NO. 15CV00382

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT

Vincent Rose
Plaintiff

v.

The Board of Election Commissioners for the City of Chicago,
Langdon D. Neal, Chairman,
Richard A. Cowen, Secretary/Commissioner and
Marisel A. Hernandez Commissioner Defendant
The State of Illinois by Lisa Madigan Attorney General
Defendants

The Honorable Judge Honorable Amy J. St. Eve.
Designated as Magistrate Judge the Honorable Michael T. Mason

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COMPLAINT OF PLAINTIFF VINCENT ROSE

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

Vincent Rose Plaintiff v. The Board of Election Commissioners for the City of Chicago, Langdon D. Neal, Chairman, Richard A. Cowen, Secretary/Commissioner and Marisel A. Hernandez Commissioner AND, the State of Illinois Defendants	NO. 15CV00382 The Honorable Judge Honorable Amy J. St. Eve. Designated as Magistrate Judge the Honorable Michael T. Mason

I. FIRST AMENDED COMPLAINT FOR RELIEF

Plaintiff Vincent Rose presents the following first amended complaint against Defendant Board of Election Commissioners for the City of Chicago, Defendant Langdon D. Neal, Chairman, Defendant Richard A. Cowen, Defendant Secretary/Commissioner and Marisel A. Hernandez Commissioner and the Defendant the State of Illinois.

II. PARTIES

Plaintiff Vincent Rose is a natural person whom resides at 7425 S. South Shore, Chicago, Illinois 60649.

Defendant Board of Election Commissioners for the City of Chicago, Defendant Langdon D. Neal, Chairman, Defendant Richard A. Cowen, Defendant Secretary/Commissioner and Marisel A. Hernandez Commissioner conduct business at 69 W. Washington Street, Suites 600/800 Chicago, Illinois 60602. Such

Defendants are a Government agency for elections residing and operating within the County of Cook.

The State of Illinois through Lisa Madigan Illinois Attorney General is a Governmental Corporation and Agency located within the State of Illinois.

III. JURISDICTION

The Jurisdiction of the Federal Courts of the United States of America "*** shall extend to all Cases, in Law and Equity, arising under this Constitution, [and] the Laws of the United States, ***" U.S. Const. art. III, § 2, cl. 1. Plaintiff's primary complaint against Defendant arises under 42 U.S.C.A. § 1983 of the Laws of the United States of America and 52 U.S.C.A. § 10101, 52 U.S.C.A. § 10301, 52 U.S.C.A. § 10302, 52 U.S.C.A. § 10304, et Seq.

Furthermore, The United States District Courts have original jurisdiction with regard to any civil action authorized by law to be commenced by any person to redress the deprivation, under color of any State law, statute ordinance, regulation, custom or usage, of any right, privilege or immunity secured by the Constitution of the United States. See 28 U.S.C.A. § 1343)

IV. VENUE

Plaintiff maintains it principle place of residence in Cook County Illinois. Defendant's, Government agencies and officers also maintain their principal place of business in Cook County Illinois. Furthermore, All Defendant's are residents of Cook County Illinois and the City of Chicago.

Additionally a substantial part of the events or omissions giving rise to the claim occurred in Cook County. Accordingly, this civil action is be brought within the judicial district in which the Defendant resides and all defendants are residents of the State in which the district is located; within a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, and where a substantial part of property that is the subject of the action is situated.

V. FACTUAL BASIS FOR CAUSE OF ACTION

1. Plaintiff Vincent Rose filed his Petitions for nomination as candidate for Alderman in the 7th ward of the City of Chicago.
2. William Taylor and Michael Anderson objected to plaintiff's nomination petitions.
3. The Board of Elections conducted two records examinations.
4. Plaintiff obtained more than the required 4% of Signatures
5. The City of Chicago has not processed all voter registration records as of the time of the examination.
6. The Hearing officer, after two separate records examinations and hearings recommended to the Defendant Board that Plaintiff Candidate's name be excluded from the names of the candidates based on Plaintiff's failure to obtain the 4% of Signatures on January 12th, 2015.
7. In the 2015 elections each petition for nomination of the candidate is required to contain 473 or 473 signatures based on the following mathematical formula. (590357 / 50) x .04=473 or 473 rounded up.

8. The Illinois General Assembly amended 65 ILCS 20/21-28 which provides as follows

   "All nominations for alderman of any ward in the city shall be by petition. All petitions for nominations of candidates shall be signed by such a number of legal voters of the ward as will aggregate not less than 4% of all the votes cast for alderman in such ward at the last preceding general election. For the election following the redistricting of wards petitions for nominations of candidates shall be signed by the number of legal voters of the ward as will aggregate not less than 4% of the total number of votes cast for mayor at the last preceding municipal election divided by the number of wards."

9. Prior to this law set the requirement at 2%

10. In 2012 there was a redistricting of the Wards within the City of Chicago.

11. In 2011 590,357 votes were cast for mayor at the last preceding municipal election in 2011.

12. Thus the 2015 petition for nomination of the candidate is required to contain 473 signatures based on the following mathematical formula. (590357 / 50) x .04=473

13. Each ward for the City of Chicago had the following numbers of votes cast in 2011 in the Aldermanic Election.

1.	9847	14.	5907	27.	9429	40.	8712
2.	14611	15.	7059	28.	6780	41.	20109
3.	8928	16.	6116	29.	10603	42.	15893
4.	8577	17.	9900	30.	6251	43.	14267
5.	11743	18.	15442	31.	5508	44.	11129
6.	15045	19.	23727	32.	13437	45.	15879
7.	12345	20.	7467	33.	6667	46.	13906
8.	15202	21.	15376	34.	14183	47.	16877
9.	11010	22.	4353	35.	8786	48.	12862
10.	10701	23.	16448	36.	14052	49.	9617
11.	11026	24.	9255	37.	8778	50.	11487
12.	4872	25.	8823	38.	12256		
13.	11601	26.	7438	39.	10189		

14. A Run Off Election is set for April within the 7th ward Alderman.

VI. COUNT ONE: COUNT ONE: VIOLATION OF 52 U.S.C.A. § 10301

Congress has provided that "No voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied by any State or political subdivision in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color***52 U.S.C.A. § 10301

Plaintiff is "running for office" and is a voter of the City of Chicago. "It has long been established that political activities (i.e. running for office, supporting a particular political candidate) are protected by the First Amendment. *Medina v. City of E. Chicago, Indiana*, 184 F. Supp. 2d 805, 819 (N.D. Ind. 2001).

"It is further well-settled that "[t]he impact of candidate eligibility requirements on voters implicates basic constitutional rights" to associate politically with like-minded voters and to cast a meaningful vote." *Stone v. Bd. of Election Comm'rs for City of Chicago*, 750 F.3d 678, 681 (7th Cir. 2014).

The General Assembly passed IL ST CH 65 § 20/21-28. A generally applicable ordinance is nothing if not the 'policy' of the municipality, enacted by those with final policy-making authority." Oxford Bank & Trust & Fifth Ave. Prop. Mgmt. v. Vill. of La Grange, 879 F. Supp. 3 2d 954, 966 (N.D. Ill. 2012). Accordingly, it is the policy of Defendant's.

Plaintiff alleges that such statue and procedures at issue violate 52 U.S.C.A. § 10301. Specifically, based on the totality of the circumstances, it is clear that the political processes leading to nomination or election in the State or political subdivision of alderman are not equally open to participation by minority class of citizens protected by 52 U.S.C.A. § 10301. Furthermore the members of such class have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice.

Specifically, the 2015 Candidate for alderman is required to obtain 473 signatures based on the following mathematical formula. (590357/50) x .04=473 or 473 rounded up. While 473 signatures seem to be a uniform 4% throughout the 50 wards, it is not when actually applied. For Example, in the 22nd ward 473 signatures becomes a 10.87% signature requirement when compared to the number of voters in the prior aldermanic election of 2011 within that ward. See Exhibit 1

In fact in every ward where there is a majority population of Hispanics the number deviates higher than 4%, except the 23rd ward where the number is lower which Plaintiff argues because there is almost equal majority of non-Hispanic whites.

A majority of deviations higher than 4% percent also occur when a minority population is sizeable within a mostly white ward and presents competition to the White Majority.

Furthermore, the majority of lower deviations from 4% occur within wards, which are predominantly white. For example the 19th ward has a 1.99% requirement the lowest amongst all wards, with a majority white population. Plaintiff herein incorporates Exhibit 2 to support his allegations.

Furthermore, the 4% requirement controlling the political processes leading to nomination or election in the State or political subdivision of alderman is not equally open to participation by Black, Asian, Pacific, and all other minority class of citizens protected by the Statute. Specifically, the members of such class have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice because a 4% requirement or signature amount of 473 is a higher amount then the actual number of persons who are of a protected class whom reside within such ward.

Accordingly, they have less opportunity than other members of the electorate to participate in the political process by running for office or otherwise to elect persons of their choice. For example the 10th ward only has 10 Asian residents. Clearly a signature amount of 473 or 4% creates a less opportunity for Asians to be participate in the political office or otherwise to elect persons of their choice. See Exhibit 3. Thus such 4% requirement and process is violative of 52 U.S.C.A. § 10301.

VII. COUNT TWO: VIOLATION OF 52 U.S.C.A. § 10101

All citizens of the United States who are otherwise qualified by law to vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding." 52 U.S.C.A. § 10101.

Plaintiff alleges the 4% scheme instituted was instituted to further racially discriminatory purposes of making it more difficult for Minorities to have access to the ballot and that the effect of the method is "to minimize or cancel out the voting strength of racial or political elements of the voting population". *Black Voters v. McDonough*, 565 F.2d 1, 4 (1st Cir. 1977) Such scheme dilutes the rights of minority voters.

In support of this count and allegation Plaintiff recites and adopts all the paragraphs and exhibits contained in Count 1 in support of this count. Plaintiff further recites and adopts all exhibits contained in this complaint in support of this count.

The effect of the system is the denial to such minority voters and candidates of equal access to the ballots and equal power of votes.

VIII. COUNT 3: VIOLATION OF PLAINTIFF'S RIGHT TO FREE SPEECH AND FREEDOM OF ASSOCIATION

Plaintiff is "running for office" and is a voter of the City of Chicago. "It has long been established that political activities (i.e. running for office, supporting a particular political candidate) are protected by the First Amendment. *Medina v.*

City of E. Chicago, Indiana, 184 F. Supp. 2d 805, 819 (N.D. Ind. 2001). "It is further well-settled that "[t]he impact of candidate eligibility requirements on voters implicates basic constitutional rights" to associate politically with like-minded voters and to cast a meaningful vote." *Stone v. Bd. of Election Comm'rs for City of Chicago*, 750 F.3d 678, 681 (7th Cir. 2014).

The General Assembly passed IL ST CH 65 § 20/21-28. A generally applicable ordinance is nothing if not the 'policy' of the municipality, enacted by those with final policy-making authority." Oxford Bank & Trust & Fifth Ave. Prop. Mgmt. v. Vill. of La Grange, 879 F. Supp. 3 2d 954, 966 (N.D. Ill. 2012).

"Reasonable restrictions may be imposed on candidates because states have an interest in requiring a demonstration of qualification in order for the elections to be run fairly and effectively." *Stone v. Bd. of Elections Comm'rs for City of Chicago*, 955 F. Supp. 2d 886, 892 (N.D. Ill. 2013) *aff'd sub nom. Stone v. Bd. of Election Comm'rs for City of Chicago*, 750 F.3d 678 (7th Cir. 2014)

Plaintiff alleges that when applying the balancing test articulated in *Anderson v. Celebrezze,* 460 U.S. 780, 788, 103 S.Ct. 1564, 75 L.Ed.2d 547 (1983), the character and magnitude of the asserted injury to the rights protected by the First and Fourteenth Amendments which plaintiff seeks to vindicate against the precise interests put forward by the State as justifications for the burden imposed by its rule," taking into consideration "the extent to which those interests make it necessary to burden the plaintiffs' rights, the regulation is not justified by a

compelling interest and is not narrowly tailored to serve that interest. *Anderson,* 460 U.S. at 789, 103 S.Ct. 1564.

Furthermore, the law imposes unreasonable, nondiscriminatory restrictions, upon the protected rights passes constitutional muster if it and furthers no important state regulatory interests. *Burdick,* 504 U.S. at 434, 112 S.Ct. 2059. *Stone v. Bd. of Elections Comm'rs for City of Chicago*, 955 F. Supp. 2d 886, 892 (N.D. Ill. 2013) *aff'd sub nom. Stone v. Bd. of Election Comm'rs for City of Chicago*, 750 F.3d 678 (7th Cir. 2014).

In Support of this allegation Plaintiff incorporates all paragraphs and exhibits in this complaint. By creating such a variable rate amongst the community through a 4% or 473 signature requirement the State cannot have a compelling interest because the measurable quantum is not actually based on community support but rather the votes for the mayor outside the community (ward), which set the benchmark requirement of 473 votes. Especially when there are less votes required in a more populated ward, then those in a significantly less populated ward.

Defendant State of Illinois passed this ordinance, which resulted in the constitutional deprivation to Plaintiff. As such, the Defendant's municipal policy is the moving force behind the constitutional deprivation in that the Statute and its enforcement is the vehicle for denying access to the ballot and violating the Plaintiff's rights to run and an equal vote.

Defendants continue to deny Plaintiff access to the ballot, proper voting rights and continues to deny Plaintiff his constitutional rights.

Candidate further asserts that the amount of vote's candidate presented satisfies the prior 2% rule based on the number of voters in the 2011 election within the ward. Candidate asserts that his current signature amounts are a significant modicum of support and he is therefore in substantial compliance with the intent and provisions of the election code and that the Defendant has no basis to deny his access to the ballot.

Although numerous cases have upheld 5% as a reasonable benchmark for showing a reasonable modicum of support, such cases are inapplicable to this matter. Specifically, *Libertarian Party of Illinois v. Rednour*, 108 F.3d 768, 771 (7th Cir. 1997) stands for the proposition that 5% is approved. However, such case was in relation to a STATEWIDE election, which in the last governor's election had a voter population of 3,627,690.

Each Ward in the City of Chicago has less than 30,000.00 voters as shown in the exhibits. Logic dictates that if 5% is constitutional for a showing of support from more than 3 million people, 4% for small-populated wards is burdensome, irrational, unconstitutional, and causes a discriminatory impact on Voters.

While *Jenness v. Fortson*, 403 U.S. 431, 433, 91 S. Ct. 1970, 1971-72, 29 L. Ed. 2d 554 (1971) seems to be applicable, such case actually bolsters the position of Plaintiff rather than Defendant. Specifically, the court found that, "the 5% figure is, to be sure, apparently somewhat higher than the percentage of support required to be shown in many States as a condition for ballot position, **but this is balanced by the fact that Georgia has imposed no arbitrary restrictions**

whatever upon the eligibility of any registered voter to sign as many nominating petitions as he wishes. Georgia in this case has insulated not a single potential voter from the appeal of new political voices within its borders" *Jenness v. Fortson*, 403 U.S. 431, 442, 91 S. Ct. 1970, 1976, 29 L. Ed. 2d 554 (1971). However, **Illinois does not allow voters to sign as many nominating petitions as he wishes and limits it to one nomination of a candidate per voter.**

Furthermore, the law dealt with a 5% requirement of votes from the last election for the office the candidate is running for. Our requirement is not based on the actual number of voters in that specific wards election for which the candidate is running but is rather on the election of the mayor, for which the candidate is not running.

Lastly, the rule dealt with persons whom lost a primary and chose to run as independent or by some other political body. The Court found that it could not be unconstitutional because there are two alternative paths available for election. See *Jenness v. Fortson*, 403 U.S. 431, 440-41, 91 S. Ct. 1970, 1975, 29 L. Ed. 2d 554 (1971). Here there is only one path, and a limitation on that path as to one signature total per voter.

In Norman v. Reed, 502 U.S. 279 (1992) the court upheld a 5% signature requirement, not to exceed 25,000 signatures in Cook County and Chicago.

However, such case dealt with establishing new political parties not candidates for office in small wards. [1] Also, the case dealt with county wide and state wide political party creations so as to be able to run candidate without signatures..

In Druck v. Illinois State Board of Elections, 387 Ill.App.3d 144, 152 the court held that "the requirement in section 10–2 of the Election Code, in elections subsequent to the first election following redistricting, that a new party file nominating petitions containing signatures from 5% of the qualified voters who voted in the next preceding regular election in such district is a reasonable and nondiscriminatory way to have the new party and its candidate, Druck, demonstrate a modicum." *Druck v. Illinois State Bd. of Elections*, 387 Ill. App. 3d 144, 153, 899 N.E.2d 437, 444 (2008). This law dealt with congressional districts, which had 222,230, not the city wards that have low populations.

Furthermore, the law provided that "Section 10–2 of the **Election** Code also provides that for **elections** other than the first **election** following a redistricting, a **new political party** that is formed for any district less than the entire state must file petitions signed by qualified voters of not less than 5% of the voters who voted at the next preceding regular **election in such district."** Plaintiff issue deals with candidates, not primary elections, and a flat percentage of votes based on a total of all the districts and the mayor's race.

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[1] A new political party becomes an "established political party" if it receives 5% of the vote in the next election, but a party that has not engaged in a statewide election can become "established" only in a subdivision where it has fielded candidates.
Norman v. Reed, 502 U.S. 279, 279, 112 S. Ct. 698, 116 L. Ed. 2d 711 (1992)

While the Government may argue that "After ward boundaries change because of redistricting, it would no longer make sense to use the totals of a prior election's aldermanic turnout in that ward as the benchmark for a new election." Accordingly, their actions of connecting the Mayors race to the wards are legally justified on that basis. However, The General Assembly required that, "For use in connection with referenda and **the nonpartisan** and **consolidated elections**, each election authority **shall maintain** permanent records of the boundaries of all political subdivisions partially or wholly within its jurisdiction and any districts thereof, and **shall maintain permanent records indicating by tax extension number code for each registered voter. The political subdivisions and any districts thereof in which that voter resides**. Such records may be kept on the registration record cards or on separate registration lists, or if a method other than record coding by tax extension number is adopted by an election authority, such method shall be, approved by the State Board of Elections. Each political subdivision must, no later than 5 days after any redistricting, annexation, disconnection or other boundary change is adopted, give notice of any such adoption and the effective date of such act to each election authority having election jurisdiction over any of its former or new territory." SEE 10 ILCS 5/5-28.1. Thus, After the redistricting in 2012 the General Assembly had three years to determine the current amount of voters within the new boundaries based on the 10 ILCS 5/5-28.1.required records and the ease of looking whom is registered within the new boundaries.

Additionally, the Formula could have been determined by examining the precincts of voting within each ward that were swapped and adding or subtracting the number from the relative wards.

However, the real issue is that a ward with 5,000 voters is being diluted or otherwise controlled by 54500 voters from another geographical area.

The idea that one groups voting strength is dependent on another is hostile to the one man, one vote basis of our representative government and violative of due process and the 1st, 2nd, and 14th and amendment, and equal protection. See Id. "Once the geographical unit for which a representative is to be chosen is designated, all who participate in the election are to have an equal vote—whatever their race, whatever their sex, whatever their occupation, whatever their income, and wherever their home may be in that geographical unit." Gray v. Sanders, 372 U.S. 368, 379, 83 S. Ct. 801, 808, 9 L. Ed. 2d 821 (1963)

While the Government may argue that if a 5% requirement is constitutional, a 4% requirement is well within the constitutional limit. The case at bar is dealing with candidates not party's, there is also no primary election, and there is a flat percentage of votes based on a total of all the districts and the mayors race, and Within that small number of 50 are 50 separate wards with 50 significantly differing populations numbers and numbers of voters, thus 22,000 influence the vote of 4,700.00

With regard to *Stone v. Bd. of Election Comm'rs for City of Chicago*, 750 F.3d 678, 680 (7th Cir. 2014), the court held that "In light of cases like Jeness and Norman, we have said that 'plaintiffs cannot argue' that even a '5% petitioning requirement is severe on its face." However, Stone dealt with the issue that "Under Illinois law, candidates for Chicago mayor, city treasurer, or city clerk must gather signatures from 12,500 "legal voters of the city" to have their name printed on the ballot. 65 ILCS 20/21–28(b). This figure amounts to just under 1% of the 1.3 million or so registered voters in Chicago. As a proportion of active voters, the number is somewhat higher; 12,500 is approximately 2.7% of the number of votes cast in the 2007 mayoral election and 2.1% of those cast in 2011." *Stone v. Bd. of Election Comm'rs for City of Chicago*, 750 F.3d 678, 680 (7th Cir. 2014). The Plaintiff's case is not based on a citywide election but rather on individual wards. Furthermore, no votes are influenced in Stone by another district or area. Additionally, 5% is okay for a mayors race based on millions of voters, how could 4% be okay for 50 races based on no more than 50,000.00-60,000.00 people.

In *Stout v. Black*, 8 Ill. App. 3d 167, 172, 289 N.E.2d 456, 460 (1972) where the court found that the 5,000 signature requirement equals only 2 to 3% Of the registered voters in the 14th district, and all districts are substantially equal in population. Ill.Const. art. 4, sec. 3(a). *Stout v. Black*, 8 Ill. App. 3d 167, 172, 289 N.E.2d 456, 460 (1972). Here however, the 473 signature percent requires more than 7% of voter and all the districts or wards are not substantially equal in population.

IX. COUNT FOUR: VIOLATION OF EQUAL PROTECTION

Candidates for political office and voters enjoy both a First and Fourteenth Amendment right to participate equally in the electoral process, associate with one another to achieve policy goals and to vote. See *Barr v. Ireland*, 575 F. Supp. 2d 747, 755 (S.D.W. Va. 2008).

Plaintiff argues that there is no rationale, compelling, or other proper basis for the different treatment of the class of aldermanic candidates and voters in that allowing some candidates to access the ballot or voters their choice of candidate with only 1.9% of the signatures and providing for 50 different variable amounts of signature is not rationale, is discriminatory, unnecessary, and violative of equal protection.

The idea that one groups voting strength is dependent on another is hostile to the one man, one vote basis of our representative government and violative of due process and the 1st, 2nd, and 14th and amendment, and equal protection. See Id.

"Once the geographical unit for which a representative is to be chosen is designated, all who participate in the election are to have an equal vote—whatever their race, whatever their sex, whatever their occupation, whatever their income, and wherever their home may be in that geographical unit." *Gray v. Sanders*, 372 U.S. 368, 379, 83 S. Ct. 801, 808, 9 L. Ed. 2d 821 (1963)

"How then can one person be given twice or 10 times the voting power of another person in a statewide election merely because he lives in a rural area or

because he lives in the smallest rural county? " *Gray v. Sanders*, 372 U.S. 368, 379, 83 S. Ct. 801, 808, 9 L. Ed. 2d 821 (1963).

Allowing the voters of other wards to influence the elections within other wards dilutes the power of the voters in small wards by those of larger populated wards and violates equal protection.

X. COUNT FIVE: DUE PROCESS VIOLATION

"An attack on procedural due process focuses on the statute's specific procedures and whether the statute provides an "opportunity to be heard at a meaningful time and in a meaningful manner." People v. Gale, 376 Ill. App. 3d 344, 361, 876 N.E.2d 171, 187 (2007).

Plaintiff asserts that he was not provided a hearing in a meaningful time and manner. Specifically, Plaintiff's records examinations were conducted prior to City of Chicago's new voter registration records being updated. Accordingly, the results of such examination were not accurate and such hearing was not meaningful because the records used to compare the signatures were not available thereby invalidating numerous signatures from Plaintiff's nomination papers.

In support of this count and allegation Plaintiff recites all the paragraphs and exhibits listed and contained within this Complaint and incorporates them in to this count.

XI. COUNT 6: VIOLATION OF CIVIL RIGHTS UNDER SECTION 1983

Plaintiff cites to and incorporates within this count all counts, statements, and exhibits, to support his claim for the Defendant's violation of Plaintiff's Civil Rights.

XII. REQUEST FOR RELIEF

WHEREFORE, Plaintiff requests this Honorable Court for the Following Relief:

1. Ordering A Stay on the Run-Off Election for the 7th ward.
2. Plaintiff's name be placed on the ballot prior to the run-off election
3. Damages in excess of $100,000.00
4. Attorney's Fees and Costs
5. Invalidation of 65 ILCS 20/21-28

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EXHIBIT 1

WARDS	VOTES FOR ALDERMAN 2011	REQUIRED SIGNITURES	PERCENTA
1	9847	473	4.80%
2	14611	473	3.24%
3	8928	473	5.30%
4	8577	473	5.51%
5	11743	473	4.03%
6	11744	474	4.04%
7	11745	475	4.04%
8	11746	476	4.05%
9	11010	473	4.30%
10	10701	473	4.42%
11	11026	473	4.29%
12	4872	473	9.71%
13	11601	473	4.08%
14	5907	473	8.01%
15	7059	473	6.70%
16	6116	473	7.73%
17	9900	473	4.78%
18	15442	473	3.06%
19	23727	473	1.99%
20	7467	473	6.33%
21	15376	473	3.08%
22	4353	473	10.87%
23	16448	473	2.88%
24	9255	473	5.11%
25	8823	473	5.36%
26	7438	473	6.36%
27	9429	473	5.02%
28	6780	473	6.98%
29	10603	473	4.46%
30	6251	473	7.57%
31	5508	473	8.59%
32	13437	473	3.52%
33	6667	473	7.09%
34	14183	473	3.33%
35	8786	473	5.38%
36	14052	473	3.37%
37	8778	473	5.39%
38	12256	473	3.86%
39	10189	473	4.64%
40	8712	473	5.43%
41	20109	473	2.35%
42	15893	473	2.98%
43	14267	473	3.32%
44	11129	473	4.25%
45	15879	473	2.98%
46	13906	473	3.40%
47	16877	473	2.80%
48	12862	473	3.68%
49	9617	473	4.92%
50	11487	473	4.12%

EXHIBIT 2

WARDS	VOTES FOR ALDERMAN 2011	REQUIRED SIGNIT	PERCENTAGE OF	Population 201	% BLACK	% HISPANIC	% WHITE	% ASIAN
1	9847	473	4.80%	55522	4.53%	34.62%	54.59%	4.07%
2	14611	473	3.24%	69356	40.03%	6.59%	39.62%	11.25%
3	8928	473	5.30%	40512	76.72%	9.17%	8.60%	3.72%
4	8577	473	5.51%	49195	69.67%	3.36%	16.50%	7.48%
5	11743	473	4.03%	46246	73.25%	2.93%	17.00%	4.25%
6	11744	474	4.04%	46247	73.25%	2.93%	17.00%	4.25%
7	11745	475	4.04%	46248	73.25%	2.93%	17.00%	4.26%
8	11746	476	4.05%	46249	73.25%	2.94%	17.01%	4.26%
9	11010	473	4.30%	43530	92.33%	4.84%	1.61%	0.05%
10	10701	473	4.42%	51899	18.23%	62.89%	17.69%	0.27%
11	11026	473	4.29%	55911	2.22%	33.19%	32.81%	30.61%
12	4872	473	9.71%	56024	15.63%	72.12%	8.01%	3.78%
13	**11601**	473	4.08%	64065	3.80%	71.97%	22.73%	0.81%
14	**5907**	473	8.01%	59913	1.84%	87.78%	8.30%	1.73%
15	**7059**	473	6.70%	47674	61.31%	34.41%	3.12%	0.22%
16	**6116**	473	7.73%	45920	56.09%	40.91%	1.97%	0.13%
17	**9900**	473	4.78%	45902	97.14%	1.31%	0.42%	0.07%
18	**15442**	473	3.06%	55593	66.41%	23.58%	8.52%	0.43%
19	**23727**	473	1.99%	52647	26.86%	5.32%	65.74%	0.60%
20	**7467**	473	6.33%	49263	71.64%	21.57%	4.20%	1.25%
21	**15376**	473	3.08%	50845	97.62%	0.97%	0.32%	0.04%
22	**4353**	473	10.87%	50941	4.79%	92.91%	1.86%	0.09%
23	**16448**	473	2.88%	58163	4.02%	47.36%	47.00%	0.99%
24	**9255**	473	5.11%	49587	89.14%	8.63%	1.19%	0.16%
25	**8823**	473	5.36%	55613	5.80%	56.72%	19.35%	16.58%
26	**7438**	473	6.36%	50599	12.21%	61.49%	23.57%	1.31%
27	**9429**	473	5.02%	51261	46.82%	16.79%	30.93%	3.71%
28	**6780**	473	6.98%	48761	83.72%	12.81%	2.14%	0.31%
29	**10603**	473	4.46%	51206	65.94%	27.00%	4.78%	1.20%
30	**6251**	473	7.57%	54516	3.76%	74.14%	19.04%	2.01%
31	**5508**	473	8.59%	57914	2.58%	80.43%	14.60%	1.56%
32	**13437**	473	3.52%	63515	2.69%	10.60%	80.23%	4.42%
33	**6667**	473	7.09%	52793	3.68%	54.40%	31.00%	8.50%
34	**14183**	473	3.33%	48245	96.98%	1.30%	0.50%	0.07%
35	**8786**	473	5.38%	51005	4.40%	59.10%	32.21%	2.58%
36	**14052**	473	3.37%	60473	5.51%	32.40%	57.39%	3.44%
37	**8778**	473	5.39%	51213	62.66%	33.83%	2.20%	0.46%
38	**12256**	473	3.86%	58810	1.40%	35.94%	56.68%	4.39%
39	**10189**	473	4.64%	55809	3.45%	32.96%	42.63%	17.57%
40	**8712**	473	5.43%	53439	8.52%	23.43%	48.81%	16.31%
41	**20109**	473	2.35%	60020	0.99%	10.24%	82.00%	5.20%
42	**15893**	473	2.98%	79216	5.62%	5.42%	72.65%	13.99%
43	**14267**	473	3.32%	56746	4.66%	4.57%	83.23%	5.50%
44	**11129**	473	4.25%	58097	2.95%	6.41%	82.54%	6.01%
45	**15879**	473	2.98%	58117	1.16%	23.65%	65.08%	7.85%
46	**13906**	473	3.40%	53977	18.98%	12.24%	56.99%	9.19%
47	**16877**	473	2.80%	56565	2.73%	15.27%	73.83%	5.61%
48	**12862**	473	3.68%	54186	16.88%	13.51%	53.31%	13.36%
49	**9617**	473	4.92%	52252	27.54%	24.18%	37.46%	7.26%
50	**11487**	473	4.12%	58458	19.14%	22.75%	44.96%	0.00%

WARDS	VOTES FOR ALDERMAN 2011	REQUIRED SIGNIT	PERCENTAGE OF SIG	Population 2010	% BLACK	% HISPANIC	% WHITE
1	9847	473	4.80%	55522	4.53%	34.62%	54.59%
2	14611	473	3.24%	69356	40.03%	6.59%	39.62%
3	8928	473	5.30%	40512	76.72%	9.17%	8.60%
4	8577	473	5.51%	49195	69.67%	3.36%	16.50%
5	11743	473	4.03%	46246	73.25%	2.93%	17.00%
6	11744	474	4.04%	46247	73.25%	2.93%	17.00%
7	11745	475	4.04%	46248	73.25%	2.93%	17.00%
8	11746	476	4.05%	46249	73.25%	2.94%	17.01%
9	11010	473	4.30%	43530	92.33%	4.84%	1.61%
10	10701	473	4.42%	51899	18.23%	62.89%	17.69%
11	11026	473	4.29%	55911	2.22%	33.19%	32.81%
12	4872	473	9.71%	56024	15.63%	72.12%	8.01%
13	11601	473	4.08%	64065	3.80%	71.97%	22.73%
14	5907	473	8.01%	59913	1.84%	87.78%	8.30%
15	7059	473	6.70%	47674	61.31%	34.41%	3.12%
16	6116	473	7.73%	45920	56.09%	40.91%	1.97%
17	9900	473	4.78%	45902	97.14%	1.31%	0.42%
18	15442	473	3.06%	55593	66.41%	23.58%	8.52%
19	23727	473	1.99%	52647	26.86%	5.32%	65.74%
20	7467	473	6.33%	49263	71.64%	21.57%	4.20%
21	15376	473	3.08%	50845	97.62%	0.97%	0.32%
22	4353	473	10.87%	50941	4.79%	92.91%	1.86%
23	16448	473	2.88%	58163	4.02%	47.36%	47.00%
24	9255	473	5.11%	49587	89.14%	8.63%	1.19%
25	8823	473	5.36%	55613	5.80%	56.72%	19.35%
26	7438	473	6.36%	50599	12.21%	61.49%	23.57%
27	9429	473	5.02%	51261	46.82%	16.79%	30.93%
28	6780	473	6.98%	48761	83.72%	12.81%	2.14%
29	10603	473	4.46%	51206	65.94%	27.00%	4.78%
30	6251	473	7.57%	54516	3.76%	74.14%	19.04%
31	5508	473	8.59%	57914	2.58%	80.43%	14.60%
32	13437	473	3.52%	63515	2.69%	10.60%	80.23%
33	6667	473	7.09%	52793	3.68%	54.40%	31.00%
34	14183	473	3.33%	48245	96.98%	1.30%	0.50%
35	8786	473	5.38%	51005	4.40%	59.10%	32.21%
5g	14052	473	3.37%	60473	5.51%	32.40%	57.39%
37	8778	473	5.39%	51213	62.66%	33.83%	2.20%
38	12256	473	3.86%	58810	1.40%	35.94%	56.68%
39	10189	473	4.64%	55809	3.45%	32.96%	42.63%
40	8712	473	5.43%	53439	8.52%	23.43%	48.81%
41	20109	473	2.35%	60020	0.99%	10.24%	82.00%
42	15893	473	2.98%	79216	5.62%	5.42%	72.65%
43	14267	473	3.32%	56746	4.66%	4.57%	83.23%
44	11129	473	4.25%	58097	2.95%	6.41%	82.54%
45	15879	473	2.98%	58117	1.16%	23.65%	65.08%
46	13906	473	3.40%	53977	18.98%	12.24%	56.99%
47	16877	473	2.80%	56565	2.73%	15.27%	73.83%
48	12862	473	3.68%	54186	16.88%	13.51%	53.31%
49	9617	473	4.92%	52252	27.54%	24.18%	37.46%
50	11487	473	4.12%	58458	19.14%	22.75%	44.96%

EXHIBIT 4

WARDS	VOTES FOR ALDERMAN 2011	% BLACK	% HISPANIC	% WHITE	% ASIAN	Pacific
1	9847	4.53%	34.62%	54.59%	4.07%	0.04%
2	14611	40.03%	6.59%	39.62%	11.25%	0.04%
3	8928	76.72%	9.17%	8.60%	3.72%	0.01%
4	8577	69.67%	3.36%	16.50%	7.48%	0.01%
5	11743	73.25%	2.93%	17.00%	4.25%	0.01%
6	11744	73.25%	2.93%	17.00%	4.25%	0.02%
7	11745	73.25%	2.93%	17.00%	4.26%	0.02%
8	11746	73.25%	2.94%	17.01%	4.26%	0.02%
9	11010	92.33%	4.84%	1.61%	0.05%	0.01%
10	10701	18.23%	62.89%	17.69%	0.27%	0.04%
11	11026	2.22%	33.19%	32.81%	30.61%	0.02%
12	4872	15.63%	72.12%	8.01%	3.78%	0.00%
13	11601	3.80%	71.97%	22.73%	0.81%	0.01%
14	5907	1.84%	87.78%	8.30%	1.73%	0.01%
15	7059	61.31%	34.41%	3.12%	0.22%	0.00%
16	6116	56.09%	40.91%	1.97%	0.13%	0.01%
17	9900	97.14%	1.31%	0.42%	0.07%	0.01%
18	15442	66.41%	23.58%	8.52%	0.43%	0.00%
19	23727	26.86%	5.32%	65.74%	0.60%	0.02%
20	7467	71.64%	21.57%	4.20%	1.25%	0.01%
21	15376	97.62%	0.97%	0.32%	0.04%	0.01%
22	4353	4.79%	92.91%	1.86%	0.09%	0.00%
23	16448	4.02%	47.36%	47.00%	0.99%	0.01%
24	9255	89.14%	8.63%	1.19%	0.16%	0.00%
25	8823	5.80%	56.72%	19.35%	16.58%	0.02%
26	7438	12.21%	61.49%	23.57%	1.31%	0.02%
27	9429	46.82%	16.79%	30.93%	3.71%	0.03%
28	6780	83.72%	12.81%	2.14%	0.31%	0.01%
29	10603	65.94%	27.00%	4.78%	1.20%	0.02%
30	6251	3.76%	74.14%	19.04%	2.01%	0.02%
31	5508	2.58%	80.43%	14.60%	1.56%	0.01%
32	13437	2.69%	10.60%	80.23%	4.42%	0.02%
33	6667	3.68%	54.40%	31.00%	8.50%	0.03%
34	14183	96.98%	1.30%	0.50%	0.07%	0.02%
35	8786	4.40%	59.10%	32.21%	2.58%	0.04%
36	14052	5.51%	32.40%	57.39%	3.44%	0.01%
37	8778	62.66%	33.83%	2.20%	0.46%	0.04%
38	12256	1.40%	35.94%	56.68%	4.39%	0.02%
39	10189	3.45%	32.96%	42.63%	17.57%	0.05%
40	8712	8.52%	23.43%	48.81%	16.31%	0.04%
41	20109	0.99%	10.24%	82.00%	5.20%	0.01%
42	15893	5.62%	5.42%	72.65%	13.99%	0.04%
43	14267	4.66%	4.57%	83.23%	5.50%	0.03%
44	11129	2.95%	6.41%	82.54%	6.01%	0.04%
45	15879	1.16%	23.65%	65.08%	7.85%	0.03%
46	13906	18.98%	12.24%	56.99%	9.19%	0.04%
47	16877	2.73%	15.27%	73.83%	5.61%	0.03%
48	12862	16.88%	13.51%	53.31%	13.36%	0.02%
49	9617	27.54%	24.18%	37.46%	7.26%	0.07%
50	11487	19.14%	22.75%	44.96%	0.00%	44.96%

EXHIBIT 5

WARD	WARD VOTES IN 2011 ALDERMAN RACE	REQUIREMENT	TOTAL NUMBER OF SIGNTITURES	VARIANCE FROM 473 SIGNTURE REQUIRMENT	VARIANCE from 442
1	9847	4.00%	393.88	78.12	48.12
2	14611	4.00%	584.44	-112.44	-142.44
3	8928	4.00%	357.12	114.88	84.88
4	8577	4.00%	343.08	128.92	98.92
5	11743	4.00%	469.72	2.28	-27.72
6	11744	4.00%	469.76	2.24	-27.76
7	11745	4.00%	469.8	2.2	-27.8
8	11746	4.00%	469.84	2.16	-27.84
9	11010	4.00%	440.4	31.6	1.6
10	10701	4.00%	428.04	43.96	13.96
11	11026	4.00%	441.04	30.96	0.96
12	4872	4.00%	194.88	277.12	247.12
13	11601	4.00%	464.04	7.96	-22.04
14	5907	4.00%	236.28	235.72	205.72
15	7059	4.00%	282.36	189.64	159.64
16	6116	4.00%	244.64	227.36	197.36
17	9900	4.00%	396	76	46
19	15442	4.00%	617.68	-145.68	-175.68
19	23727	4.00%	949.08	-477.08	-507.08
20	7467	4.00%	298.68	173.32	143.32
21	15376	4.00%	615.04	-143.04	-173.04
22	4353	4.00%	174.12	297.88	267.88
23	16448	4.00%	657.92	-185.92	-215.92
24	9255	4.00%	370.2	101.8	71.8
25	8823	4.00%	352.92	119.08	89.08
26	7438	4.00%	297.52	174.48	144.48
27	9429	4.00%	377.16	94.84	64.84
28	6780	4.00%	271.2	200.8	170.8
29	10603	4.00%	424.12	47.88	17.88
30	6251	4.00%	250.04	221.96	191.96
31	5508	4.00%	220.32	251.68	221.68
32	13437	4.00%	537.48	-65.48	-95.48
33	6667	4.00%	266.68	205.32	175.32
34	14183	4.00%	567.32	-95.32	-125.32
35	8786	4.00%	351.44	120.56	90.56
36	14052	4.00%	562.08	-90.08	-120.08
37	8778	4.00%	351.12	120.88	90.88
38	12256	4.00%	490.24	-18.24	-48.24
39	10189	4.00%	407.56	64.44	34.44
40	8712	4.00%	348.48	123.52	93.52
41	20109	4.00%	804.36	-332.36	-362.36
42	15893	4.00%	635.72	-163.72	-193.72
43	14267	4.00%	570.68	-98.68	-128.68
44	11129	4.00%	445.16	26.84	-3.16
45	15879	4.00%	635.16	-163.16	-193.16
46	13906	4.00%	556.24	-84.24	-114.24
47	16877	4.00%	675.08	-203.08	-233.08
48	12862	4.00%	514.48	-42.48	-72.48
49	9617	4.00%	384.68	87.32	57.32
50	11487	4.00%	459.48	12.52	-17.48

EXHIBIT 6

WARDS	VOTES FOR ALDERMAN N 2011	REQUIRED SIGNITURES	PERCENTAGE OF Sing ITURES	Population	Black	Hispanic	Asain	Pacific	WHITE	% BLACK	% HISPANIC	% WHITE	% ASIAN	Pacific
1	9847	473	4.80%	55522	2514	19219	2259	24	30310	4.53%	34.62%	54.59%	4.07%	0.04%
2	14611	473	3.24%	69356	27762	4570	7806	27	27477	40.03%	6.59%	39.62%	11.25%	0.04%
3	8928	473	5.30%	40512	31082	3715	1508	6	3486	76.72%	9.17%	8.60%	3.72%	0.01%
4	8577	473	5.51%	49195	34275	1653	3679	6	8115	69.67%	3.36%	16.50%	7.48%	0.01%
5	11743	473	4.03%	46246	33874	1355	1966	6	7862	73.25%	2.93%	17.00%	4.25%	0.01%
6	11744	474	4.04%	46247	33875	1356	1967	7	7863	73.25%	2.93%	17.00%	4.25%	0.02%
7	11745	475	4.04%	46248	33876	1357	1968	8	7864	73.25%	2.93%	17.00%	4.26%	0.02%
8	11746	476	4.05%	46249	33877	1358	1969	9	7865	73.25%	2.94%	17.01%	4.26%	0.02%
9	11010	473	4.30%	43530	40190	2106	20	3	701	92.33%	4.84%	1.61%	0.05%	0.01%
10	10701	473	4.42%	51899	9461	32638	138	22	9181	18.23%	62.89%	17.69%	0.27%	0.04%
11	11026	473	4.29%	55911	1244	18555	17112	9	18346	2.22%	33.19%	32.81%	30.61%	0.02%
12	4872	473	9.71%	56024	8755	40402	2115	2	4488	15.63%	72.12%	8.01%	3.78%	0.00%
13	**11601**	473	4.08%	64065	2433	46110	518	5	14563	3.80%	71.97%	22.73%	0.81%	0.01%
14	**5907**	473	8.01%	59913	1102	52589	1036	5	4973	1.84%	87.78%	8.30%	1.73%	0.01%
15	**7059**	473	6.70%	47674	29228	16403	104	2	1489	61.31%	34.41%	3.12%	0.22%	0.00%
16	**6116**	473	7.73%	45920	25756	18784	58	4	906	56.09%	40.91%	1.97%	0.13%	0.01%
17	**9900**	473	4.78%	45902	44591	603	34	6	193	97.14%	1.31%	0.42%	0.07%	0.01%
18	**15442**	473	3.06%	55593	36919	13108	239	1	4735	66.41%	23.58%	8.52%	0.43%	0.00%
19	**23727**	473	1.99%	52647	14141	2800	314	12	34608	26.86%	5.32%	65.74%	0.60%	0.02%
20	**7467**	473	6.33%	49263	35290	10624	617	3	2067	71.64%	21.57%	4.20%	1.25%	0.01%
21	**15376**	473	3.08%	50845	49634	492	20	6	161	97.62%	0.97%	0.32%	0.04%	0.01%
22	**4353**	473	10.87%	50941	2442	47331	47	0	947	4.79%	92.91%	1.86%	0.09%	0.00%
23	**16448**	473	2.88%	58163	2336	27544	576	5	27337	4.02%	47.36%	47.00%	0.99%	0.01%
24	**9255**	473	5.11%	49587	44201	4279	78	2	589	89.14%	8.63%	1.19%	0.16%	0.00%
25	**8823**	473	5.36%	55613	3227	31545	9218	11	10761	5.80%	56.72%	19.35%	16.58%	0.02%
26	**7438**	473	6.36%	50599	6180	31112	663	9	11928	12.21%	61.49%	23.57%	1.31%	0.02%
27	**9429**	473	5.02%	51261	23999	8606	1902	14	15857	46.82%	16.79%	30.93%	3.71%	0.03%
28	**6780**	473	6.98%	48761	40823	6247	149	3	1044	83.72%	12.81%	2.14%	0.31%	0.01%
29	**10603**	473	4.46%	51206	33767	13825	613	9	2446	65.94%	27.00%	4.78%	1.20%	0.02%
30	**6251**	473	7.57%	54516	2050	40420	1095	11	10378	3.76%	74.14%	19.04%	2.01%	0.02%
31	**5508**	473	8.59%	57914	1493	46580	905	6	8453	2.58%	80.43%	14.60%	1.56%	0.01%
32	**13437**	473	3.52%	63515	1710	6731	2806	13	50955	2.69%	10.60%	80.23%	4.42%	0.02%
33	**6667**	473	7.09%	52793	1944	28722	4489	14	16368	3.68%	54.40%	31.00%	8.50%	0.03%
34	**14183**	473	3.33%	48245	46787	626	36	9	242	96.98%	1.30%	0.50%	0.07%	0.02%
35	**8786**	473	5.38%	51005	2246	30146	1318	20	16428	4.40%	59.10%	32.21%	2.58%	0.04%
36	**14052**	473	3.37%	60473	3330	19594	2082	6	34705	5.51%	32.40%	57.39%	3.44%	0.01%
37	**8778**	473	5.39%	51213	32091	17323	237	21	1127	62.66%	33.83%	2.20%	0.46%	0.04%
38	**12256**	473	3.86%	58810	825	21137	2580	13	33332	1.40%	35.94%	56.68%	4.39%	0.02%
39	**10189**	473	4.64%	55809	1925	18395	9807	28	23789	3.45%	32.96%	42.63%	17.57%	0.05%
40	**8712**	473	5.43%	53439	4553	12522	8715	19	26083	8.52%	23.43%	48.81%	16.31%	0.04%
41	**20109**	473	2.35%	60020	594	6147	3124	6	49217	0.99%	10.24%	82.00%	5.20%	0.01%
42	**15893**	473	2.98%	79216	4451	4294	11080	28	57550	5.62%	5.42%	72.65%	13.99%	0.04%
43	**14267**	473	3.32%	56746	2647	2592	3121	17	47231	4.66%	4.57%	83.23%	5.50%	0.03%
44	**11129**	473	4.25%	58097	1711	3722	3491	26	47953	2.95%	6.41%	82.54%	6.01%	0.04%
45	**15879**	473	2.98%	58117	674	13746	4563	16	37825	1.16%	23.65%	65.08%	7.85%	0.03%
46	**13906**	473	3.40%	53977	10244	6607	4962	19	30761	18.98%	12.24%	56.99%	9.19%	0.04%
47	**16877**	473	2.80%	56565	1547	8638	3173	19	41762	2.73%	15.27%	73.83%	5.61%	0.03%
48	**12862**	473	3.68%	54186	9145	7318	7237	12	28889	16.88%	13.51%	53.31%	13.36%	0.02%
49	**9617**	473	4.92%	52252	14389	12635	3794	35	19572	27.54%	24.18%	37.46%	7.26%	0.07%
50	**11487**	473	4.12%	58458	11189	13302	1	26282	26282	19.14%	22.75%	44.96%	0.00%	44.96%