner	4 th District	519 346	253 169
Commissioner	5 th District	519 346	253 169
Commissioner	6 th District	519 346	253 169
Commissioner	7 th District	519 346	253 169
Commissioner	8 th District	519 346	253 169
Commissioner	9 th District	519 346	253 169
Commissioner	10 th District	519 346	253 169
Commissioner	11 th District	519 346	253 169
Commissioner	12 th District	519 346	253 169
Commissioner	13 th District	519 346	253 169
Commissioner	14 th District	519 346	253 169
Commissioner	15 th District	519 346	253 169
Commissioner	16 th District	519 346	253 169
Commissioner	17 th District	519 346	253 169

Cook County Board of Review

Office	District	Democratic	Republican
Commissioner	1 st District	4,000 2,667	4,000 2,667
Commissioner	2 nd District	4,000 2,667	4,000 2,667
Commissioner	3 rd District	4,000 2,667	4,000 2,667

Metropolitan Water Reclamation District

Office	Democratic	Republican	Green
Commissioner	8,654 5,770	4,220 2,813	1698 1132

**Pursuant to PA 102-0015, for the 2022 General Primary and General Election only, all petitions for nomination of established party candidates for all other offices shall be reduced by one-third and any provision of this Code limiting the maximum number of signatures that may be submitted for those offices shall be reduced by one-third. The signature requirements above reflect a reduction of one-third.*

**Township Committeeperson
Democratic Party and Republican Party**

Township	Base Year		Democratic Party Minimum/Maximum*		Republican Party Minimum/Maximum*	
	Dem	Rep				
Barrington	2018	2021	64 – 103	43 – 93	80 – 128	54 – 104
Berwyn	2021	2018	124 – 198	83 – 133	34 – 54	23 – 73
Bloom	2021	2018	213 – 341	142 – 228	83 – 133	56 – 106
Bremen	2018	2018	642 – 1027	428 – 685	155 – 249	104 – 166
Calumet	2021	2018	70 – 112	47 – 97	5 – 55	4 – 54
Cicero	2018	2018	262 – 419	175 – 280	34 – 54	23 – 73
Elk Grove	2021	2021	179 – 286	120 – 191	271 – 434	181 – 290
Evanston	2018	2018	895 – 1431	597 – 954	49 – 78	33 – 83
Hanover	2018	2018	285 – 456	190 – 304	160 – 255	107 – 170
Lemont	2018	2018	99 – 159	66 – 116	79 – 127	53 – 103
Leyden	2018	2021	306 – 489	204 – 326	214 – 342	143 – 228
Lyons	2021	2018	429 – 687	286 – 458	238 – 380	159 – 254
Maine	2021	2021	477 – 762	318 – 508	291 – 466	194 – 311
New Trier	2018	2018	515 – 824	344 – 550	163 – 260	109 – 174
Niles	2018	2018	725 – 1160	484 – 774	147 – 235	98 – 157
Northfield	2021	2021	414 – 662	276 – 442	493 – 789	329 – 526
Norwood Park	2018	2018	141 – 226	94 – 151	55 – 87	37 – 87
Oak Park	2021	2018	279 – 447	186 – 298	45 – 71	30 – 80
Orland	2018	2018	543 – 869	362 – 580	294 – 470	196 – 314
Palatine	2021	2021	298 – 476	199 – 318	498 – 798	332 – 532
Palos	2018	2021	281 – 450	188 – 300	118 – 189	79 – 129
Proviso	2018	2018	1089 – 1742	726 – 1162	156 – 250	104 – 167
Rich	2018	2021	812 – 1299	542 – 866	62 – 100	42 – 92
River Forest	2018	2018	105 – 168	70 – 120	24 – 74	16 – 66
Riverside	2018	2018	142 – 227	95 – 152	43 – 68	29 – 79
Schaumburg	2021	2021	262 – 420	175 – 280	402 – 643	268 – 429
Stickney	2018	2018	185 – 295	124 – 197	42 – 66	28 – 78
Thornton	2021	2018	586 – 937	391 – 625	87 – 139	58 – 108
Wheeling	2018	2021	784 – 1254	523 – 836	550 – 881	367 – 588
Worth	2018	2018	921 – 1474	614 – 983	272 – 435	182 – 290

* or 50 more than minimum, whichever is greater

**Township Committeeperson
Green Party**

Township	Base Year	Green Party Minimum/Maximum*	
Berwyn	2018	1 – 51	1 – 51
Bremen	2018	1 – 51	1 – 51
Oak Park	2018	1 – 51	1 – 51
Rich	2018	1 – 51	1 – 51
River Forest	2018	1 – 51	1 – 51
Worth	2018	1 – 51	1 – 51

* or 50 more than minimum, whichever is greater

**Pursuant to PA 102-0015, for the 2022 General Primary and General Election only, all petitions for nomination of established party candidates for all other offices shall be reduced by one-third and any provision of this Code limiting the maximum number of signatures that may be submitted for those offices shall be reduced by one-third. The signature requirements above reflect a reduction of one-third.*