

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141 TTY: 217/782-1518  
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James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440 TTY: 312/814-6431  
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BOARD MEMBERS  
Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert J. Walters

EXECUTIVE DIRECTOR  
Daniel W. White

AGENDA  
STATE BOARD OF ELECTIONS  
BOARD MEETING  
Friday, March 5, 2010  
10:30 a.m.

1020 South Spring Street  
Springfield, Illinois  
and via videoconference  
James R. Thompson Center  
Suite 14-612  
Chicago, Illinois

Call State Board of Elections to order.

1. Approval of the minutes from the February 3 special meeting. (pgs.1-2)
2. Report of the Executive Director
  - a. Proclamation of results from the February 2, 2010 General Primary Election; (pg.3)
  - b. Legislative update; (pgs.4-5)
  - c. Objections to vacancies in nomination; (pgs.6-9)
  - d. IVRS update – informational; (pgs.10-13)
  - e. Fiscal status reports – informational; (pg.14)
    - 1) FY10 – months ending February 28; (pg.14)
    - 2) Help Illinois Vote Fund; (pg.14)
    - 3) EAC Data Collection Grant; (pg.14)
  - f. Two year plan of staff activity for the months of March & April – informational. (pgs.15-18)
3. Report of the General Counsel
  - a. Campaign Disclosure;  
Failure to comply with a Board order
    - 1) *SBE v. Friends of Alderman Madeline Haithcock*, L5723, 08CD036; (pgs.19-20)  
Appeal of campaign disclosure fines – carryover from January – hearing officer recommendation appeal be denied
    - 2) *SBE v. J. Thornton Sr. Annual Fund Raiser Committee*, L13970, 09JS051; (pgs.21-25)  
Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeal be granted
    - 3) *SBE v. Democratic Citizens Association of Caseyville Township*, L1917, 09JS005; (pgs.26-32)
    - 4) *SBE v. Edgar County Democrat Boosters*, L8228, 09JS019; (pgs.33-36)
    - 5) *SBE v. The Committee to Elect Cindy Williams*, L15375, 09AE033; (pgs.37-40)
    - 6) *SBE v. Friends of Barrett F. Pederson*, S7600, 09AE044; (pgs.41-44)
    - 7) *SBE v. Citizens to Re-elect John Pope*, S9215, 09JS179; (pgs.45-48)

Appeals of campaign disclosure fines – new appeals – hearing officer  
recommendation appeals be denied

- 8) *SBE v. Pulaski County Democratic Central Committee*, L2073, 09JS219; (pgs.49-54)
- 9) *SBE v. Citizens for Matthew Goetten*, L11899, 09JS030; (pgs.55-59)
- 10) *SBE v. Friends of Vito Manola*, L12822, 09JS227; (pgs.60-63)
- 11) *SBE v. Friends of Stephanie Kifowit*, L13730, 09AE018; (pgs.64-67)
- 12) *SBE v. Village Pride*, L15118, 09AE023; (pgs.68-71)
- 13) *SBE v. What's Best for the Sunnybrook Kids Committee*, L15135, 09JS240; (pgs.72-74)
- 14) *SBE v. Citizens for Bob Brilley II*, L15137, 09AE025; (pgs.75-82)
- 15) *SBE v. Residents for Progress*, L15241, 09AE027; (pgs.83-88)
- 16) *SBE v. Student Success Alliance*, L15247, 09AE028; (pgs.89-95)
- 17) *SBE v. Committee to Elect Dennis Barnard*, S9728, 09DS264; (pgs.96-98)
- 18) *SBE v. People Empowering Ethical Politics*, S9854, 09AE041; (pgs.99-102)

Other campaign disclosure items

- 19) Payment of civil penalties – informational; (pg.103)

Complaints following closed preliminary hearing (separate packet)

- 20) *Thompson v. Gorman*, 10CD001 – carryover from February 17 meeting; (pgs.1-12)
- 21) *Gorman v. Mark Thompson Campaign Committee*, 10CD003 – carryover from February 17 meeting; (pgs.13-48)
- 22) *Laiacona & Lozano vs. Mell, Burke, Zalewski & Sente*, 10CD004 – carryover from February 3 meeting; (pgs.49-51)
- 23) *Peraica v. Friends of Todd Stroger*, 10CD005 – carryover from February 3 meeting; (pgs.52-54)
- 24) *Tisch v. Friends of John Fairman*, 10CD006; (pgs.55-69)
- 25) *Citizens for Skoien State Committee v. Citizens for Aaron Del Mar*, 10CD007. (pgs.70-80)

4. Other business. (pg.104)
5. Comments from the Chairman and Vice Chairman. (pg.104)
6. Comments from the general public. (pg.104)
7. Next Board meeting Tuesday, April 20, 2010 at 10:30 a.m. in Chicago (pending). (pg.104)
8. Executive Session. (pgs.105-113)

STATE BOARD OF ELECTIONS  
Special Board Meeting Via Videoconference  
Wednesday, February 3, 2010

MINUTES

PRESENT:

Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady, Member  
John R. Keith, Member  
William M. McGuffage, Member  
Albert S. Porter, Member  
Jesse R. Smart, Member  
Robert J. Walters, Member

ALSO PRESENT:

Daniel W. White, Executive Director  
Rupert Borgsmiller, Assistant Executive Director  
Steve Sandvoss, General Counsel  
Amy Calvin, Administrative Specialist II

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The special meeting of the State Board of Elections was called to order via videoconference means at 3:00 p.m. Chairman Schneider and Members Brady, McGuffage and Porter were present in the Chicago office and Members Keith and Smart present in the Springfield office. Member Walters was present in Godfrey at Lewis and Clark College and Vice Chairman Rednour was present via teleconference.

The Chairman opened the meeting by leading everyone in the pledge of allegiance.

The first item on the agenda was complaints following closed hearing. Member Brady moved to recess to executive session to hear those matters. Member Porter seconded the motion which passed unanimously. The meeting recessed at 3:05 p.m. and reconvened at 4:35 p.m.

The Board took a brief recess to allow time for the court reporter to set up. A roll call was taken and all Members were present at the locations previously noted.

Regarding case 10CD002, Member Keith moved to deny the motion to dismiss and find that the complaint was not filed on justifiable grounds and, therefore, the complaint will be dismissed for that reason rather than upon said motion. Member McGuffage seconded the motion which passed by roll call vote of 8-0.

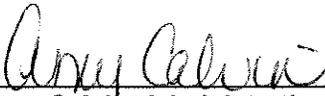
Regarding case 10CD004, Member Keith moved to permit the withdrawal of paragraphs two and eight upon the motion of the complainant; that as to paragraphs four and six find that they were filed on justifiable grounds based on agreement of the parties that a list of deficiencies will be supplied by the complainant within five business days from today; that it will be responded to by the respondents within five business days of receipt; and the staff will thereafter review same and provide any comments within ten business days; and the matter will be placed on the March 5 Board meeting agenda. As to counts one, three, five and seven it was further moved to find that they were not filed on justifiable grounds and those counts be dismissed. Member Brady seconded the motion which passed by roll call vote of 8-0.

Concerning case 10CD005, Member Keith moved to find the complaint was filed on justifiable grounds but there was no requirement for any additional information regarding the A-1 allegations and that they be dismissed; that the matter be placed on the March 5 Board meeting agenda as to the remaining complaint; that the committee be advised that if it files appropriate amended Reports by the close of business at 5:00 p.m. on March 1 and they are reviewed and approved by staff that it is the intention of the Board to take no further action and not hold a public hearing. Any non-compliance by the committee shall be considered by the Board and a determination made as to whether to proceed to public hearing or other appropriate action. Member Brady seconded the motion which passed by roll call vote of 8-0.

As to 10CD008, Member Keith moved to find the complaint was filed on justifiable grounds and based on the confession of the respondent, that an order be entered that the committee comply with the Campaign Disclosure Act and be placed on probation for twelve months from the date of the order and that any violation would subject the Respondent to a civil penalty not to exceed \$5,000. Member Brady seconded the motion which passed by roll call vote of 8-0.

With there being no further business before the Board Member Brady moved to adjourn until February 17, 2010 at 10:30 a.m., or until call of the Chairman whichever occurs first. Member Porter seconded the motion which passed unanimously. The meeting adjourned at 4:45 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Amy Calvin, Administrative Specialist II

  
\_\_\_\_\_  
Daniel W. White, Executive Director

# **STATE BOARD OF ELECTIONS**

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**MEMORANDUM**

*From the desk of:*  
*Daniel W. White, Executive Director*

**TO:** Chairman Schneider  
Vice Chairman Rednour  
Members of the Board

**SUBJECT:** Certification of the February 2 General Primary Election Results

**DATE:** February 23, 2010

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We are meeting on Friday, March 5 to satisfy the statutory requirement to proclaim officially the results of the February 2, 2010 General Primary Election.

At the Board meeting I will provide the official canvass of results for your signature and ask for a motion to certify the results.

# **STATE BOARD OF ELECTIONS**

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**MEMORANDUM**

*From the desk of:  
Daniel W. White, Executive Director*

**TO:** Chairman Schneider  
Vice Chairman Rednour  
Members of the Board

**SUBJECT:** Legislative Update

**DATE:** February 25, 2010

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Attached is the March schedule for the legislature. Cris will have an oral update of activity at the meeting.

Attachment



ILLINOIS HOUSE OF REPRESENTATIVES  
 96th General Assembly  
 Michael J. Madigan, Speaker

March 2010

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2 <u>SESSION</u> S	3 <u>SESSION</u> S	4 <u>SESSION</u> S	5 S	6
7	8 <u>SESSION</u> S	9 <u>SESSION</u> S	10 <u>SESSION</u> S	11 <u>SESSION</u> S	12 <u>SESSION</u> DEADLINE Committee Substantive HBs S	13
14	15 S	16 <u>SESSION</u> S	17 <u>SESSION</u> S St. Patrick's Day	18 <u>SESSION</u> S	19 <u>SESSION</u> S	20 Spring begins
21	22 <u>SESSION</u> S	23 <u>SESSION</u> S	24 <u>SESSION</u> S	25 <u>SESSION</u> S	26 <u>SESSION</u> S - 3rd Reading DEADLINE 3rd Reading House Bills	27
28	29 Palm Sunday Perfunctory <u>SESSION</u> Passover	30	31			

**IMPORTANT DATES**

12—Deadline Committee Substantive House Bills

26—Deadline 3rd Reading House Bills

S—Senate in Session

# **STATE BOARD OF ELECTIONS**

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**MEMORANDUM**

*From the desk of:*  
*Daniel W. White, Executive Director*

**TO:** Chairman Schneider  
Vice Chairman Rednour  
Members of the Board

**SUBJECT:** Objections to Filling of Vacancies in Nomination

**DATE:** February 26, 2010

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In last year's session, the General Assembly passed and the Governor signed legislation that impacts filling of vacancies in nomination in instances where no candidate was nominated at the primary election. Accordingly, the following is offered for your review.

The new legislation provides that when a political party committee fills a vacancy in nomination occurring where no candidate was nominated at the primary election, that the designated person must file nominating petitions with the number of signatures required for an established party candidate for that office within 75 days after the day of the general primary election. The circulation period for those petitions begins on the day the committee makes the appointment. (For offices of the General Assembly, the person filling the vacancy must still be selected within 60 days after the primary, and must file the petition and associated documentation by the 75 day deadline.)

In addition to nominating petitions, the candidate must file a statement of candidacy, notice of appointment and receipt of statement of economic interest together at the location where petitions for the office are filed as provided by Section 7-12 of the Election Code and, the legislation requires that objections to nominating papers be heard by the electoral board that otherwise has jurisdiction to hear objections for the office sought.

As background information, I have attached emails from Mark Mossman to election authorities regarding questions about this new legislation.

I also want to alert the Board that we may have to meet as the State Officers Electoral Board (SOEB) to hear objections to the filling of certain vacancies.

Mark is preparing a memorandum of relevant electoral board information and dates of when we may have to meet. It will be forwarded under separate cover.

Attachments

## White, Dan

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**From:** Mossman, Mark  
**Sent:** Monday, February 22, 2010 5:09 PM  
**To:** White, Dan  
**Subject:** FW: Filling Vacancy Due To Failure To Nominate

Both e-mails sent to the E/A's as to the filling of a vacancy for failure to nominate are listed below. Thanks.

Mark Mossman  
Director, Election Information  
Illinois State Board of Elections  
217-557-0855

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**From:** Mossman, Mark  
**Sent:** Thursday, February 18, 2010 4:13 PM  
**To:** Mossman, Mark; 'Adams Co. Clk.'; 'Alexander Co. Clk.'; 'Bond Co. Clk.'; 'Boone Co. Clk.'; 'Brown Co. Clk.'; 'Bureau Co. Clk.'; 'Calhoun Co. Clk.'; 'Carroll Co. Clk.'; 'Cass Co. Clerk'; 'Champaign Co. Clk.'; 'Christian Co. Clk.'; 'Chief Deputy Clerk'; 'Clark Co. Clk.'; 'Clay Co. Clk.'; 'Clinton Co. Clk.'; 'Chief Deputy Clerk'; 'Coles Co. Clk.'; 'Cook Co. Clk.'; 'Crawford County Clk.'; 'Cumberland Co. Clk.'; 'DeKalb Co. Clk.'; 'DeWitt Co. Clk.'; 'Douglas Co. Clk.'; 'Edgar Co. Clk.'; 'Edwards Co. Clk.'; 'Effingham Co. Clk.'; 'Fayette Co. Clk.'; 'Ford Co. Clk.'; 'Franklin Co. Clk.'; 'Fulton Co. Clk.'; 'Gallatin Co. Clk.'; 'Greene Co. Clk.'; 'Grundy Co. Clk.'; 'Hamilton Co. Clk.'; 'Hancock Co. Clk.'; 'Hardin Co. Clk.'; 'Henderson County Clerk'; 'Henry Co. Clk.'; 'Iroquois Co. Clk.'; 'Deputy Clerk'; 'Jackson Co. Clk.'; 'Jasper Co. Clk.'; 'Jefferson Co. Clk.'; 'Jersey Co. Clk.'; 'JoDaviess Co. Clk.'; 'Johnson Co. Clk.'; 'Kane Co. Elec. Director'; 'Kane Co. Clk.'; 'Kankakee Co. Clk.'; 'Kendall Co. Clk.'; 'Chief Deputy Clerk'; 'Knox Co. Clk.'; 'Lake Co. Clk.'; 'Lake Co. Deputy Clerk'; 'LaSalle Co. Clk.'; 'Lawrence Co. Clk.'; 'Lee Co. Clk.'; 'Livingston Co. Clk.'; 'Logan Co. Clk.'; 'Macon Co. Clk.'; 'Macoupin Co. Clk.'; 'Madison Co. Clk.'; 'Marion Co. Clk.'; 'Marshall Co. Clk.'; 'Mason Co. Clk.'; 'Massac Co. Clk.'; 'McDonough Co. Clk.'; 'McHenry Co. Clk.'; 'McLean Co. Clk.'; 'Co. Chief Deputy'; 'Menard Co. Clk.'; 'Mercer Co. Clk.'; 'Monroe Co. Clk.'; 'Montgomery Co. Clk.'; 'Morgan Co. Clk.'; 'Chief Deputy'; 'Moultrie Co. Clk.'; 'Ogle Co. Clk.'; 'Peoria Co. Clk.'; 'Perry Co. Clk.'; 'Piatt Co. Clk.'; 'Pike Co. Clk.'; 'Pope Co. Clk.'; 'Pulaski Co. Clk.'; 'Putnam Co. Clk.'; 'Randolph Co. Clk.'; 'Richland Co. Clk.'; 'Rock Island Co. Clk.'; 'Saline Co. Clk.'; 'Saline Co. Julie Dunn'; 'Sangamon Co. Clk.'; 'Sangamon Co.'; 'Schuyler Co. Clk.'; 'Scott Co. Clk.'; 'Shelby Co. Clk.'; 'Chief Deputy'; 'St. Clair Co. Clk.'; 'Stark Co. Clk.'; 'Stephenson Co. Clk.'; 'Tazewell Co. Clk.'; 'Union Co. Clk.'; 'Vermillion Co. Clk.'; 'Vermillion Deputy Co. Clk.'; 'Wabash Co. Clk.'; 'Wabash Co. Clk.'; 'Warren Co. Clk.'; 'Washington Co. Clk.'; 'Wayne Co. Clk.'; 'White Co. Clk.'; 'Whiteside Co. Clk.'; 'Will Co. Clk.'; 'Williamson County Clerk'; 'Winnebago Co. Clk.'; 'Woodford Co. Clk.'; 'Aurora Board'; 'Bloomington Board'; 'Chicago Board'; 'Danville Board'; 'DuPage Co. Bd.'; 'DuPage Co. Bd.'; 'E. St. Louis Bd'; 'Galesburg Bd.'; 'Peoria Bd.'; 'Rockford Bd.'; 'Jan Kralovec'; 'Judy Wiedmeyer'; 'Lake Co. Deputy Clerk'; 'Marietta West'; 'Kane Co. Elec. Director'; 'Bob Sawicki'; 'Bennett, Jay'; 'Deputy Clerk'; 'Chief Deputy Clerk'; 'Lyn Schmidt'; White, Dan; Borgsmiller, Rupert; List - Division Directors; Harrington, Bernadette; Greben, Mark; List - Elec Information  
**Subject:** RE: Filling Vacancy Due To Failure To Nominate

We have had a few calls in response to the message (included below) that we recently sent about the statutory changes relating to filling vacancies where there was a failure to nominate a candidate at the primary.

Section 7-61 of the Election Code previously required vacancies under such circumstances to be filled within 60 days of the primary (and thus, the Election Calendar which we previously published reflected an April 5, 2010 deadline).

The new statutory language provides for a 75 day deadline for the filing of the documentation appointing the candidate (including the newly required candidate petition). Our Election Calendar will be updated shortly to reflect the new April 19, 2010 deadline (and the related new objection deadline of April 26, 2010).

As always, we remind you that the SBE is not authorized to provide advisory legal opinions, and this should not be construed as any sort of legal opinion from us. The information is provided for you to share and discuss with your State's Attorney, so that he or she may provide appropriate legal advice to you. Your State's Attorney is, of course, welcome to contact the SBE legal counsel to further discuss any issues he or she desires.

If you have any further questions or comments, please do not hesitate to contact me.

Mark

Mark Mossman  
Director, Election Information  
Illinois State Board of Elections  
217-557-0855

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**From:** Mossman, Mark

**Sent:** Wednesday, February 17, 2010 3:14 PM

**To:** Adams Co. Clk.; Alexander Co. Clk.; Bond Co. Clk.; Boone Co. Clk.; Brown Co. Clk.; Bureau Co. Clk.; Calhoun Co. Clk.; Carroll Co. Clk. ; Cass Co. Clerk; Champaign Co. Clk.; Christian Co. Clk.; Chief Deputy Clerk; Clark Co. Clk.; Clay Co. Clk. ; Clinton Co. Clk.; Chief Deputy Clerk; Coles Co. Clk.; Cook Co. Clk.; Crawford County Clk.; Cumberland Co. Clk. ; DeKalb Co. Clk.; DeWitt Co. Clk.; Douglas Co. Clk.; Edgar Co. Clk.; Edwards Co. Clk.; Effingham Co. Clk.; Fayette Co. Clk.; Ford Co. Clk.; Franklin Co. Clk.; Fulton Co. Clk.; Gallatin Co. Clk.; Greene Co. Clk.; Grundy Co. Clk.; Hamilton Co. Clk.; Hancock Co. Clk.; Hardin Co. Clk.; Henderson County Clerk; Henry Co. Clk.; Iroquois Co. Clk; Deputy Clerk; Jackson Co. Clk.; Jasper Co. Clk.; Jefferson Co. Clk.; Jersey Co. Clk.; JoDaviess Co. Clk.; Johnson Co. Clk.; Kane Co. Elec. Director; Kane Co. Clk.; Kankakee Co. Clk.; Kendall Co. Clk.; Chief Deputy Clerk; Knox Co. Clk.; Lake Co. Clk.; Lake Co. Deputy Clerk; LaSalle Co. Clk.; Lawrence Co. Clk.; Lee Co. Clk.; Livingston Co. Clk.; Logan Co. Clk; Macon Co. Clk.; Macoupin Co. Clk. ; Madison Co. Clk.; Marion Co. Clk.; Marshall Co. Clk.; Mason Co. Clk.; Massac Co. Clk.; McDonough Co. Clk.; McHenry Co. Clk.; McLean Co. Clk.; Co. Chief Deputy; Menard Co. Clk; Mercer Co. Clk.; Monroe Co. Clk.; Montgomery Co. Clk.; Morgan Co. Clk.; Chief Deputy; Moultrie Co. Clk.; Ogle Co. Clk.; Peoria Co. Clk.; Perry Co. Clk.; Piatt Co. Clk.; Pike Co. Clk.; Pope Co. Clk.; Pulaski Co. Clk.; Putnam Co. Clk.; Randolph Co. Clk.; Richland Co. Clk.; Rock Island Co. Clk.; Saline Co. Clk.; Saline Co. Julie Dunn; Sangamon Co. Clk; Sangamon Co.; Schuyler Co. Clk.; Scott Co. Clk.; Shelby Co. Clk.; Chief Deputy; St. Clair Co. Clk.; Stark Co. Clk.; Stephenson Co. Clk.; Tazewell Co. Clk.; Union Co. Clk.; Vermilion Co. Clk.; Vermillion Deputy Co. Clk.; Wabash Co. Clk.; Wabash Co. Clk.; Warren Co. Clk.; Washington Co. Clk.; Wayne Co. Clk.; White Co. Clk.; Whiteside Co. Clk.; Will Co. Clk. ; Williamson County Clerk; Winnebago Co. Clk.; Woodford Co. Clk.; Aurora Board; Bloomington Board; Chicago Board; Danville Board; DuPage Co. Bd.; DuPage Co. Bd.; E. St. Louis Bd; Galesburg Bd.; Peoria Bd.; Rockford Bd.; Jan Kralovec; 'Judy Wiedmeyer'; Lake Co. Deputy Clerk; 'Marietta West'; Kane Co. Elec. Director; Bob Sawicki; 'Bennett, Jay'; Deputy Clerk; Chief Deputy Clerk; 'Lyn Schmidt'; White, Dan; Borgsmiller, Rupert; List - Division Directors; Harrington, Bernadette; Greben, Mark; List - Elec Information

**Subject:**

*We have received several inquiries regarding the filling of vacancies in nomination due to a party's failure to nominate someone at the primary election in light of the legislation enacted under PA 96-809 (which was HB 723 adopted during the 96th General Assembly) and PA 96-848 (which was SB 146 adopted during the 96th General Assembly).*

*As it now reads, Section 7-61 of the Election Code provides (in relevant part):*

If the name of no established political party candidate was printed on the general primary ballot for a particular office and if no person was nominated as a write-in candidate for such office, a vacancy in nomination shall be filled only by a person designated by the appropriate committee of the political party and only if that designated person files nominating petitions with the number of signatures required for an established party candidate for that office within 75 days after the day of the general primary. The circulation period for those petitions begins on the day the appropriate committee designates that person. The person shall file his or her nominating petitions, statements of candidacy, notice of appointment by the appropriate committee, and receipt of filing his or her statement of economic interests together. These documents shall be filed at the same location as provided in Section 7-12. The electoral boards having jurisdiction under Section 10-9 to hear and pass upon objections to nominating petitions also shall hear and pass upon objections to nomination petitions filed by candidates under this paragraph.

*In sum, when filling a vacancy in nomination where no one's name appeared upon the General Primary ballot (and no write-in candidate was successful), any person slated for that office by the appropriate managing committee must also*

*file a set of nominating papers with at least as many signatures as the candidate would have needed to run for that office in the General Primary.*

*The deadline for selecting the slated candidate and submitting his/her paperwork is now 75 days after the primary, as opposed to 60 days under the previous version of Section 7-61 (it should be noted that candidates for the General Assembly have slightly different time constraints).*

*This new requirement as to obtaining voter signatures only applies to the situation where no candidate's name was printed on the primary ballot and no one was nominated through write-in votes. The process for filling vacancies in nomination occurring at other times and for other reasons remains as it was before these recent pieces of legislation.*

*As always, we remind you that the SBE is not authorized to provide advisory legal opinions, and this should not be construed as any sort of legal opinion from us. The information is provided for you to share and discuss with your State's Attorney, so that he or she may provide appropriate legal advice to you. Your State's Attorney is, of course, welcome to contact the SBE legal counsel to further discuss any issues he or she desires.*

Mark

Mark Mossman  
Director, Election Information  
Illinois State Board of Elections  
217-557-0855

Jurisdiction	June	July	Aug	Dec	Oct	Nov	Dec	January	February	March	Oldest Match Date
Adams County	226	209	188	135	123	105	76	3	0	8	2/4/2010
Alexander County	228	221	190	150	152	148	147	127	107	109	2/6/2009
Bond County	188	181	148	127	125	105	96	21	11	11	2/6/2009
Boone County	450	399	327	96	28	21	16	15	9	20	2/6/2009
Brown County	5	3	6	1	3	1	2	0	0	3	2/4/2010
Bureau County	240	226	178	143	132	126	124	4	2	5	2/6/2009
Calhoun County	6	6	6	12	8	5	5	1	1	1	8/27/2009
Carrroll County	124	115	87	63	59	45	27	2	1	5	2/6/2009
Cass County	49	43	30	26	25	25	22	1	0	11	2/4/2010
Champaign County	206	203	200	35	16	17	7	6	5	86	2/6/2009
Christian County	40	5	3	4	1	3	3	1	1	2	10/2/2009
Clark County	47	33	24	15	14	14	13	12	8	8	2/6/2009
Clay County	127	123	129	115	99	59	59	58	56	64	2/6/2009
Clinton County	119	119	105	57	48	39	39	12	8	23	2/6/2009
Coles County	344	314	431	191	164	138	107	29	27	33	2/6/2009
Cook County	18388	15,898	15,007	12,375	7,086	2,792	2,544	991	905	2,358	2/6/2009
Crawford County	168	160	158	140	137	121	121	71	44	49	2/6/2009
Cumberland County	46	44	30	14	10	4	5	2	3	4	10/23/2009
DeKalb County	707	567	333	249	210	174	127	63	50	85	2/6/2009
DeWitt County	254	217	189	143	134	126	127	104	63	73	2/6/2009
Douglas County	15	10	9	2	1	0	0	0	0	2	2/4/2010
DuPage County	1906	1,673	1604	1398	709	570	462	198	162	392	2/6/2009
Edgar County	23	20	18	10	12	14	13	9	8	11	2/6/2009
Edwards County	14	13	2	4	6	4	3	4	1	3	2/6/2009
Effingham County	57	48	52	14	1	1	1	2	3	4	10/23/2009
Fayette County	370	351	308	232	198	163	157	18	18	25	2/6/2009
Ford County	92	84	44	15	4	5	5	2	1	5	2/4/2010
Franklin County	261	247	206	173	147	123	111	70	58	60	2/6/2009
Fulton County	164	141	79	29	10	3	2	2	2	11	2/6/2009
Gallatin County	1	1	0	0	0	0	0	0	0	3	2/4/2010
Greene County	28	28	33	19	12	4	3	5	4	6	8/3/2009
Grundy County	318	230	57	41	36	14	14	13	12	36	2/6/2009
Hamilton County	7	3	5	0	0	0	0	0	0	0	n/a

Hancock County	13	11	8	10	10	11	5	1	1	1	1	1	2/6/2009
Hardin County	19	12	9	3	3	3	3	1	1	1	10	5/26/2009	
Henderson County	8	2	1	1	0	0	0	0	0	0	1	2/4/2010	
Henry County	447	414	171	94	89	82	81	30	23	30	30	2/6/2009	
Iroquois County	179	166	30	24	19	15	17	2	1	5	9/11/2009		
Jackson County	434	402	350	303	274	253	232	60	47	52	2/6/2009		
Jasper County	36	36	38	30	28	25	23	16	1	1	10/23/2009		
Jefferson County	143	116	87	38	29	15	13	0	0	4	2/4/2010		
Jersey County	348	302	91	58	16	9	9	6	5	12	2/6/2009		
JoDaviess County	12	12	3	2	1	0	0	0	0		n/a		
Johnson County	8	9	14	4	2	2	3	0	0	11	2/4/2010		
Kane County	1135	951	739	535	110	71	73	36	9	133	2/6/2009		
Kankakee County	45	43	55	73	57	44	40	12	11	53	2/6/2009		
Kendall County	762	403	236	181	123	71	66	41	32	50	2/6/2009		
Knox County	167	146	93	79	66	43	42	2	2	9	5/26/2009		
Lake County	3340	2,619	1988	1569	660	581	510	77	29	211	2/6/2009		
LaSalle County	367	334	295	179	192	171	165	44	44	94	2/6/2009		
Lawrence County	102	89	91	84	62	60	60	14	4	8	2/6/2009		
Lee County	197	152	13	16	6	2	3	1	0	17	2/4/2010		
Livingston County	51	15	15	12	6	2	2	1	1	19	9/11/2009		
Logan County	214	193	60	53	23	22	20	18	15	18	2/6/2009		
Macon County	560	294	211	103	39	14	12	1	1	21	2/4/2010		
Macoupin County	337	221	79	20	8	5	4	6	5	18	2/6/2009		
Madison County	1228	1,055	193	141	79	49	45	10	9	50	2/6/2009		
Marion County	468	457	375	120	116	98	95	33	14	40	2/6/2009		
Marshall County	90	75	19	2	3	5	5	4	0	3	2/4/2010		
Mason County	17	7	1	0	0	0	0	0	0	4	2/4/2010		
Massac County	78	57	51	27	26	25	23	14	14	16	2/6/2009		
McDonough County	218	197	129	80	57	30	18	4	2	3	2/6/2009		
McHenry County	2042	1,399	853	672	0	15	23	49	4	103	11/20/2009		
McLean County	924	851	749	526	433	422	402	303	42	145	2/6/2009		
Menard County	124	101	51	47	49	50	42	38	37	41	2/6/2009		
Mercer County	182	176	168	162	168	157	154	136	133	138	2/6/2009		
Monroe County	92	89	71	42	20	8	5	4	4	9	2/6/2009		

Montgomery County	41	36	12	6	10	7	8	1	0	2	2/4/2010
Morgan County	149	121	54	24	9	5	4	3	3	32	6/12/2009
Moultrie County	7	6	5	0	0	0	0	0	0	2	2/6/2009
Ogle County	803	624	135	77	6	5	3	0	0	2	2/4/2010
Peoria County	416	281	156	78	70	11	10	7	5	22	2/6/2009
Perry County	4	2	3	0	1	1	1	0	0	1	2/4/2010
Piatt County	57	49	12	5	3	2	3	1	1	6	2/6/2009
Pike County	97	91	71	41	26	13	15	7	3	8	5/26/2009
Pope County	7	7	7	5	2	2	3	0	0	4	2/4/2010
Pulaski County	113	109	78	28	31	31	31	33	29	41	2/6/2009
Putnam County	8	1	2	1	0	0	0	0	0	0	n/a
Randolph County	53	54	7	4	3	1	0	0	0	3	2/4/2010
Richland County	180	167	163	140	116	14	13	13	13	18	2/6/2009
Rock Island County	455	436	374	331	326	330	330	132	128	149	2/6/2009
Saline County	21	5	2	1	0	0	0	0	0	5	2/4/2010
Sangamon County	463	350	230	199	183	186	173	99	85	123	2/6/2009
Schuyler County	26	10	2	1	3	0	0	0	0	1	2/4/2010
Scott County	15	3	7	1	2	1	1	1	0	0	n/a
Shelby County	46	25	15	12	0	1	1	0	0	2	2/4/2010
Stark County	45	38	28	13	10	4	1	0	0	0	n/a
St. Clair County	1200	1,123	560	360	190	149	135	66	59	73	2/6/2009
Stephenson County	216	180	114	98	80	77	58	9	1	6	2/6/2009
Tazewell County	387	248	118	64	52	19	4	0	0	48	2/4/2010
Union County	116	112	101	94	90	82	81	59	50	62	2/6/2009
Vermillion County	40	36	27	22	17	15	14	8	5	8	5/26/2009
Wabash County	26	13	8	8	5	5	5	1	0	3	2/4/2010
Warren County	64	61	59	48	13	3	3	1	1	5	9/25/2009
Washington County	243	240	68	15	13	9	9	6	6	10	2/6/2009
Wayne County	86	87	83	67	65	21	23	24	22	28	2/6/2009
White County	24	23	20	5	2	3	1	0	0	2	2/4/2010
Whiteside County	137	62	38	35	26	15	15	13	4	13	5/26/2009
Will County	5598	4,455	3412	2912	2278	1388	992	68	50	376	2/6/2009
Williamson County	376	359	312	247	200	137	108	65	60	74	2/6/2009
Winnebago County	1001	812	596	367	245	230	102	21	13	33	2/6/2009

Woodford County	87	65	13	6	0	0	0	0	0	0	3	10/23/2009
City of Aurora	239	194	135	134	32	20	21	2	0	0	26	10/16/2009
City of Bloomington	347	324	251	202	142	138	116	59	0	0	22	2/4/2010
City of Chicago	14655	11,478	11015	9273	6530	3415	2739	840	619	2029	2/6/2009	
City of Danville	13	7	3	2	1	2	1	1	1	4	2/6/2009	
City of East St. Louis	433	421	137	128	66	56	52	40	41	48	2/6/2009	
City of Galesburg	99	90	37	37	30	24	25	2	2	5	2/6/2009	
City of Peoria	848	485	35	1	1	3	0	0	0	8	2/4/2010	
City of Rockford	466	399	291	173	115	106	54	11	3	23	2/6/2009	
	69312	57,030	46,319	36,583	23,478	13,860	11,788	4,403	3,265	8,176		

# **STATE BOARD OF ELECTIONS**

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**MEMORANDUM**

*From the desk of:  
Daniel W. White, Executive Director*

**TO:** Bryan Schneider, Chairman  
Wanda Rednour, Vice Chairman  
Members of the Board

**SUBJECT:** FY10 Fiscal Status Reports

**DATE:** February 25, 2010

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At the time the Board packet materials were being assembled the fiscal reports were unavailable. They will be forwarded under separate cover.

# **STATE BOARD OF ELECTIONS**

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**MEMORANDUM**

*From the desk of:  
Daniel W. White, Executive Director*

**TO:** Chairman Schneider  
Vice Chairman Rednour  
Members of the Board

**SUBJECT:** Two Year Plan of Activity

**DATE:** February 24, 2010

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Attached is the two-year plan of staff activity for the months of March and April for your review and information.

Attachment

<b>Start Date</b>	<b>End Date</b>	<b>Activity</b>	<b>Division</b>
2 /23/2010		Notify election officials who failed to submit their computer operator's log or analogous information. 10 ILCS 5/24A-13, 24B-13, 24C-14 (Rules and Regulations)	VOSS
2 /23/2010		Last day for canvassing of election results (February 2nd Primary Election) by proper canvassing boards. (Exception: SBE as canvassing board) 10 ILCS 5/18A-15(a)	EL INFO
2 /24/2010		Send to each election authority a current computerized voter registration error report, from the Primary Election 2010 submission.	VRS
2 /25/2010		Committee Deadline Final day for SENATE committee action on SENATE bills. (Senate Rule) Final day for HOUSE committee action on HOUSE bills. (House Rule)	LEG
2 /27/2010		Send notice to election authorities who failed to submit a computerized voter registration file, for the Primary Election 2010. Rules and	VRS
3 /2 /2010		Complete preparation of camera-ready copy of the General Primary Election OFFICIAL VOTE book and send same to printer. Print by March 30, 2010. 10 ILCS 5/1A-8 (1, 2, 11)	ET&RD
3 /5 /2010		BOARD MEETING. (Proclamation) 10 ILCS 5/1A7, 22-7	EXEC DIR
3 /5 /2010		Complete CANVASS. Completion date depends on how soon abstracts are received from the county clerks. Generate material for the "List of Candidates Elected and Nominated" and for the "Official Vote" book. 10 ILCS 5/1A-8(1, 2, 6, 11); 18A-15(a)	EL INFO
3 /5 /2010		Begin preparing the Certificates of Nomination and Election (Complete by: March 17, 2010). 10 ILCS 5/1A-8 (1, 2) 5/7-58	EL INFO
3 /5 /2010		Secure from each election authority a copy of precinct voting abstracts for the General Primary Election for filing in the SBE Research Library. 10 ILCS 5/1A-8 (11), 22-15	EL INFO
3 /5 /2010		Post election survey due from the LEO's to the SBE.	LEG
3 /8 /2010		Begin compiling weighted vote figures for legislative and representative committees.	EL INFO

<b>Start Date</b>	<b>End Date Activity</b>	<b>Division</b>
3 /10/2010	Distribute campaign financing materials and notices to all newly elected county chairmen, state central committee chairmen, and ward and township committeemen. 10 ILCS 5/1A-8 (1, 2, 4, 11) 10 ILCS 5/9-15	CAMP DISC
3 /11/2010	The Board will refer to the Attorney General of Illinois for compliance enforcement each jurisdiction whose computerized voter registration submission has not been received for the Primary Election 2010 submission.	VRS
3 /15/2010	Last day for the chairmen of all county central committees to file with the State Board of Elections the names and addresses of their OFFICERS and PRECINCT COMMITTEEMEN. 10 ILCS 5/7-9	ET&RD
3 /15/2010	Begin preparation of the 2011 Election and Campaign Finance Calendar. Complete by November 26, 2010 10 ILCS 5/1A-8(1 thru 12)	EL INFO, LEGAL
3 /16/2010	Begin compiling PARTY OFFICIALS INFORMATION by county. Upon completion make data available to general public on disc and post completed listings on our web site. (Complete by: April 16, 2010) 10 ILCS 5/1A-8(1, 2, 6, 11)	ET&RD
3 /16/2010	Complete analysis of Referenda Profile. 10 ILCS 5/1A-8 (1, 2, 12)	VOSS
3 /17/2010	(date subject to change) 3rd Reading Deadline  Final day on which SENATE bills may be called for a final vote on 3rd reading in the SENATE. (Senate Rules) Final day on which HOUSE bills may be called for a final vote on 3rd reading in the HOUSE.	LEG
3 /30/2010	Distribute General Primary Election "OFFICIAL VOTE" book as soon as it is received from the printer. Project began March 2, 2010. 10 ILCS 5/1A-8 (1, 2, 11)	ET&RD
4 /5 /2010	Begin preparation of materials for state political committees for the Semi-Annual Report. (Packets to be mailed: June 1, 2010) 10 ILCS	CAMP DISC
4 /5 /2010	Last day established party managing committee may file resolution to fill vacancy in nomination when no candidate was nominated at the General Primary Election. 10 ILCS 5/7-	EL INFO

<b>Start Date</b>	<b>End Date</b>	<b>Activity</b>	<b>Division</b>
4 /12/2010		Last day to file objections to resolutions to fill vacancies in nomination when no candidate was nominated at the General Primary Election.	EL INFO
4 /14/2010		Last day to transmit objections and call for electoral board hearings. 10 ILCS 5/10-8	EL INFO
4 /14/2010		(date subject to change) Final day for which SENATE committee may take action on HOUSE bills. (Senate Rule) Final day for which HOUSE committee may take action on SENATE bills. (House Rule)	LEG
4 /19/2010		Complete compiling the party officials information received from the county party chairmen. Project began March 16, 2010. Information to be provided on disc and posted on our web site. 10 ILCS 5/1A-8 (1, 2, 6, 11)	ET&RD
4 /19/2010		Send notification letter to all Legislative and Representative Committees re: statutory deadline to file Certificates of Organization with the SBE. (Deadline - August 4, 2010) 10 ILCS 5/8-5	EL INFO
4 /20/2010		BOARD MEETING. 10 ILCS 5/1A7	EXEC DIR
4 /30/2010		Notify election authorities of requirement to submit computerized voter registration information for the May 15, 2010 submission in a format prescribed by the SBE.	VRS
5 /3 /2010		Notify election authorities to have a sufficient inventory of campaign financing material for the new political party filing period. 10 ILCS	CAMP DISC
5 /3 /2010		Last day to file a statewide petition for advisory public policy question with the State Board of Elections. 10 ILCS 5/28-9	ET&RD
5 /3 /2010		Last day to file petitions with the Secretary of State to amend Article IV of the State Constitution. Ill. Const., Art. XIV, Sec. 3; 10	ET&RD
5 /3 /2010	5 /28/2010	NOTE: During this time period the State Board of Elections shall design a standard and scientific random sampling method to verify petition signatures and shall conduct a public test to prove its validity. Notice of the time and place for such test shall be given at least 10 days before such test. 10 ILCS 5/28-11	ET&RD, IT

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert J. Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 18, 2009

Friends of Alderman Madeline Haithcock  
2639 S Michigan Ave.  
Chicago, IL 60616

L5723

**NOTICE TO POLITICAL COMMITTEE**

Dear Political Committee Officer/Representative,

Please be advised that based on your failure to comply with the Board Order issued on October 22, 2009, the Board is authorized to assess a civil penalty against your committee not to exceed \$5000.00. The Board will consider the imposition of a civil penalty against your committee at its March 2010 meeting. You are welcome to attend the meeting to answer any questions the Board may have, however your presence is not mandatory.

The meeting will begin at 10:30 AM on March 5, 2010 and will be held at 1020 S. Spring Street, Springfield IL. You may also attend the meeting via Video Conference at our Chicago office, located in the James R Thompson Center, 100 W Randolph, Suite 14-100, Chicago IL. Any Motions regarding this matter must be made in writing and received by the General Counsel no later than four (4) days before the date of the meeting. If you have any further questions please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Assistant Executive Director

RTB: sk  
Cc: Robert L Anderson, Esq.

STATE OF ILLINOIS )  
 )  
COUNTY OF COOK ) SS

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS .

In the Matter Of: )  
State Board of Elections, )  
Complainant(s), )  
vs. ) 08 CD 036  
Friends of Alderman Madeline )  
Haithcock, )  
Respondent(s). )

**ORDER**

TO: Friends of Alderman Madeline Haithcock  
2639 S Michigan Ave.  
Chicago, IL 60616

L5723

This matter coming to be heard this 17<sup>th</sup> day of February, 2010 following a Public Hearing of a Complaint filed pursuant to "An Act to Regulate Campaign Financing" (Illinois Compiled Statutes, 10 ILCS 5/9-1 *et seq.*, herein referred to as the "Act"), alleging that the respondent(s) violated 10 ILCS 5/9-10, 5/9-13 & 5/9-14 in that the respondent committee failed to disclose receipts of approximately \$267,000.00 in contributions; failed to confirm actual receipt of approximately \$24,760.00 in contributions; failed to include on the Semi-annual Report \$2,500.00 in contributions that were reported on Schedule A-1's; failed to correct duplicate entries, which inflates the total receipts by approximately \$91,000.00; 5) failed to substantiate non-itemized contributions totaling \$198,097.18 and expenditures totaling \$380,283.17; and failed to properly secure the employer & occupation of contributors whose donations exceeded \$500.00 as required by law; and the State Board of Elections having read the report of the Hearing Officer and reading the recommendation of the General Counsel and now being fully advised in the premises,

**THE BOARD FINDS:**

1. The committee did not comply with the October 22, 2009 Final Order commanding such committee to file amended reports correcting the discrepancies at issue within the 60 day time frame stated in said Order.

**IT IS HEREBY ORDERED:**

1. This matter is placed on the March 5, 2010 Board meeting agenda to consider the imposition of a civil penalty not to exceed \$5000.00; and
2. The Respondent committee shall be given proper notice of the Board's consideration of said penalty, and
3. The effective date of this Order is February 18, 2010.

DATED: 2/18/2010

  
Bryan A. Schneider, Chairman

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections  
**Complainant**

v.

09 JS 051

J Thornton Sr Annual Fund Raiser Committee  
**Respondent**

L13970

**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment  
For Delinquently Filing the 2009 June Semi-Annual Report

The Semi-Annual Report was received by the Board on August 18, 2009, 21 days late, resulting in a civil penalty assessment of \$2100. In addition, the Committee had previously been assessed a \$3850 (appealed, appeal denied, stayed) civil penalty for delinquently filing the 2007 June Semi-Annual Report. The total assessment is \$5950.

John Thornton Sr., the Chairman of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Thornton states that the report in question was filed late as a result of an ongoing federal investigation involving his previous Treasurer, Linda Cannon-Connor. Mrs. Cannon-Connor was convicted in May of embezzling money from the village of Washington Park, where she also served as an assistant to Mr. Thornton. As a result of this investigation, Mr. Thornton indicates computers, documents and files were seized from his office, and he claims this left his hands tied in respect to getting his disclosure reports filed. He also claims he was unable to replace Mrs. Cannon-Connor while the investigation continued.

While the federal investigation clearly caused some disruption in the Washington Park village office, it appears Mr. Thornton's political committee should still have been able to file its disclosure reports in a timely manner. I contacted Katina Morrow, who Mr. Thornton indicates has been brought in to get the reports caught up. She stated the computers and documents in question were seized in early 2007. This, and the fact that the Semi-Annual Report filed by the committee was only two pages long and contained just three itemized receipts, indicates to me that the committee had sufficient information and resources available to file the report by the required deadline. I therefore recommend the appeal be denied. If this recommendation is approved by the Board the stay would be lifted from the previous assessment and the total amount of \$5950 will be due and owing.



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Tom Newman – Hearing Examiner  
December 17, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959



BOARD MEMBERS  
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James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485

EXECUTIVE DIRECTOR  
Daniel W. White  
September 8, 2009

J Thornton Sr Annual Fund Raiser Committee  
PO Box 1161  
Washington Park, IL 62204

L13970

Dear J Thornton Sr Annual Fund Raiser Committee;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type: Semiannual Report of Campaign Contribution and Expenditures  
Report Period: January 1, 2009 through June 30, 2009  
Filing Period: July 1, 2009 through July 20, 2009

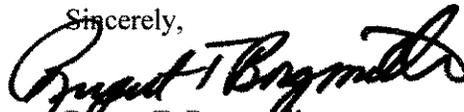
Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on August 18, 2009, 21 day(s) late. As such, this committee has been assessed a fine of \$2100.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
1/1/2007 - 6/30/2007	Semi-annual	\$3850.00
<b>TOTAL AMOUNT NOW DUE</b>		<b>\$5950.00</b>

If you have any questions regarding the appeal process, please call Sue Klos at 217/782-1543.

Sincerely,  
  
Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB: sk  
Enclosure(s) appeal documents

State of Illinois )  
County of St. Clair )

STATE BOARD OF ELECTIONS

09 OCT -5 AM 8:33

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
John Thornton Sr. )  
Respondent(s). )

Case No. 09 JS051

APPEAL AFFIDAVIT

I, John Thornton Sr., the Chairman of the  
(Name) (Chairman/Treasurer)  
J Thornton Sr. Annual Fund Raiser Committee  
(Name of the Committee)

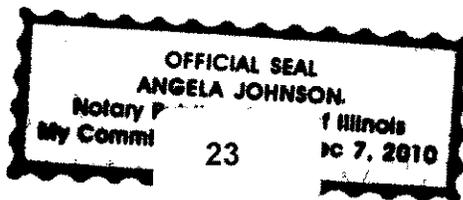
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

I, John Thornton Senior, Chairman of this committee is appealing to have these violation charges dropped against my committee, due to the fraudulent and embezzlement that occurred and brought to my knowledge by the FED at the time of the reporting period.

Signed and Sworn to by:

before me this 29th Day of  
September, 2009  
[Signature]  
Notary Public

John Thornton Sr.  
(Signature of Chairman/Treasurer)



My office has been under some heavy investigation by the FED, due to Linda Cannon-Connor, who was the previous Treasurer/Secretary. Mrs. Cannon-Connor handled the reporting and submitting them to the board. Through the reporting period you have stated on the report is right around the same time the FEDS came and brought me in to let me know what have being occurring at the office. They have taken many documents and files and computers from my office at the time of Mrs. Cannon-Connor arrest. During this period of the Treasurer/Secretary was termination, I wasn't able to hire some to replace her, due to the investigation. My hands have being tied with the lack of documents and files that have been obtained, but I have asked a Katina Morrow to come in and help get some of the office paperwork submitted to the different boards, and offices. She have been working very hard to getting the reports caught up and submitting them to the board. She has called the board on many occasions of trying to set up new files and excess to be able to submit the reports. In regards to having a point of contact from the FEDS office, I really do apologize because I don't. I'm asking if I can request adequate amount of time to reach the agent or agents from the FED'S office to contact, so they can inform the board their suit of actions occurred within the office to verify the time frames. I have requested newspaper article if that will help, just to verify these actions of documents and files had been removed by the FED'S and also article stating the conviction of embezzlement dealing with Linda Cannon-Connor and other employees. As I stated earlier, I haven't received none of my files, documents, hardware from the computers yet from the FED'S, due to they are still investigating the office. If you have any other question please contact Katina Morrow 314-504-0853 if you have any questions, or if you need her to get whatever document that is needed to help support this case.

Thank you

John Thornton Sr:km

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
Receipt for Property Received/Returned/Released/Seized

File # 194B-SF-54415

On (date) 10-23-2019

item(s) listed below were:

- Received From
- Returned To
- Released To
- Seized

(Name) Kimberly Lewis - Deputy Clerk - Village of Washington Park

(Street Address) 5318 N. Park Ave

(City) Washington Park, IL.

Description of Item(s): 1 Black Plastic case - Mrs. Records

Boxes - 1 6, 9, 11, 12, 13, 15, 16, 14, 18, 19, 20, 23,  
24, 25, 27, 30, 33, 34, 36, 38, 40, 111, 44-50,  
53, 60.

*Nothing ELSE*

Received By: [Signature]  
(Signature)

Received From: [Signature]  
(Signature)

**STATE OF ILLINOIS**  
**COUNTY OF SANGAMON**

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**BEFORE THE STATE BOARD OF ELECTIONS**  
**STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**09 JS 005**

Democratic Citizens Association of Caseyville Township  
**Respondent**

L1917

**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment  
For Delinquently Filing the 2009 June Semi-Annual Report

The Semi-Annual Report was received by the Board on August 11, 2009, 16 days late, resulting in a civil penalty assessment of \$800.

Gary Seneczyn, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Seneczyn states that he believed he had filed the Semi-Annual Report on 7/20/09. He was later notified that the report filed on that date was actually a Schedule A-1 and once he learned of the problem, he filed the correct report as quickly as possible. He questions why it took so long for him to be told he had filed the wrong report and suggests that the electronic filing system should not have accepted a report he had previously filed.

In order to be consistent with prior Board decisions when an electronic filing defense is raised and since this committee has not previously offered such a defense, I recommend that the appeal be granted. However, the committee should aware that it is the committee's responsibility to make sure the correct report is filed, and it is unlikely the Board would look favorably upon the use of this defense a second time.



---

Tom Newman – Hearing Examiner  
February 18, 2010

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert J. Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
September 8, 2009

Democratic Citizens Assoc of Caseyville Township L1917  
Carol Clark  
3 Charles Dr  
Caseyville, IL 62232

Dear Democratic Citizens Assoc of Caseyville Township;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type: Semiannual Report of Campaign Contributions and Expenditures  
Report Period: January 1, 2009 through June 30, 2009  
Filing Period: July 1, 2009 through July 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on August 11, 2009, 16 day(s) late. As such, this committee has been assessed a fine of \$800.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. ***Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.***

Since this is a first time violation, the assessed civil penalty will be ***stayed***. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs. If you have questions regarding the appeal process, please call Sue Klos at 217/782-1543.

Sincerely,  
  
Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB: sk

State of Illinois )

County of ST CLAIR )

STATE BOARD OF ELECTIONS

09 SEP 26 AM 11:44

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )

ILLINOIS STATE BOARD OF ELECTIONS, )

Complainant )

Vs. )

DEMOCRATIC CITIZENS ASSOC OF CASEVILLE )  
Respondent(s). TOWNSHIP )

Case No. 09 JS 005

APPEAL AFFIDAVIT

I, GARY SENECZYN, the TREASURER of the  
(Name) (Chairman/Treasurer)

DEMOCRATIC CITIZENS ASSOC OF CASEVILLE TOWNSHIP  
(Name of the Committee)

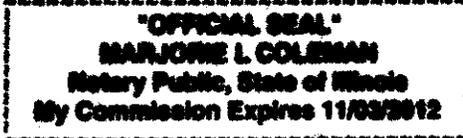
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

See Attached

Signed and Sworn to by:

before me this 21 Day of  
September, 2009  
Marjorie L. Coleman  
Notary Public

Gary Seneczyn  
(Signature of Chairman/Treasurer)



To Whom it may Concern:

---

On 7/20/2009 at 15:04:51 hrs. I had filed a disclosure acknowledgement with the state. This disclosure had passed validation. At that time I had thought that this was my semi-annual report, because that was what I had been working on at the time. I had received a letter from the board that I had not filed my report. Thinking that I had sent the correct report I immediately went to office max and sent Mr. Newman a fax of my yahoo mail acceptance and the first page of my D-2 semi-annual. Of which I am sending you copies. Upon receiving another letter dated 8/6/2009, I had called Mr. Newman around 4:00pm on 8/11/2009 to see what was the problem. He at that time had told me that the report I had sent was an A-1 and not the semi-annual, I informed that I would send the proper report, which I did.

These are my own thoughts of how I feel about this matter. It took me 16 Days for someone to tell me that I had filed the wrong report. I volunteered to do this job. There are things that I am still learning and I know I am going to make more mistakes; because I am just human. I honestly feel there is a lack of communication between the election board and some of the people (like myself) who are trying to do this job. Don't get me wrong the people I have talked with are very helpful. The other thing is that your system took a report that already had been filed, if it would have rejected it there wouldn't have been all this waste of time, and the report would have been filed on time. Personally I do not feel that it is our fault, and feel that the fine should be removed. Ask this: why on earth would someone send a wrong report, knowing they may be fined?

Thank you,  
Gary Seneczyn

TRANSMISSION VERIFICATION REPORT

TIME : 07/25/2009 12:42  
NAME : OFFICEMAX  
FAX : 6183979642  
TEL : 6183979587  
SER.# : 000K8J318560

DATE, TIME	07/25 12:41
FAX NO./NAME	12177825959
DURATION	00:00:57
PAGE(S)	03
RESULT	OK
MODE	STANDARD ECM

# FAX Transmission

Number of pages including cover sheet 3

Attention: MR. Tom Newman

Date: 7/25/09

Company: STATE BOARD of Elections  
STATE of ILLINOIS

From: GARY SENECHYN

Phone: ~~217/782-5959~~

Company: DEMOCRATIC Citizens Assn. of  
CASEVILLE TWP

Fax: 217/782-5959

Phone: 618/632-4182

Comments: \_\_\_\_\_



Solutions that work for you.

6525 N. Illinois St.  
Fairview Heights, IL 62208

Phone: (618) 397-9587

Fax: (618) 397-9642

e-mail: [impress0379@officemax.com](mailto:impress0379@officemax.com)

Illinois Electronic Filing Acknowledgement

Monday, July 20, 2009 3:04 PM

From: "Disclose@elections.il.gov" <Disclose@elections.il.gov>  
To: gwolfman66@yahoo.com

DISCLOSE – Illinois Political Financial Disclosure Filing Acknowledgement

This is to acknowledge the receipt and acceptance of your electronic filing via the DISCLOSE protocol.

Your filing was received and accepted by our system at Mon Jul 20 15:04:51 2009, and was assigned the Filing ID of: IL-113954

Please make a note of this, as it will be necessary to refer to this information in the future.

Thank you for using DISCLOSE.

For your reference, the output of the validation check was as follows:

Illinois PDP File Validator Ver. IL-1.00.17

Developed by NIC Technologies, Inc. 1996-2001

=====  
Committee ID: FID2891  
Committee Name: Democratic Citizens Assn. of Caseyville Twp  
Filing Type: A-1

>>>--> PDP data file PASSED validation! <---<<<

If You Need TO CALL ME  
Home Phone: 618-632-4182  
Cell 618-623-2610



FORM

D-2

REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES (CHECK APPROPRIATE BOXES)(PLEASE TYPE OR PRINT IN BLACK INK)

- Pre-Election Report - Election Date
Semi-Annual Report
Non-Participation - Election Date
FINAL REPORT
Amendment of Report indicated above

Full name and complete mailing address of Political Committee

Democratic Citizens Assn. of Caseyville Twp
1713 W. Hwy 50 Lot 70

O'Fallon IL 62269-1661

CHECK IF ADDRESS CHANGE

FOR OFFICE USE ONLY

IDENTIFICATION NO.

Table with columns: REPORTING PERIOD (01/01/2009 to 06/30/2009), CASH AVAILABLE AT THE BEGINNING OF THE REPORTING PERIOD (\$ 7862.54), STATE POLITICAL COMMITTEES RETURN TO, LOCAL POLITICAL COMMITTEES AND STATE AND LOCAL POLITICAL COMMITTEES RETURN ORIGINAL TO.

SEE GUIDE TO CAMPAIGN DISCLOSURE FOR INSTRUCTIONS

COMPLETE 1-7 FOR PRE-ELECTION REPORTS

COMPLETE ALL SECTIONS FOR SEMI-ANNUAL AND FINAL REPORTS

SECTION A - RECEIPTS

- 1. Individual Contributions: a. Itemized (from Schedule A) .. \$ 900.00 (1a) b. Not-Itemized .. \$ 2088.00 (1b)
2. Transfers In: a. Itemized (from Schedule A) .. \$ 6637.68 (2a) b. Not-Itemized .. \$ 3400.00 (2b)
3. Loans Received: a. Itemized (from Schedule A) .. \$ 0.00 (3a) b. Not-Itemized .. \$ 0.00 (3b)
4. Other Receipts: a. Itemized (from Schedule A) .. \$ 0.00 (4a) b. Not-Itemized .. \$ 0.00 (4b) TOTAL RECEIPTS (1-4) .. \$ 13025.68
\*\*\*\*\*
5. In-kind Contributions: a. Itemized (from Schedule I) .. \$ 0.00 (5a) b. Not-Itemized .. \$ 0.00 (5b) TOTAL IN-KIND .. \$ 0.00

SECTION B - EXPENDITURES

- 6. Transfers Out: a. Itemized (from Schedule B).. \$ 0.00 (6a) b. Not-Itemized .. \$ 0.00 (6b)
7. Loans Made: a. Itemized (from Schedule B).. \$ 0.00 (7a) b. Not-Itemized .. \$ 0.00 (7b)
8. Expenditures: a. Itemized (from Schedule B).. \$ 7862.70 (8a) b. Not-Itemized .. \$ 1099.11 (8b) TOTAL EXPENDITURES (6-8)\$ 8961.81

SECTION C - DEBTS AND OBLIGATIONS

- (Include previously reported unpaid debts)
9. a. Itemized (from Schedule C) . \$ 0.00 (9a) b. Not-Itemized .. \$ 0.00 (9b) TOTAL DEBTS & OBLIGATIONS \$ 0.00

SECTION D - CASH BALANCE

- Funds available at the beginning of the reporting period .. \$ 7862.54 (A)
Total Receipts (Section A) .. \$ 13025.68 (B)
Subtotal .. \$ 20888.22 (C)
Total Expenditures (Section B) .. \$ 8961.81 (D)
Funds available at the close of the reporting period .. \$ 11926.41 (E)
\*\*\*\*\*
Investment Total .. \$ 0.00 (F)

VERIFICATION

I DECLARE THAT THIS REPORT OF CAMPAIGN CONTRIBUTIONS OR THIS SEMI-ANNUAL REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES (INCLUDING ACCOMPANYING SCHEDULES AND STATEMENTS) HAS BEEN EXAMINED BY ME AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS A TRUE, CORRECT AND COMPLETE REPORT AS REQUIRED BY ARTICLE 9 OF THE ELECTION CODE. I UNDERSTAND THAT WILLFULLY FILING A FALSE OR INCOMPLETE REPORT IS A BUSINESS OFFENSE SUBJECT TO A FINE OF UP TO \$5000.

Gary Seneczyn
SIGNATURE OF TREASURER OR CANDIDATE
(THIS FORM MAY BE REPRODUCED)

07/19/2009
DATE

**STATE OF ILLINOIS**  
**COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS**

Illinois State Board of Elections  
**Complainant**

v.

**09 JS 019**

Edgar County Democrat Boosters  
**Respondent**

L 8228

**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment  
For Delinquently Filing the 2009 June Semi-Annual Report

The Semi-Annual Report was received by the Board on July 31, 2009, 9 days late, resulting in a civil penalty assessment of \$175.

Michael Morris, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Morris states that a copy of the Committee's report was mailed to the County Clerk and the Board on the same day. The County Clerk received the mailing on July 9, but the Board's mailing was received late. He states that the reason must have been a postal problem.

A review of the envelope received from the committee indicates it was apparently accidentally sent to the Illinois Department of Revenue, but no postmark is evident. Section 100.125(b) of the Board Rules and Regulations states that if the envelope has no postmark it will be considered to be filed on the date it actually arrives in the Board office. However, "*...if the political committee is assessed a civil penalty for failing to file or delinquently filing either of the reports and, as part of the committee's appeal of the civil penalty assessment, it is alleged by the treasurer, chairman or candidate on a signed and notarized affidavit verifying that the report was mailed more than 72 hours prior to the filing deadline, and this is the first time the committee has made this claim as part of its appeal, the presumptive date of receipt will be rebutted by the testimony contained in the affidavit and the report will be deemed to have been timely received.*" Since Mr. Morris stated in the affidavit that the report was mailed in a timely fashion, and since this is the first time the Committee has made this claim, I recommend that the appeal be granted.



Tom Newman – Hearing Examiner

February 11, 2010

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert J. Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
September 8, 2009

Edgar County Democrat Boosters  
Michael Morris  
507 W Washington St  
Paris, IL 61944

L8228

Dear Edgar County Democrat Boosters;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type: Semiannual Report of Campaign Contributions and Expenditures  
Report Period: January 1, 2009 through June 30, 2009  
Filing Period: July 1, 2009 through July 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on July 31, 2009, 9 day(s) late. As such, this committee has been assessed a fine of \$175.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. ***Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.***

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs. If you have questions regarding the appeal process, please call Sue Klos at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB: sk

State of Illinois )  
County of Edgar )

STATE BOARD OF ELECTIONS

09 SEP 21 PM 2:16

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )

Complainant )

Vs. )

Case No. 09JS 019

Edgar Co Democrat Boosters )  
Respondent(s). )

APPEAL AFFIDAVIT

I, Michael W Moran, the Treasurer of the  
(Name) (Chairman/Treasurer)

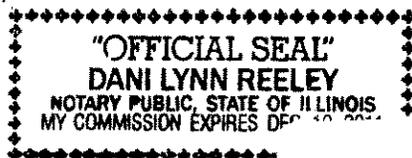
Edgar Co Democrat Boosters  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Attached is a copy of the report dated  
for the Edgar County Clerk's Office -  
Both Envelopes were mailed the same day  
Why the State form did not arrive on time  
must have been a postal problem since it was  
not postmarked

Signed and Sworn to by:  
Dani Lynn Reeley  
before me this 17<sup>th</sup> Day of  
September, 2009  
Dani Lynn Reeley  
Notary Public

Michael W Moran  
(Signature of Chairman/Treasurer)





FORM

D-2

REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES (CHECK APPROPRIATE BOXES) (PLEASE TYPE OR PRINT IN BLACK INK)

- Pre-Election Report - Election Date:
Semi-Annual Report
Non-Participation - Election Date:
Final Report
Amendment of Report Indicated Above

FOR OFFICE USE ONLY

FILED

JUL 09 2009

Edgar County Clerk signature and name

Full name and complete mailing address of Political Committee:
Edgar County Democrat Boosters
c/o Mike Morris
507 W Washington St
Paris, IL 61944-1673

POLITICAL COMMITTEE 14

L 8228

#42

CHECK IF ADDRESS CHANGE

IDENTIFICATION NO.

Table with 4 columns: REPORTING PERIOD (7/1/09 to 6/30/09), CASH AVAILABLE AT THE BEGINNING OF THE REPORTING PERIOD (\$2042.93), STATE POLITICAL COMMITTEES RETURN TO, and LOCAL POLITICAL COMMITTEES AND STATE AND LOCAL POLITICAL COMMITTEES RETURN ORIGINAL TO.

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

COMPLETE 1-7 FOR PRE-ELECTION REPORTS.

COMPLETE ALL SECTIONS FOR SEMI-ANNUAL AND FINAL REPORTS.

SECTION A - RECEIPTS

- 1. Individual Contributions: a. Itemized (from Schedule A) \$ (1a), b. Not-Itemized \$1915.00 (1b)
2. Transfers In: a. Itemized (from Schedule A) \$ (2a), b. Not-Itemized \$ (2b)
3. Loans Received: a. Itemized (from Schedule A) \$ (3a), b. Not-Itemized \$ (3b)
4. Other Receipts: a. Itemized (from Schedule A) \$ (4a), b. Not-Itemized \$3.31 (4b), TOTAL RECEIPTS (1-4) \$1918.31
5. In-Kind Contributions: a. Itemized (from Schedule I) \$ (5a), b. Not-Itemized \$ (5b), TOTAL IN-KIND \$

SECTION B - EXPENDITURES

- 6. Transfers Out: a. Itemized (from Schedule B) \$ (6a), b. Not-Itemized \$ (6b)
7. Loans made: a. Itemized (from Schedule B) \$ (7a), b. Not-Itemized \$ (7b)
8. Expenditures: Itemized (from Schedule B) \$1782.57 (8a), Not-Itemized \$138.20 (8b), TOTAL EXPENDITURES (6-8) \$1920.77

SECTION C - DEBTS AND OBLIGATIONS

- (Include previously reported unpaid debts)
9. a. Itemized (from Schedule C) \$ (9a), b. Not-Itemized \$ (9b), TOTAL DEBTS & OBLIGATIONS \$

SECTION D - CASH BALANCE

- Funds available at the beginning of the reporting period: \$2042.93 (A), Total Receipts (Section A) \$1918.31 (B), Subtotal \$3961.24 (C), Total Expenditures (Section B) \$1920.77 (D), Funds available at the close of the reporting period: \$2040.47 (E), INVESTMENT TOTAL \$ (F)

VERIFICATION

I DECLARE THAT THIS REPORT OF CAMPAIGN CONTRIBUTIONS OR THIS SEMI-ANNUAL REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES (INCLUDING ACCOMPANYING SCHEDULES AND STATEMENTS) HAS BEEN EXAMINED BY ME AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS A TRUE, CORRECT AND COMPLETE REPORT AS REQUIRED BY ARTICLE 9 OF THE ELECTION CODE. I UNDERSTAND THAT WILLFULLY FILING A FALSE OR INCOMPLETE REPORT IS A BUSINESS OFFENSE SUBJECT TO A FINE OF UP TO \$5000.

SIGNATURE OF TREASURER OR CANDIDATE

7-7-09

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections  
**Complainant**

v.

09 AE 033

The Committee to Elect Cindy Williams  
**Respondent**

L 15375

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment for Failure to  
File a Schedule A-1 in conjunction with the 2009 Consolidated Election

The Committee received 3 contributions of \$250 from a single source, but failed to report the third contribution on a Schedule A-1. The total assessment is \$250.

Bob Schultz, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Schultz states that the Committee's Semi-Annual Report originally showed two \$250 contributions from Victor Orlor as being received on 3/18/09 and a third \$250 contribution from Mr. Orlor on 3/28/09. He says the Committee erroneously duplicated the 3/18/09 contribution and that Mr. Orlor actually only made two contributions to the committee with an aggregate total of \$500.

The Committee filed an amended Semi-Annual Report on 9/4/09, correcting the contributions from Mr. Orlor. As this was prior to the Committee being sent an assessment notice for the A-1 violation, it seems likely to me the correction was in fact in response to the mistaken duplicated entry being discovered and corrected rather than in response to a fine being imposed by the Board. I therefore recommend the appeal be granted.



Tom Newman – Hearing Examiner

February 22, 2010

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959



BOARD MEMBERS  
Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert J. Walters

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485

EXECUTIVE DIRECTOR  
Daniel W. White  
November 18, 2009

The Committee to Elect Cindy Williams  
Bob Schultz  
733 S Grant St  
Hinsdale, IL 60521

L15375

Dear The Committee to Elect Cindy Williams;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Victor Orlor	3/18/09		250.00**		
Victor Orlor	3/18/09		250.00**		
Victor Orlor	3/18/09	250.00	250.00	*not filed	5

The committee is fined a **total** of \$250.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

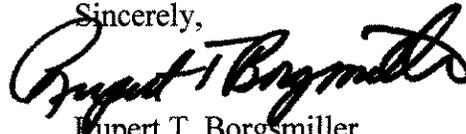
Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$25.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue Klos at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller  
Assistant Executive Director

RTB: sk

Enclosure(s): Appeal forms

\* This contribution was reported on the June 2009 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

State of Illinois )  
County of DuPage )

**BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS**

IN THE MATTER OF:

ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant, )

v. )

THE COMMITTEE TO ELECT )  
CINDY WILLIAMS, )  
Respondent. )

Case No. 09AE033

STATE BOARD OF ELECTIONS  
09DEC18 PM 2:12

**APPEAL AFFIDAVIT**

I, Bob Schultz, the Treasurer of **THE COMMITTEE TO ELECT CINDY WILLIAMS**, first being duly sworn deposes and states that he represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

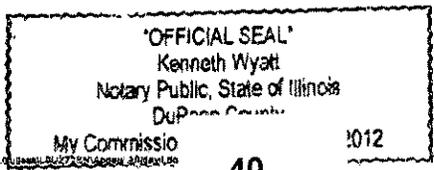
It appears that the Board of Election's determination of a violation was based upon apparent contributions by Victor Oler reported in our initial D-2 report filed on July 14, 2009. However, those contributions by Mr. Oler were erroneously reported on the July 14, 2009 D-2 report. The Committee corrected the contributions by Mr. Oler on its amended D-2 report which was filed on September 4, 2009. This amended report indicates that Mr. Oler only made two contributions each in the amount of \$250 on March 18, 2009 and March 28, 2009. We request that this Notice of Violation be reviewed and reversed in light of our amended D-2 filing.

Signed and Sworn to by:

Bob Schultz  
before me this 18 day of  
December, 2009

[Signature]  
Signature of Treasurer

[Signature]  
Notary Public



BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections  
**Complainant**

v.

**09 AE 044**

Friends of Barrett F Pederson                      S7600  
**Respondent**

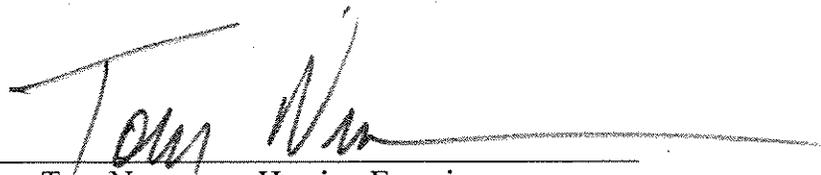
**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment  
For Failure to File a Schedule A-1 in conjunction with  
the 2009 Consolidated Election

The Committee received one contribution of \$4000 on 3/30/09, but failed to report it on a Schedule A-1. The total assessment is \$4000.

Barrett Pederson, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Pederson explains that the contribution in question was actually a duplicate entry. He says the Committee received a single \$4000 loan from William Pederson on 3/26/09 and reported it on a Schedule A-1. On its Semi-Annual Report, the Committee accidentally listed the contribution twice – once on the date of receipt and once on 3/30/09, the date the money was deposited into the bank.

The Committee has since filed an amended Semi-Annual Report to correct the duplicate entry. I see no reason to believe this was anything other than an accidental duplicate entry as claimed by Mr. Pederson. I therefore recommend the appeal be granted.



---

Tom Newman – Hearing Examiner  
February 18, 2010

State of Illinois )  
County of Cook )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF;

ILLINOIS STATE BOARD OF ELECTIONS,

Complainant

vs.

Friends of Barrett F. Pedersen

Respondent(s).

No. \_\_\_\_\_

STATE  
BOARD OF ELECTIONS

2009 DEC 14 PM 3:40

APPEAL AFFIDAVIT

I, Barrett F. Pedersen, the Treasurer of the  
(Name) (Chairman/Treasurer)  
Friends of Barrett F. Pedersen  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

A deposit in the amount of \$4,000.00 from William Pedersen was received and an A1 was filed on 3/26/09. However, the deposit was made on 3/30/09 and entered into the computer with that date. The original D2 report had two of the same receipts on it, but with different dates. The D2 was amended on 11/18/09 to correctly report only one receipt of \$4,000.00 from William Pedersen.

Subscribed and Sworn to Before me  
This 17th Day Of DECEMBER, 2009

[Signature]  
NOTARY PUBLIC



[Signature]  
(Signature of Chairman/Treasurer)

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert J. Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
November 18, 2009

Friends of Barrett F Pedersen  
Francis Griecashamer  
2840 Washington St  
Franklin Park, IL 60131

S7600

Dear Friends of Barrett F Pedersen;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
William Pedersen	3/30/09	4000.00	4000.00	*not filed	4

The committee is fined a **total** of \$4000.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

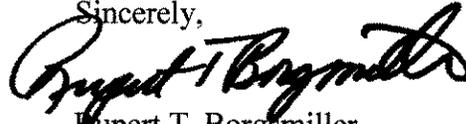
Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$400.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. Since your committee has no other civil penalty assessments and only one delinquent Schedule A-1 amount is listed above, the penalty will be **stayed** as a first violation and would only become due and owing upon any subsequent delinquent filings by the committee.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue Klos at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller  
Assistant Executive Director

RTB: sk

cc: Officer(s), Candidate(s)

\* This contribution was reported on the June 2009 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**09 JS 179**

Citizens to Re-elect John Pope      S9215  
**Respondent**

**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment  
For Delinquently Filing the 2009 June Semi-Annual Report

The Report was received on July 22, 2009, 2 days late, resulting in an assessment of \$400. The Committee was previously fined \$200 (not appealed) for delinquently filing the 2006 December Semi-Annual Report and \$300 (not appealed) for delinquently filing the 2008 December Semi-Annual Report.

John Pope, the Chairman of the Committee and the Candidate supported by the Committee, filed a Waiver of Appearance and submitted an Appeal Affidavit.

On the Affidavit, Mr. Pope stated the Committee was having computer problems in the days leading up to the filing deadline and their "key technician" was out of town. He said the Committee filed the Report as soon as the problems were resolved. Mr. Pope also noted the "account has very little activity."

The Committee has been in existence since 2006 and has filed electronically since its inception. The IDIS electronic filing software can be used from almost any computer, and Board staff is available to assist the Committee in preparing and uploading its Report in a timely manner. However, in keeping with past Board practice for Committees raising an electronic filing defense for the first time, I recommend the appeal be granted. It should be noted the circumstances in this appeal are identical to those in an assessment appeal filed by Friends of John Pope (S 7431).



---

John Levin – Hearing Examiner  
February 17, 2010

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



**BOARD MEMBERS**  
Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert J. Walters

**EXECUTIVE DIRECTOR**  
Daniel W. White  
September 8, 2009

Citizens to Re-elect John Pope  
John Pope  
3524 E 106th St  
Chicago, IL 60617

S9215

Dear Citizens to Re-elect John Pope;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	January 1, 2009 through June 30, 2009
Filing Period:	July 1, 2009 through July 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on July 22, 2009, 2 day(s) late. As such, this committee has been assessed a fine of \$400.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation it is now required to be paid by the committee within 30 days:

If you have any questions regarding the appeal process, please call Sue Klos at 217/782-1543.

Sincerely,  
  
Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB: sk  
Enclosure(s) appeal documents

State of Illinois )  
County of Cook )

STATE BOARD OF ELECTIONS  
09 OCT -8 PM 3:38

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Citizens to Re-elect John Pope )  
Respondent(s). )

Case No. 09 JS 179

APPEAL AFFIDAVIT

I, John A. Pope, the Chairman of the  
(Name) (Chairman/Treasurer)  
Citizens to Re-elect John Pope  
(Name of the Committee)

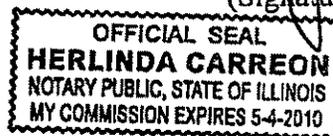
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

this account has very little activity. During the time of the  
required filing, we were experiencing technical difficulties.  
In particular, our computer systems were not operating properly  
and our key technician was out of town & unavailable to assist  
in resolving the issue. As soon as the problems were resolved, the report was  
filed.

Signed and Sworn to by:

before me this 07 Day of  
October 2009  
Herlinda Carreon  
Notary Public

John A. Pope  
(Signature of Chairman/Treasurer)



# ILLINOIS STATE BOARD OF ELECTIONS

## FAX COVER SHEET

**DATE:** Wednesday, July 22, 2009 3:54:26 PM

**TO:** Citizens to Re-elect John Pope

**FAX #:** 7737215945

**FROM:** Disclosure Fax Back

**FAX #:** 217-782-5959

**PHONE #:** 217-782-4141

Number of pages, including cover sheet: 03

**COMMENTS:**

STATE OF ILLINOIS  
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections  
**Complainant**

v.

09 JS 219

Pulaski County Democratic Central Committee    L2073  
**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment  
For Delinquently Filing the 2009 June Semi-Annual Report

The Report was received on October 5, 2009, 55 days late, resulting in an assessment of \$2750. The Committee was previously fined \$500 (appeal denied) for delinquently filing the 2007 June Semi-Annual Report.

Bryan Curry, the Chairman of the Committee, filed a Waiver of Appearance and submitted an Appeal Affidavit.

On the Affidavit, Mr. Curry stated that he has struggled to keep the Committee organized and viable after it became splintered during his predecessor's term and in the wake of the previous treasurer's resignation. He indicated his main occupation is farming, and he has a tractor service, serves as Pulaski County coroner, and has a young family. Mr. Curry said there were times he did not check his post office box for up to 30 days, and the post office incorrectly redirected correspondence from the Board. Julie Sauerbrunn, the Pulaski County clerk, filed an affidavit indicating she has tried to help the Committee in getting its required information and preparing Reports.

I recommend the appeal be denied. The Committee has been in existence for many years and is notified, pursuant to statute, multiple times when Reports are due. Additionally, the Board provides ample information with respect to filing on its web site and, as requested, by mail. Mr. Curry's affidavit could be used as a cautionary tale for Committee officials who do not check their post office boxes to which Committee mail has been directed on a regular basis. If the Board accepts this recommendation, the stay on the previous assessment would be lifted, and a total of \$3250 would be due and owing.

  
\_\_\_\_\_  
John Levin – Hearing Examiner  
February 17, 2010

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



**BOARD MEMBERS**  
Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert J. Walters

**EXECUTIVE DIRECTOR**  
Daniel W. White  
November 18, 2009

Pulaski County Democratic Central Committee  
Bryan Curry, Roger Kerley  
46 Old Feather Trail Rd  
Olmsted, IL 62907

L2073

Dear Pulaski County Democratic Central Committee;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type: Semiannual Report of Campaign Contribution and Expenditures  
Report Period: January 1, 2009 through June 30, 2009  
Filing Period: July 1, 2009 through July 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on October 5, 2009, 55 day(s) late. As such, this committee has been assessed a fine of \$2750.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous Fine Amount
1/1/2007 – 6/30/2007	Semi-annual	\$500.00
<b>TOTAL AMOUNT NOW DUE</b>		<b>\$3250.00</b>

If you have any questions regarding the appeal process, please call Sue Klos at 217/782-1543.

Sincerely,  
  
Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB: sk  
Enclosure(s) appeal documents

STATE OF ILLINOIS )  
 )  
COUNTY OF PULASKI )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
 )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
 )  
Complainant, )  
-vs.- )  
 )  
Democratic Party of Pulaski County, )  
Bryan Curry, and Roger Kerley, )  
 )  
Respondents. )

Case No. *09 JS 219*

APPEAL AFFIDAVIT

I, Bryan Curry, the Chairman of the Democratic Party of Pulaski County, first being duly sworn, deposes and states that he represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

1. I have worked hard in my county to get the Democratic Party organized after it became splintered during the last chairman's term. I have struggled to make sure things are done in a timely manner. The treasurer in place previously, suddenly quit and one of the precinct committeemen agreed to be treasurer. My treasurer has difficulty keeping the information needed including dealing with the finances because he lives in a remote area of the county and works in another county.
2. Our treasury is small and we are getting into another election year. We need the funds to keep the party afloat as a viable entity in the county.
3. With the help of the County Clerk, I have tried to get the required reports in at the right time. (Exhibit A) She has now agreed to get the mailings from you and help me keep a better handle on the situations.
4. My main occupation is farming, I have a tractor service, and I serve as County Coroner. I have a young family with two children and the third is due soon.

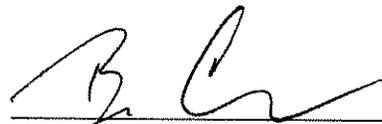
This year has been particularly difficult in the field. The flooding and weather caused

my fields to remain wet for extended periods. And extra work had to be done to maintain them. Crops were difficult to plant, maintain, and harvest. Certain times I worked 12-15 hours a day and many other things had to be let go. My wife and children have, oftentimes come on the short end of the stick too.

5. My mail is delivered to a post office box. There were times that I did not check my mail for 20-30 days. This is compounded by the fact that your letters to the correct address were incorrectly redirected by the post office. (Exhibit B) This year has been difficult for Pulaski County and the party here.

Please send future mailings to the following address: Democratic Party of Pulaski County, Pulaski County Clerk's Office, 500 Illinois Avenue, Mound City, Illinois 62963  
ATTN: Julie.

I speak for the Democratic Party in Pulaski County when I say that the procedures now put in place will handle the problems we were having. And in the name of my committee members, I ask that the State Board of Elections forgive the fine and assessments and allow us to move forward with our committee.



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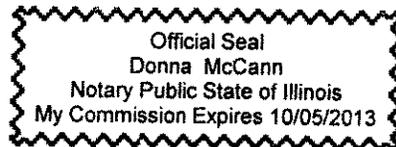
Bryan Curry, Chairman  
Democratic Party of Pulaski County

Signed and Sworn to by Bryan Curry  
before me this 16 day of December, 2009.



---

NOTARY PUBLIC



STATE OF ILLINOIS        )  
  )  
COUNTY OF PULASKI     )

AFFIDAVIT

I, Julie Sauerbrunn, am the Pulaski County Clerk. I hold such office as a member of the Democratic Party. I am involved in filing report forms in a limited manner as follows:

- \* When other committees come into my office to file reports, and I am in the office at that time, I usually notify the County Chairman that he should be expecting his forms so he could file such.
- \* I am not familiar with the Democratic Party's filing requirements or schedule of filing, other than stated above. I do not have access to the party's bank account or information.
- \* I try to help the party by getting such information as needed, preparing forms, and faxing them to the State Board of Elections. I understand that the party chairman has two jobs, as well as serves as County Coroner, so I have helped him with the reports.

  
 Julie Sauerbrunn

Signed and Sworn to by Julie Sauerbrunn  
before me this 17<sup>th</sup> day of December, 2009.

  
 \_\_\_\_\_  
 NOTARY PUBLIC



"Exhibit B"



STATE BOARD OF ELECTIONS  
PO Box 4187  
1020 S Spring St  
Springfield, IL 62708-4187

Chairman Bryan Curry  
46 Old Feather Tr  
Olmsted, IL 62970

Pulaski County De

6297069999



UNITED STATES POSTAGE  
FIRST CLASS  
\$0.42  
02 1M  
0004228124 APR 06 2009  
MAILED FROM ZIP CODE 62704

CURROAS 509 DE 1 N FOR 0 52 DA/10/09  
UNABLE TO FORWARD FOR REVIEW  
NO FORWARDING ORDER ON FILE  
OF ORIGINAL ADDRESS FOR REVIEW  
BCL 62970521146 PM \*0551-00019-05-42

|||||

**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**09 JS 030**

Citizens for Matthew Goetten  
**Respondent**

L11899

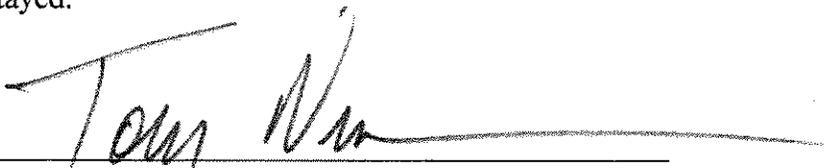
**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment  
For Delinquently Filing the 2009 June Semi-Annual Report

The Semi-Annual Report was received by the Board on August 14, 2009, 19 days late, resulting in a civil penalty assessment of \$475.

Matthew Goetten, the Chairman of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Goetten states that the committee misplaced the filing documents due to construction at the committee's mailing address. He adds that he was deployed in Afghanistan with the Illinois Army National Guard during the entire filing period.

I recommend the appeal be denied for lack of an adequate defense. However, as a first violation, the penalty is stayed.



---

Tom Newman – Hearing Examiner

February 18, 2010

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert J. Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
September 8, 2009

Citizens for Matthew Goetten  
Erin Goetten, Matthew Goetten  
RR3, Box 200  
Carrollton, IL 62016

L11899

Dear Citizens for Matthew Goetten;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	January 1, 2009 through June 30, 2009
Filing Period:	July 1, 2009 through July 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on August 14, 2009, 19 day(s) late. As such, this committee has been assessed a fine of \$475.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. ***Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.***

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs. If you have questions regarding the appeal process, please call Sue Klos at 217/782-1543.

Sincerely,

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB: sk

State of Illinois )  
County of Greene )

STATE BOARD OF ELECTIONS

09 OCT -8 AM 11:37

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Citizens for Matthew Goston )  
Respondent(s). )

Case No. 09 JSQ30

APPEAL AFFIDAVIT

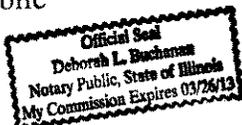
I, Matthew J. Goston, the Chairman of the  
(Name) (~~Chairman/Treasurer~~)  
Citizens for Matthew Goston  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

See Attached "Statement in Support of Appeal"

Signed and Sworn to by:  
Deborah L. Buchanan  
before me this 1<sup>st</sup> Day of  
Oct. 2009  
Deborah L. Buchanan  
Notary Public

[Signature]  
(Signature of ~~Chairman~~ Treasurer)



BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

STATE BOARD OF ELECTIONS

09 OCT -8 AM 11:28

IN THE MATTER OF: )  
)  
ILLINOIS STATE BOARD OF ELECTIONS, )  
)  
Complainant )  
)  
Vs. )  
)  
CITIZENS FOR MATTHEW GOETTEN )  
Respondent. )

STATEMENT IN SUPPORT OF APPEAL

Now comes the Respondent, Citizens for Matthew Goetten, by candidate, Matthew Goetten, and states as follows in support of its appeal:

1. That the committee, Citizens for Matthew Goetten, did fail to file its semiannual report of campaign contributions and expenditures for the filing period January 1, 2009, through June 30, 2009, before July 20, 2009.
2. That during the entire filing period candidate, Matthew Goetten, was deployed with the Illinois Army National Guard in support of Operation Enduring Freedom in Afghanistan. See attachment A (DD 214) and attachment B (DEMOB Order)
3. That during the month of July 2009 Citizen for Matthew Goetten treasurer, Erin Goetten, due to construction at the committee mailing address, misplaced the filing documents.
4. That as soon as candidate, Matthew Goetten, was informed of the oversight he immediately contacted the State Board of Elections and faxed the semiannual report to Sharon from Ft. McCoy, Wisconsin where he was being de-mobilizing. See attachments C and D.
5. That at the time of the filing Citizens for Matthew Goetten had \$264.88 in available funds.

Wherefore the respondent requests the following:

- A. That the State Board of Elections vacate the civil penalty assessed against the committee in the amount of \$475.00.
- B. Alternatively, that the State Board of Elections reduce the civil penalty assessed based upon funds available to Citizens for Matthew Goetten.

  
Matthew J. Goetten  
Candidate

**CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY**

1. NAME (Last, First, Middle) GOETTEN, MATTHEW JUSTIN		2. DEPARTMENT, COMPONENT AND BRANCH ARMY/ARNGUS/AG		3. SOCIAL SECURITY NUMBER 357 72 4290	
4a. GRADE, RATE OR RANK CPT	b. PAY GRADE 003	5. DATE OF BIRTH (YYYYMMDD) 19711220	6. RESERVE OBLIGATION TERMINATION DATE (YYYYMMDD) 00000000		
7a. PLACE OF ENTRY INTO ACTIVE DUTY CHICAGO, ILLINOIS		b. HOME OF RECORD AT TIME OF ENTRY (City and state, or complete address if known) RR 3 BOX 200 CARROLLTON ILLINOIS 62016			
8a. LAST DUTY ASSIGNMENT AND MAJOR COMMAND 33RD HHS BTRY, 2D BN, 122D FA FC			b. STATION WHERE SEPARATED FORT MCCOY, WI 54656-5150		
9. COMMAND TO WHICH TRANSFERRED ARNG IL, 1301 N MACARTHUR BLVD, SPRINGFIELD, IL 62702-2399			10. SGLI COVERAGE <input type="checkbox"/> NONE AMOUNT: \$400,000.00		
11. PRIMARY SPECIALTY (List number, title and years and months in specialty. List additional specialty numbers and titles involving periods of one or more years.) 27A JUDGE ADVOCATE GEN - 0 YRS 9 MOS//NOTHING FOLLOWS		12. RECORD OF SERVICE			
		a. DATE ENTERED AD THIS PERIOD	2008	12	26
		b. SEPARATION DATE THIS PERIOD	2009	09	22
		c. NET ACTIVE SERVICE THIS PERIOD	0000	08	27
		d. TOTAL PRIOR ACTIVE SERVICE	0000	06	11
		e. TOTAL PRIOR INACTIVE SERVICE	0009	01	04
		f. FOREIGN SERVICE	0000	07	08
		g. SEA SERVICE	0000	00	00
13. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service) AFGHANISTAN CAMPAIGN MEDAL W/ CAMPAIGN STAR //NATO AFGHANISTAN SERVICE MEDAL//MERITORIOUS SERVICE MEDAL//ARMY COMMENDATION MEDAL//ARMY ACHIEVEMENT MEDAL (2ND AWARD)//ARMY RESERVE COMPONENTS ACHIEVEMENT MEDAL (3RD AWARD)// NATIONAL DEFENSE SERVICE MEDAL//GLOBAL WAR ON TERRORISM SERVICE MEDAL//CONT IN BLOCK 18		14. MILITARY EDUCATION (Course title, number of weeks, and month and year completed) NONE//NOTHING FOLLOWS			
15a. MEMBER CONTRIBUTED TO POST-VIETNAM ERA VETERANS' EDUCATIONAL ASSISTANCE PROGRAM			YES	X	NO
b. HIGH SCHOOL GRADUATE OR EQUIVALENT		X	YES		NO
16. DAYS ACCRUED LEAVE PAID 0.5	17. MEMBER WAS PROVIDED COMPLETE DENTAL EXAMINATION AND ALL APPROPRIATE DENTAL SERVICES AND TREATMENT WITHIN 90 DAYS PRIOR TO SEPARATION			YES	NO
18. REMARKS SERVED IN A DESIGNATED IMMINENT DANGER PAY AREA//SERVICE IN AFGHANISTAN 20090102-20090809// INDIVIDUAL COMPLETED PERIOD FOR WHICH ORDERED TO ACTIVE DUTY FOR PURPOSE OF POST SERVICE BENEFITS AND ENTITLEMENTS//ORDERED TO ACTIVE DUTY IN SUPPORT OF OPERATION ENDURING FREEDOM IAW 10 USC 12302//MEMBER HAS COMPLETED FIRST FULL TERM OF SERVICE//CONT FROM BLOCK 13: // ARMED FORCES RESERVE MEDAL W/ M DEVICE//NOTHING FOLLOWS					
The information contained herein is subject to computer matching within the Department of Defense or with any other affected Federal or non-Federal agency for verification purposes and to determine eligibility for, and/or continued compliance with, the requirements of a Federal benefit program.					
19a. MAILING ADDRESS AFTER SEPARATION (Include ZIP Code) RR 3 BOX 200 CARROLLTON ILLINOIS 62016			b. NEAREST RELATIVE (Name and address - include ZIP Code) NORBERT GOETTEN 303 N MAIN ST CARROLLTON ILLINOIS 62016		
20. MEMBER REQUESTS COPY 6 BE SENT TO		DIRECTOR OF VETERANS AFFAIRS		X	YES
21. SIGNATURE OF MEMBER BEING SEPARATED DIGITALLY SIGNED BY: GOETTEN, MATTHEW, JUSTIN.1233577452		22. OFFICIAL AUTHORIZED TO SIGN (Typed name, grade, title and signature) DIGITALLY SIGNED BY: KOWALSKI, BETTY, JEAN.1014531870 BETTY J KOWALSKI, PERS ASST I			

**SPECIAL ADDITIONAL INFORMATION (For use by authorized agencies only)**

23. TYPE OF SEPARATION RELEASE FROM ACTIVE DUTY	24. CHARACTER OF SERVICE (Include upgrades) HONORABLE	
25. SEPARATION AUTHORITY AR 600-8-24, PARA 2-7	26. SEPARATION CODE MBK	27. REENTRY CODE NA
28. NARRATIVE REASON FOR SEPARATION COMPLETION OF REQUIRED ACTIVE SERVICE		
29. DATES OF TIME LOST DURING THIS PERIOD (YYYYMMDD) NONE		30. MEMBER REQUESTS COPY 4 (Initials) MJG



**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**09 JS 227**

Friends of Vito Manola  
**Respondent**

L12822

**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment  
For Delinquently Filing the 2009 June Semi Annual Report

The Report was received on November 2, 2009, 73 days late, resulting in an assessment of \$5000. The Committee was previously fined \$75 (not appealed and paid) for delinquently filing the 2006 June Semi Annual Report and \$350 (not appealed and paid) for delinquently filing the 2007 December Semi Annual Report.

Sharon Johnson, the Chairman of the Committee, filed a Waiver of Appearance and submitted an Appeal Affidavit.

On the Affidavit, Ms. Johnson stated she had been told by Board staff the Committee needed to have the Report filed by November 4<sup>th</sup>, 2009, or face a "further" fine. She does not understand why the Committee is being fined with the Report having been received on November 2, 2009. Additionally, Ms. Johnson indicated upheaval surrounding her husband's return from Afghanistan following a year-long deployment and subsequent surgery should be taken into account as a mitigating factor by the Board. Ms. Johnson also stated the Committee has filed a Final Report, and the Candidate it supported does not plan to run for office again. While I certainly sympathize with the situation noted in the Affidavit, I must recommend the appeal be denied. There may have been some miscommunication with respect to whether a fine would be issued, as the Report clearly was due by July 20, 2009. Meantime, while Ms. Johnson was understandably distracted, the Committee had been in existence for more than four years, and her responsibilities could have been shifted to the Treasurer or any other custodian of the Committee's records. If the Board adopts this recommendation, the \$5000 will be due and owing. The Committee did, in fact, file a Final Report on November 2, 2009. Accordingly, the assessment will be abated two years following the effective date of the Final Board Order if the committee remains dissolved until that time without forming a Successor committee pursuant to Rules and Regulations 100.110(b).

  
\_\_\_\_\_  
John Levin – Hearing Examiner  
February 17, 2010

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



EXECUTIVE DIRECTOR  
Daniel W. White  
November 18, 2009

BOARD MEMBERS  
Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert J. Walters

Friends of Vito Manola  
Sharon Johnson  
546 E Lincoln St  
Palatine, IL 60074

L12822

Dear Friends of Vito Manola;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	January 1, 2009 through June 30, 2009
Filing Period:	July 1, 2009 through July 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on November 2, 2009, 73 day(s) late. As such, this committee has been assessed a fine of \$5000.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation it is now also required to be paid by the committee within 30 days:

If you have any questions regarding the appeal process, please call Sue Klos at 217/782-1543.

Sincerely,  
  
Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB: sk  
Enclosure(s) appeal documents

State of Illinois )

County of \_\_\_\_\_ )

STATE BOARD OF ELECTIONS

09 DEC 18 AM 11:17

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )

ILLINOIS STATE BOARD OF ELECTIONS, )

Complainant )

Vs. )

Case No. 09 JS 227

Friends of Vito Manola )  
Respondent(s). )

APPEAL AFFIDAVIT

I, Sharon Johnson, the Treasurer of the  
(Name) (Chairman/Treasurer)

Friends of Vito Manola  
(Name of the Committee)

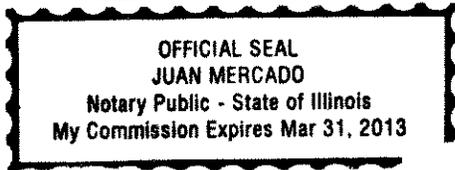
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

See Attached

Signed and Sworn to by:  
Sharon Johnson  
before me this 14 Day of  
December, 2009

[Signature]  
(Signature of Chairman/Treasurer)

Notary Public



The Board of elections had provided us with a letter stating we were required to have the form filed by November 4<sup>th</sup> or we would be further fined. It was in fact filed by the 2<sup>nd</sup>. Now we received this letter stating the committee is being fined \$5000. It does not make sense.

Furthermore, our committee is now closed and will never be opened again. Mr. Manola is not considering running for another post again.

As far as the forms being filed late, it was due to circumstances somewhat in and out of my control.

My husband has recently returned from Afghanistan from a year long deployment with the 333<sup>rd</sup> Military Police Unit. Because of the inability of the Illinois Army National Guard to coordinate the return properly and efficiently, our lives were much in an upheaval until they finally returned. Since then we have been dealing with the military regarding my husband's line of duty in jury. He has since had surgery as he is unable to return to his police department until completely cleared by the military doctors.

As this may sound like a bit of a drama story, it is much worse than it sounds because I have left out the details.

I would ask that the Board of Elections forgive this issue because of the reasons stated. The late filing was not done for any malicious or unlawful reason. My priority was my husband and trying to get him better to get him back to work. Unfortunately the military does not pay him once they are home.

I believe his and our families service to the State of Illinois and the United States of America should be taken into consideration.

As I had stated in my earlier paragraph, we were told of it was not filed by the 4<sup>th</sup> we would get a fine. It was filed on the 2<sup>nd</sup>.

Thank you for your time. I look forward to hearing from you. Please feel free to contact me with any questions.

Sincerely,

Sharon Johnson

**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**09 AE 018**

Friends of Stephanie Kifowit  
**Respondent**

L13730

**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment  
For Failure to File a Schedule A-1 in conjunction with  
the 2009 Consolidated Election

The Committee received three contributions of more than \$500, but failed to report them on a Schedule A-1. It received a contribution of \$1200 on 2/2/09, a contribution of \$570 on 2/9/09 and a contribution of \$1000 on 2/17/09. The total assessment is \$2770.

Stephanie Kifowit, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Kifowit states that the Committee erroneously filed a Pre-Election Report for the February 2009 election. She says she was not involved in the February consolidated Primary Election and her Committee should have filed a Statement of Non-Participation.

Unfortunately, the contributions in questions were received by the Committee during the reporting period for the 2009 Consolidated Election, not the Consolidated Primary Election. Ms. Kifowit was on the ballot for the April 7, 2009 election, so A-1 reporting requirements applied during that time. I therefore recommend the appeal be denied. However, since there is no indication the violations were anything other than inadvertent and unintentional; I also recommend that the \$2770 penalty be reduced to 10% of the original amount, or \$277. If this recommendation is approved by the Board, the amount of \$277 will be due and owing.



---

Tom Newman – Hearing Examiner  
February 18, 2010

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



**BOARD MEMBERS**  
Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert J. Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
November 18, 2009

Friends of Stephanie Kifowit  
POB 1414  
Aurora, IL 60507

L13730

Dear Friends of Stephanie Kifowit;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Citizens for Lou Lang	2/17/09	1000.00	1000.00	*not filed	3
River Steel Press	2/9/09	570.00	570.00	*not filed	7
Ultimas Noticias	2/2/09	1200.00	1200.00	*not filed	12

The committee is fined a **total** of \$2770.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

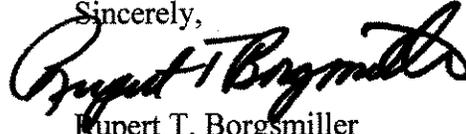
Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$277.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue Klos at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller  
Assistant Executive Director

RTB: sk

Enclosure(s): Appeal forms

\* This contribution was reported on the June 2009 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

State of Illinois )

County of KANE )

STATE BOARD OF ELECTIONS

09 DEC 17 PM 12:48

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )

ILLINOIS STATE BOARD OF ELECTIONS, )

Complainant )

Vs. )

Case No. 09AEO18

FRIENDS OF STEPHANIE KIFOWIT )  
Respondent(s). STEPHANIE )  
KIFOWIT )

APPEAL AFFIDAVIT

I, STEPHANIE KIFOWIT, the CHAIRMAN of the  
(Name) (Chairman/Treasurer)

FRIENDS OF STEPHANIE KIFOWIT  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

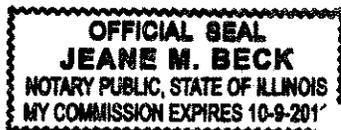
ERRONEDUS REPORTING OF A PRE-ELECTION  
REPORT, SAID REPORT SHOULD HAVE BE  
NON-PARTISIPATION REPORT. NON-  
PARTISIPATION REPORT WAS FILED ON  
NOVEMBER 24, 2009. THERE WAS NO FEB. 2009 ELECTIO

Signed and Sworn to by:

STEPHANIE KIFOWIT  
before me this 14th Day of  
DECEMBER, 2009

Stephanie Kifowit  
(Signature of Chairman/Treasurer)

Jeane M Beck  
Notary Public



**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**09 AE 023**

Village Pride            L15118  
**Respondent**

**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment  
For Failing to File Schedule A-1s for the 2009 Consolidated Election

The Committee did not file Schedule A-1s within two business days of receiving contributions in excess of \$500 on March 9, 2009, March 23, 2009, and April 4, 2009, resulting in a total assessment of \$16,000. There are no prior assessments on the committee's record.

Debra Beaudoin, the Treasurer of the Committee, filed a Waiver of Appearance and submitted an Appeal Affidavit.

On the Affidavit, Ms. Beaudoin stated that she had never previously served with a political Committee in any capacity. She said she made several phone calls to the Board to try to stay on top of things, but multiple people with access to the Committee's account made deposits without her knowledge.

While I certainly sympathize with the situation noted in the Affidavit, I must recommend the appeal be denied. The Committee is responsible for making sure everyone accepting money on its behalf communicates clearly with the Treasurer so that this type of oversight is avoided. Since this is the first delinquent Schedule A-1 filings by the Committee, the civil penalty would be automatically reduced to \$1600 if the Board accepts this recommendation. Meantime, the Committee filed a Final Report on July 20, 2009. Accordingly, the assessment will be abated two years following the effective date of the Final Board Order if the committee remains dissolved until that time without forming a Successor committee pursuant to Rules and Regulations 100.110(b).

  
\_\_\_\_\_  
John Levin – Hearing Examiner  
February 17, 2010

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert J. Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
November 18, 2009

Village Pride  
POB 992  
Lake Zurich, IL 60047

L15118

Dear Village Pride;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Vincent Foglia	3/23/09	10000.00	10000.00	*not filed	9
Russell Levine	4/4/09	5000.00	5000.00	*not filed	1
Nesko Electric Company	3/9/09	1000.00	1000.00	*not filed	19

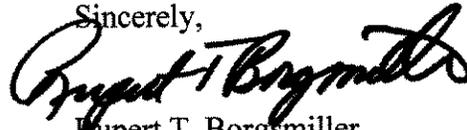
The committee is fined a **total** of \$16000.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$1600.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

If you have any questions regarding the appeal procedure, please call Sue Klos at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller  
Assistant Executive Director

RTB: sk

Enclosure(s): Appeal forms

\* This contribution was reported on the June 2009 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

State of Illinois )  
County of Dale )

STATE BOARD OF ELECTIONS

09 DEC 11 PM 2:05

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )

Complainant )

Vs. )  
Village Pride )  
Respondent(s). )

Case No. 415718

APPEAL AFFIDAVIT

I, Debra Beaudoin, the Treasurer of the  
(Name) (Chairman/Treasurer)  
Village Pride  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

This was my first time serving a political party in any capacity. Even though I made several phone calls to the state during the filings to make sure that I was doing things on time, errors were obviously made. Multiple people were on the accounts & were making deposits, that I thought that I was on top of, but looking at your paperwork they weren't. Even signed and sworn to by: with me checking with your department on everything.

Debra Beaudoin  
before me this 08 Day of  
December, 2009  
Char Kmiec  
Notary Public

[Signature]  
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**09 JS 240**

What's Best for the Sunnybrook Kids Committee  
**Respondent**

L 15135

**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment  
For Delinquently Filing the June 2009 Semi-Annual Report

The Report was received on November 2, 2009, 73 days late, resulting in a civil penalty assessment of \$1825. This is the Committee's first assessment.

Leah Clancey, the Treasurer of the Committee, filed a Waiver of Appearance and Appeal Affidavit in this matter.

On the Affidavit, Ms. Clancey indicated the past co-chairman moved out of the district, the post office box was closed shortly after the April 2009 Consolidated Election, and paperwork was misplaced because the post office box was closed.

I recommend that the appeal be denied for lack of an adequate defense. The Committee should have advised us if there were a more preferable address for its mail from the Board. Board staff is available to answer any questions with respect to formally closing a Committee. If the Board accepts this recommendation, the assessment would be stayed as the result of a first offense.



---

John Levin – Hearing Examiner  
February 17, 2010

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



EXECUTIVE DIRECTOR  
Daniel W. White  
November 18, 2009

BOARD MEMBERS  
Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert J. Walters

What's Best for the Sunnybrook Kids Committee  
POB 490  
Lansing, IL 60438

L15135

Dear What's Best for the Sunnybrook Kids Committee;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	January 1, 2009 through June 30, 2009
Filing Period:	July 1, 2009 through July 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on November 2, 2009, 73 day(s) late. As such, this committee has been assessed a fine of \$1825.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. ***Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.***

Since this is a first time violation, the assessed civil penalty will be ***stayed***. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs. If you have questions regarding the appeal process, please call Sue Klos at 217/782-1543.

Sincerely,  
  
Rupert T. Borgsmiller  
Assistant Executive director

RTB: sk

State of Illinois )  
 )  
County of Cook )

STATE BOARD OF ELECTIONS  
09 DEC 15 AM 11:35

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
 )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
 )  
Complainant )  
 )  
Vs. )  
 )  
What's Best For the Sunnybrook Kids )  
Respondent(s). )

Case No. 09 IS 240

APPEAL AFFIDAVIT

I, Leah Clancey, the Treasurer of the  
(Name) (Chairman/Treasurer)

What's Best For The Sunnybrook Kids

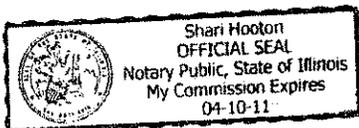
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

- 1) The past Co-Chairman moved and no longer lives in Sunnybrook S.D. #171
- 2) The mailbox (P.O. box) was closed shortly after the April, 2009 election.
- 3) Paperwork was misplaced due to the P.O. Box being closed after the election.

Signed and Sworn to by:  
Leah Clancey  
before me this 2nd Day of  
December, 2009  
Shari Hooton  
Notary Public

Leah Clancey  
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**09 AE 025**

Citizens for Bob Brilley II  
**Respondent**

L 15137

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment  
For Failing to File a Schedule A-1 for the 2009 Consolidated Election

The Committee did not file a Schedule A-1 within two business days of receiving a contribution in excess of \$500 on March 17, 2009, leading to a civil penalty of \$1000. The Committee was previously fined \$25 (not appealed) for delinquently filing the 2009 June Semi-Annual Report.

Robert J. Brilley II, the Candidate supported by the Committee, filed a Waiver of Appearance and submitted an Appeal Affidavit. He identified himself as Chairman of the Committee. However, the Committee's D-1 Statement of Organization identified Jay Dunn as the Chairman.

On the Affidavit, Mr. Brilley apologized for neglecting to file the Schedule A-1 but indicated he had been distracted by a number of personal situations, including the deteriorating health of his father, who died on March 3, 2009.

While I certainly sympathize with the situation noted in the Affidavit, I recommend the appeal be denied for lack of an adequate defense in order to maintain consistency with past practice. If the Board accepts this recommendation, the penalty would automatically be reduced to \$100 as a first-time Schedule A-1 assessment. The stay would be lifted on the previous fine, and a total of \$125 would be due and owing. The Committee filed a Final Report on September 22, 2009. Accordingly, the assessment will be abated two years following the effective date of the Final Board Order if the committee remains dissolved until that time without forming a Successor committee pursuant to Rules and Regulations 100.110(b).

  
\_\_\_\_\_  
John Levin – Hearing Examiner  
February 17, 2010

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert J. Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
November 18, 2009

Citizens for Bob Brilley II  
464 Woodside Trl, apt 5  
Decatur, IL 62521

L15137

Dear Citizens for Bob Brilley II;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Sheet Metal Workers Local 218	3/17/09	1000.00	1000.00	*not filed	13

The committee is fined a **total** of \$1000.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

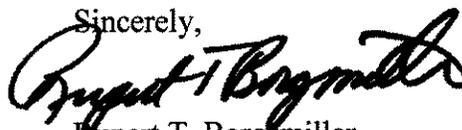
Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$100.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue Klos at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller  
Assistant Executive Director

RTB: sk

Enclosure(s): Appeal forms

\* This contribution was reported on the June 2009 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

State of Illinois )  
County of \_\_\_\_\_ )

STATE BOARD OF ELECTIONS

09 NOV 24 PM 1:58

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Respondent(s). )

Case No. 09 AE 025

APPEAL AFFIDAVIT

I, Robert J. Bailey II, the Chairman of the  
(Name) (Chairman/Treasurer)

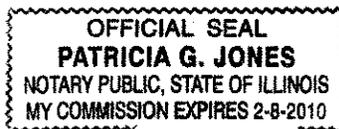
Citizen's For BOB Bailey II  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

\* Added page on back

Signed and Sworn to by:  
ROBERT J. BAILEY II  
before me this 23 Day of  
NOVEMBER, 2009  
Patricia G. Jones  
Notary Public

Robert J. Bailey II  
(Signature of Chairman/Treasurer)



11-22-09

①

Dear Members of the State Board of Election's

First of ALL I Apologize for my Report being LATE (CASE NO 09 JS096) AND Second For not Filing A AIB Report for my Contribution from the Sheetmetal Workers on 3/17/09.

From 5-1-08 UNTIL 3-3-09 I WAS being A Caregiver for my Father AND during this time there were a lot of things that should have been taken care of in my personal life that was forgotten, believe me I tried, but it just didn't happen.

As you see on March 3rd 2009 my Father past away AND you have no idea how much I miss him.

After my Father past away, my Mother who was married to him for 70 years has gone into deep depression AND does not care if she lives which requires a lot of medical attention AND love, I AM trying to see that she both

In June of this year my Sister Barbara almost passed away due to kidney failure which had her in the Hospital for 2 weeks which took a lot of my attention and care for months

I have four sisters three of them are not married and they can not handle tough situations and as you can see I am the rock they come to when they need help.

And when I thought things could not get worse my best friend Vinyl Wright and his wife Shannie who is like my sister got into a motorcycle accident in Daytona FL and Vinyl died from his injuries

Shannie will be coming home tomorrow 11-23-09 - getting out of Hospital in Daytona FL which we buried her mother & father this year and has no brothers or sisters  
She only has me. I don't believe in need

to say any more (I will take care of  
Her)

I have told you more about my  
personal life than I have Even  
told anyone, but you know?

It feels Good

My Father Always told me that no  
matter what happens to you in life  
someone Always has it better?

Again I Apologize  
And I hope you understand

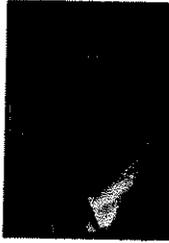
Thanks for your  
Time & Shoulder

Bob Brillegh  
~~Bob Brillegh~~

11-22-09

*Entered Into Eternal Rest*  
*March 3, 2009*

## **BRILLEY, SR.**



Robert J. Brilley, Sr., 88, of Decatur, passed away at 3:18 p.m. Tuesday, March 3, 2009 at St. Mary's Hospital with his family by his side.

Mass of Christian Burial to celebrate Bob's life will be 10:00 a.m. Saturday, March 7, 2009 at Our Lady of Lourdes Catholic Church, 3850 Lourdes

Drive, Decatur, with Father Rick Weltin Presider. Visitation will be from 6:30-9:00 p.m. Friday, March 6, 2009 at the church. In lieu of flowers memorial contributions may be made to the St. Teresa High School Football Program or to the Macon County Senior Center Capital Campaign Fund. Graceland/Fairlawn Funeral Home is assisting the family with these arrangements. Online condolences and stories may be shared with the family at [www.gracelandfairlawn.com](http://www.gracelandfairlawn.com).

Robert was born May 30, 1920 in Decatur the son of Dan and Stella (Doolen) Brilley. He was a hero to everyone who met him and loved by all. He graduated from St. Teresa High School where he played football and was their star. He was offered a football scholarship to the University of Notre Dame. His catholic faith was an example to everyone. He was in the automobile business for over sixty-five years, owning his own new and used car lots for twenty years plus. In 1967 he began employment with El Bauer and soon became sales manager for Fehrenbach Chevrolet and then Miles Chevrolet for Miles Schnaer who he loved so much and was one of his best friends. He greatly admired and respected Cecil Vantuyle of Kansas City. The business was his love and he looked forward everyday to go to work and be with the "Brilley Boys" as they all dubbed themselves. His last boss was Pat Dawson who he himself hired and trained and was so very proud of him and he considered him his son.

He will be so deeply missed by his beloved wife Thelma of sixty-nine years, son; Robert J. Brilley II., daughters; Sandra C. Jennings of Decatur, Susanne M. Peck and husband Jim, who he loved dearly, of Decatur, Cecelia L. Heinrich of O'Fallon, Illinois, and Barbara J. Brilley of Springfield, Illinois, daughter-in-law Linda (Raupp) Brilley, grandchildren; Tina Ielase and husband Tony, Krystal Kracht, Ashley Jennings, Amy Fortae and husband Darrell, Celeena Heinrich, and Shane Brilley and wife Amy, eleven great-grandchildren, two step-grandchildren, as well as Roger Heinrich and Ron Jennings. His dog Maggie was his joy and she will miss him.

He was reunited in heaven with his parents, son-in-law Tom Roney, one sister, and three brothers.

We would like to give a special thanks to Dr. Dennis Rademacher and his staff for the excellent care and the love they extended to our Dad, to St. Mary's Hospital fourth and seventh floor loving nurses, and to the executive staffs as well as the fifth floor nurses at Decatur Memorial Hospital.

**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.  
Residents for Progress  
**Respondent**

**09 AE 027**

L15241

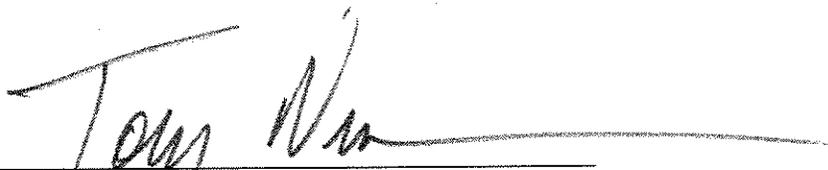
**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment For Failure to File  
a Schedule A-1 in conjunction with the 2009 Consolidated Election

The Committee received two contributions of more than \$500 (in aggregate) but failed to report them on a Schedule A-1. It received both contributions of \$300 on 3/24/09, which combined with other contributions from the same sources to exceed the \$500 threshold. The total assessment is \$600.

John O'Connor, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. O'Connor offers a different defense for each violation. He states that contributions of \$350 and \$300 reported from Joyce & Louis Vitullo were actually donated separately and individually, with Louis Vitullo contributing \$350 and Joyce Vitullo contributing \$300. He says an error was made on the Committee's Semi-Annual Report by showing the two contributors as one entity. For the other violation (in which Jennifer Dart contributed \$350 and \$300 on 3/24/09), Mr. O'Connor states that a refund check for the \$350 contribution was issued to Jennifer Dart on 4/10/09.

I recommend the appeal be granted in part and denied in part. For the contributions from the Vitullos, Mr. O'Connor has included copies of the checks received, showing two separate contributions, one signed by Louis Vitullo and one signed by Joyce Vitullo. I recommend the appeal for the \$300 contribution from Joyce Vitullo be granted since it was separate from the other contribution and therefore did not aggregate to more than \$500. In terms of the contributions from Jennifer Dart, the issuance of a refund check at a later date does not excuse the Committee from the obligation of reporting the contribution on a Schedule A-1 when it was originally received. I therefore recommend the appeal for the \$300 contribution from Jennifer Dart be denied. However, since there is no indication the violations were anything other than inadvertent and unintentional; I recommend the \$300 penalty be reduced to 10% of the original amount, or \$30. As a first violation the penalty is stayed. Finally, since the Committee has since filed a Final Report, I further recommend that if the Committee remains dissolved for a period of 2 years following the date of the Final Order imposing the penalty, the fine be abated.



Tom Newman – Hearing Examiner  
February 18, 2010

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert J. Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
November 18, 2009

Residents for Progress  
John O'Connor  
806 Monroe Ave  
River Forest, IL 60305

L15241

Dear Residents for Progress;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Jennifer Dart	3/24/09	300.00	300.00	*not filed	8
Joyce & Louis Vitullo	3/24/09	300.00	300.00	*not filed	8

The committee is fined a **total** of \$600.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$60.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered.

State of Illinois )  
County of COOK )

STATE BOARD OF ELECTIONS

09 NOV 30 PM 2:27

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
RESIDENTS FOR PROGRESS )  
Respondent(s). )

Case No. 09 AEO27

APPEAL AFFIDAVIT

I, JOHN R OCONNOR, the CHAIRMAN of the  
(Name) (Chairman/Treasurer)  
RESIDENTS FOR PROGRESS  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

1- JENNIFER DAUT WAS ISSUED A \$350 REFUND  
CHECK # 9 ON 4-10-09 (CHECK REGISTER ATTACHED)

2- JOYCE + LOUIS VITULLO DONATED SEPARATELY  
+ INDIVIDUALLY. MY ERROR SHOWED THEM AS ONE  
ENTITY. (SUPPORTING DOCUMENTS ATTACHED)

Signed and Sworn to by:  
Kristina Legan  
before me this 24th Day of  
November, 2009

THANK YOU,

[Signature]  
(Signature of Chairman/Treasurer)

Notary Public [Signature]



# Community Bank

OF OAK PARK RIVER FOREST

RESIDENTS  
 602 P2800155  
 602 1400000  
 27-11-09  
 3-2-09  
 1000

ANDER CANADARY  
 2556  
 03/09/2009 \$1,600.00  
 30062568665

ANDER CANADARY  
 2556  
 03/09/2009 2189 \$25.00  
 30062568672

WILLIAM W. HARRIS  
 557  
 03/09/2009 618409 \$350.00  
 30062568681



ANDER CANADARY  
 2556  
 03/09/2009 2556 \$25.00  
 30062568673

VINCENT & SMOKE  
 7416  
 03/09/2009 7416 \$100.00  
 30062568674

RICHARD J. HOCKY  
 3111  
 03/09/2009 3111 \$125.00  
 30062568666

C. V. GOSSETT  
 4019  
 03/09/2009 4019 \$100.00  
 30062568675

RICHARD J. HOCKY  
 3110  
 03/09/2009 3110 \$125.00  
 30062568667

LOUIS R. VITULO  
 3590  
 03/09/2009 3590 \$350.00  
 30062568676

Handwritten: Louis VITULO

Greg H. Sullivan  
 5711  
 03/09/2009 5711 \$50.00  
 30062568668

RICHARD M. DALE  
 2628  
 03/09/2009 2628 \$50.00  
 30062568677

NORMAN CARROLL  
 2340  
 03/09/2009 2340 \$25.00  
 30062568669

W. CAROLYN DAVIS  
 1844  
 03/09/2009 1844 \$25.00  
 30062568678

MARY T. HARRIS  
 557  
 03/09/2009 557 \$50.00  
 30062568670

HELYN M. HARRIS  
 1803  
 03/09/2009 1803 \$50.00  
 30062568679

MURIEL G. GATHENS  
 6645  
 03/09/2009 6645 \$50.00  
 30062568671

JACK D. BERTH, M.D.  
 7853  
 03/09/2009 7853 \$100.00  
 30062568680

# Community Bank

COMMUNITY BANK, RIVER FOREST, ILL. 60005

RESIDENTS FOR PROGRESS

DATE: 3-10-09

AMOUNT: \$ 1,250.00

COMMUNITY BANK

CD71925635: 0060279901 131

03/12/2009 \$1,250.00  
40086325412

GEORGE E. WARNER, JR. 1586

1117 LATHROP RIVER FOREST, IL 60005

Date: 3-10-09

Pay to the Order of: Residents for Progress \$ 250.00

Two hundred & fifty dollars

Bank of America

CD01586: 0081901608: 000006408455

03/12/2009 1586 \$250.00  
40086325418

ROBERT L. PALLEY 2286

CHERYL K. LIPTON

112 FOREST AVENUE RIVER FOREST, IL 60005

DATE: 3-6-09

Pay to the Order of: Residents for Progress \$ 50.00

Fifty and 00/100

Community Bank

CD71925635: 0060279901 2286

03/12/2009 2286 \$50.00  
40086325416

JOYCE SCHALLER-VITULLO 5517

LOUIS P. VITULLO

126 LATHROP AVE. RIVER FOREST, IL 60005

DATE: 3/9/09

Pay to the Order of: Citizens for Progress \$ 300.00

Three hundred and 00/100

CORUS BANK

CD71002503: 0400508206 5517

03/12/2009 5517 \$300.00  
40086325413

JOYCE VITULLO

PETER DARLEY 1636

KAREN DARLEY, D.D.S.

607 JACKSON RIVER FOREST, IL 60005

DATE: 3/4/09

Pay to the Order of: Residents for Progress \$ 100.00

One hundred and 00/100

CORUS BANK

CD71002503: 0400598194 1636

03/12/2009 1636 \$100.00  
40086325414

LINDA E. RYAN 8103

11700 34th AVE RIVER FOREST, IL 60005

DATE: 3-8-09

Pay to the Order of: Residents for Progress \$ 50.00

Fifty and 00/100

ICE BANK

CD71972572: 8874080222 08103

03/12/2009 8103 \$50.00  
40086325415

MICHAEL GIBBS 1641

327 MORNING AVE. RIVER FOREST, IL 60005

DATE: 3-10-09

Pay to the Order of: Residents for Progress \$ 500.00

Five hundred and 00/100

CHASE

CD74000013: 3970030050215 1641

03/12/2009 1641 \$500.00  
40086325417

IF NECESSARY, WE CAN OBTAIN A COPY OF CHECK # 9 BELOW

CHECK WAS DRAWN ON "COMMUNITY BK OF OAK PARK + RIVER FOREST"  
ACCT # 00802919901

RECORD OF TEMPORARY USE CHECKS

DATE	CHECK NO.	CHECK ISSUED TO	IN PAYMENT OF	AMOUNT OF CHECK	DATE OF DEPOSIT	AMOUNT OF DEPOSIT	BALANCE
3-17		4 DEPOSITS TOTALING					14235 --
3-17	001	JOE JENSEN STUDIO	WESS SITE	330	✓		13905 --
3-18	002	ANTHONY'S DESIGN	DESIGN BUILD	196	✓		
4-9	003	FEELS	RECEPTION	306	✓		
4-10	004	JOHN O'CONNOR	REPAIRS	977	✓		
4-10	005	WINDIKATES	"	249	✓		
4-10	006	GIBBS	"	520	✓		
4-10	007	WAIN INVESTMENT	REPAIRS	346	✓		
4-10	008	MICHAEL A. MARTINEZ CONSULTING	REPAIRS	500	✓		
4-10	009	NICHOLAY & SONS	REPAIRS	550	✓		

JENSEN  
DART REEFURD →

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections  
**Complainant**

v.

09 AE 028

Student Success Alliance  
**Respondent**

L 15247

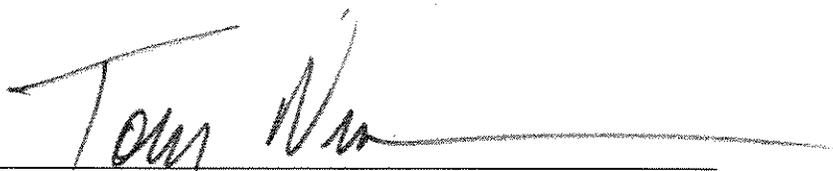
**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment For Failure to  
File a Schedule A-1 in conjunction with the 2009 Consolidated Election

The Committee received a \$3000 contribution on 3/10/09, but failed to report it on a Schedule A-1. In addition, this Committee had previously been assessed a \$500 civil penalty (not appealed, stayed) for delinquently filing the Pre-Election Report for the 2009 Consolidated Election. The total assessment is \$3500.

Loretta Gustello, the Chairman of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Gustello states that she submitted all donations the Committee received and accounted for all expenditures, but she does not actually offer a defense for the failure to file a Schedule A-1.

I recommend the appeal be denied for lack of an adequate defense. However, since there is no indication the violation was anything other than inadvertent and unintentional, I also recommend the penalty be reduced to 10% of the original amount, or \$300. If this recommendation is accepted by the Board, the stay would be lifted on the earlier assessed fine and the total assessment would then be \$800. Finally, since the Committee has filed a Final Report, I also recommend that should the Committee remain dissolved for a period of 2 years following the date of the Final Order imposing the penalty, the fine be abated.



Tom Newman – Hearing Examiner  
February 22, 2010

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959



BOARD MEMBERS  
Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert J. Walters

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485

EXECUTIVE DIRECTOR  
Daniel W. White  
November 18, 2009

Student Success Alliance  
Loretta Gustello  
1210 N 22nd Ave  
Melrose Park, IL 60160

L15247

Dear Student Success Alliance;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Maywood Education Association	3/10/09	3000.00	3000.00	*not filed	18

The committee is fined a **total** of \$3000.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

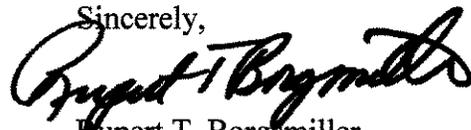
Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$300.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue Klos at 217/782-1543.

---

Sincerely,



Rupert T. Borgsmiller  
Assistant Executive Director

RTB: sk

Enclosure(s): Appeal forms

\* This contribution was reported on the June 2009 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

State of Illinois )  
County of COOK )

STATE BOARD OF ELECTIONS

09 DEC 16 AM 11:54

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
STUDENT SUCCESS ALLIANCE )  
Respondent(s). )

Case No. 09AE028

APPEAL AFFIDAVIT

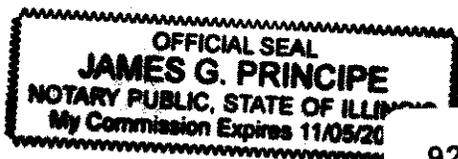
I, LORETTA GUSTELLO, the CHAIRMAN of the  
(Name) (Chairman/Treasurer)  
STUDENT SUCCESS ALLIANCE  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

I SUBMITTED ALL DONATIONS THE COMMITTEE RECEIVED EITHER ON LINE OR ON PAPER. I HAVE INCLUDED COPIES OF MY FILINGS. EVERY EXPENDITURE IS LISTED AND ACCOUNTED FOR IN THE ENCLOSED DOCUMENTS.

Signed and Sworn to by:  
Loretta bustello  
before me this 15<sup>th</sup> Day of  
December, 2009  
James G. Principe  
Notary Public

Loretta Gustello  
(Signature of Chairman/Treasurer)





FORM

D-2

REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES (CHECK APPROPRIATE BOXES)(PLEASE TYPE OR PRINT IN BLACK INK)

- Pre-Election Report - Election Date
Semi-Annual Report
Non-Participation - Election Date
[X] FINAL REPORT
Amendment of Report indicated above

Full name and complete mailing address of Political Committee

Student Success Alliance
1210 North 22nd. Avenue

Melrose Park IL 60160

CHECK IF ADDRESS CHANGE

FOR OFFICE USE ONLY

IDENTIFICATION NO.

Table with columns: REPORTING PERIOD (03/02/2009 FROM, 04/17/2009 THRU), CASH AVAILABLE AT THE BEGINNING OF THE REPORTING PERIOD (\$ 0.00), STATE POLITICAL COMMITTEES RETURN TO: STATE BOARD OF ELECTIONS, P.O. BOX 4187, SPRINGFIELD, IL. 62708, LOCAL POLITICAL COMMITTEES AND STATE AND LOCAL POLITICAL COMMITTEES RETURN ORIGINAL TO: STATE BOARD OF ELECTIONS AND COPY TO: APPROPRIATE COUNTY CLERK.

SEE GUIDE TO CAMPAIGN DISCLOSURE FOR INSTRUCTIONS

COMPLETE 1-7 FOR PRE-ELECTION REPORTS

COMPLETE ALL SECTIONS FOR SEMI-ANNUAL AND FINAL REPORTS

SECTION A - RECEIPTS

- 1. Individual Contributions: a. Itemized (from Schedule A) .. \$ 3750.00 (1a), b. Not-Itemized .. \$ 7130.00 (1b)
2. Transfers In: a. Itemized (from Schedule A) .. \$ 0.00 (2a), b. Not-Itemized .. \$ 0.00 (2b)
3. Loans Received: a. Itemized (from Schedule A) .. \$ 0.00 (3a), b. Not-Itemized .. \$ 0.00 (3b)
4. Other Receipts: a. Itemized (from Schedule A) .. \$ 0.00 (4a), b. Not-Itemized .. \$ 0.00 (4b)
TOTAL RECEIPTS (1-4) .. \$ 10880.00

\*\*\*\*\*

- 5. In-kind Contributions: a. Itemized (from Schedule I) .. \$ 0.00 (5a), b. Not-Itemized .. \$ 0.00 (5b)
TOTAL IN-KIND .. \$ 0.00

SECTION B - EXPENDITURES

- 6. Transfers Out: a. Itemized (from Schedule B).. \$ 0.00 (6a), b. Not-Itemized .. \$ 0.00 (6b)
7. Loans Made: a. Itemized (from Schedule B).. \$ 0.00 (7a), b. Not-Itemized .. \$ 0.00 (7b)
8. Expenditures: a. Itemized (from Schedule B).. \$ 1222.62 (8a), b. Not-Itemized .. \$ 9657.38 (8b)
TOTAL EXPENDITURES (6-8) \$ 10880.00

SECTION C - DEBTS AND OBLIGATIONS

(Include previously reported unpaid debts)

- 9. a. Itemized (from Schedule C) .. \$ 0.00 (9a), b. Not-Itemized .. \$ 0.00 (9b)
TOTAL DEBTS & OBLIGATIONS \$ 0.00

SECTION D - CASH BALANCE

- Funds available at the beginning of the reporting period .. \$ 0.00 (A)
Total Receipts (Section A) .. \$ 10880.00 (B)
Subtotal .. \$ 10880.00 (C)
Total Expenditures (Section B) .. \$ 10880.00 (D)
Funds available at the close of the reporting period .. \$ 0.00 (E)
\*\*\*\*\*
Investment Total .. \$ 0.00 (F)

VERIFICATION

I DECLARE THAT THIS REPORT OF CAMPAIGN CONTRIBUTIONS OR THIS SEMI-ANNUAL REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES (INCLUDING ACCOMPANYING SCHEDULES AND STATEMENTS) HAS BEEN EXAMINED BY ME AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS A TRUE, CORRECT AND COMPLETE REPORT AS REQUIRED BY ARTICLE 9 OF THE ELECTION CODE. I UNDERSTAND THAT WILLFULLY FILING A FALSE OR INCOMPLETE REPORT IS A BUSINESS OFFENSE SUBJECT TO A FINE OF UP TO \$5000.

Loretta Gustello
SIGNATURE OF TREASURER OR CANDIDATE

07/16/2009

DATE

(THIS FORM MAY BE REPRODUCED)

Printed on Recycled Paper



NAME OF POLITICAL COMMITTEE:

REPORTING PERIOD

FOR OFFICE USE ONLY

STUDENT SUCCESS ALLIANCE

3-10-09 FROM 4-17-09 THRU

**SCHEDULE B**

INDICATE THE PART OF FORM D-2 BEING ITEMIZED:

- PART 6- TRANSFERS OUT EXPENDITURES TO POLITICAL COMMITTEES - INCLUDING TICKET & RAFFLE PURCHASES
- PART 7- LOANS MADE
- PART 8- EXPENDITURES

POLITICAL COMMITTEE IDENTIFICATION NO.

L15247

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

ITEMIZED EXPENDITURES FULL NAME, MAILING ADDRESS, AND ZIP CODE	DATE OF EXPENDITURE	PURPOSE	BENEFICIARY	AMOUNT OF EACH EXPENDITURE THIS REPORTING PERIOD	AGGREGATE AMOUNT THIS REPORTING PERIOD
ABRUZZO RESTAURANT MELROSE PARK, IL 60160	3/10/09	FUNDRAISING PARTY	STUDENT SUCCESS ALLIANCE	3828.92	3828.92
PATTI CARLINZ 1302 N 13TH AVE MELROSE PARK	3/13/09	DECORATION	"	49.35	49.35
Mc GAFFED COMMUNICATIONS 310 BUSSE HIGHWAY #103 PARK RIDGE, IL 60061	3/25/09	FLYERS + POSTAGE	"	5704.78	5704.78
ANNAMARIE GUSTELLO 1210 N 22ND AVE MELROSE PARK, IL 60160	3/30/09	STAMPS	"	27.00	27.00
RDMEL PRESS P.O. BOX 1094 MELROSE PARK, IL 60161-1094	4/9/09	FLYERS	"	702	702.00
LARRY GUSTELLO 1210 N 22ND AVENUE MELROSE PARK, IL 60160	4/17/09	BREAKFAST FOR WORKERS	"	51.68	51.68
SIGNCO MELROSE PARK, IL 60160 1331	4/17/09	SIGNS	"	471.27	471.27
LORETTA GUSTELLO 1210 N 22ND AVENUE MELROSE PARK, IL 60160	4/17/09	POSTAGE	"	45.00	45.00

USE SEPARATE PAGE(S) FOR EACH NUMBERED PART

TOTAL THIS PERIOD \$ 10,880.00  
(LAST PAGE OF THIS PART ONLY)

(THIS FORM MAY BE REPRODUCED)  
SEE INSTRUCTIONS ON REVERSE SIDE

PAGE 1

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections  
**Complainant**

v.

09 DS 264

Committee to Elect Dennis Barnard      S9728  
**Respondent**

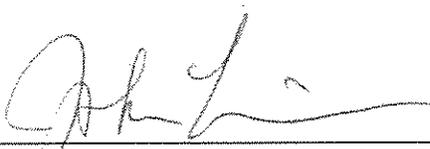
**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment  
For Delinquently Filing the December 2008 Semi-Annual Report

The Report was received on June 26, 2009, 110 days late, resulting in a civil penalty assessment of \$5000. This is the Committee's first assessment.

Robert Boarman, the Treasurer of the Committee at the time of the appeal, filed a Waiver of Appearance and Appeal Affidavit in this matter. Mr. Boarman resigned effective October 14, 2009. He has not been replaced, although the Committee has been notified of the need to name a new Treasurer.

On the Affidavit, Mr. Boarman indicated there was miscommunication on the issue of whether the Candidate had personally filed a timely Semi-Annual Report. Mr. Boarman made reference to a different Report (the June 2009 Semi-Annual Report). The Committee has not responded to a request for clarification on the matter.

I recommend the appeal be denied for lack of an adequate defense. The Committee is responsible for establishing an internal communication system that leads to the timely filing of all Reports. This Committee, pursuant to statute, is notified multiple times in advance of Reports coming due. If the Board accepts this recommendation, the fine would be stayed as the product of a first offense.

  
\_\_\_\_\_  
John Levin – Hearing Examiner  
February 22, 2010

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert L. Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
September 8, 2009

Committee to Elect Dennis Barnard  
8699 Zion Chapel Rd  
Blue Mound, IL 62513

S9728

Dear Committee to Elect Dennis Barnard;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on June 26, 2009, 110 day(s) late. As such, this committee has been assessed a fine of \$5000.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. ***Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.***

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue Klos at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB: sk  
Enclosure(s): appeal forms

State of Illinois )  
County of Shelby )

09 SEP 29 PM 2:46

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Committee to Elect Dennis Barnard )  
Respondent(s). )

Case No. 09 DS 264

APPEAL AFFIDAVIT

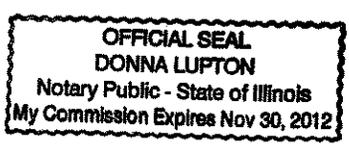
I, Robert L. Boarman, the Treasurer of the  
(Name) (Chairman/Treasurer)  
Committee to Elect Dennis Barnard  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

It was of the understanding that by means of telephone messages and electronic mail Mr. Dennis Barnard had completed the semi-annual reports for the period of Jan. 1, 2009 through June 30, 2009, and completed electronically. However after submission, additional information was needed to complete the filing.

Signed and Sworn to by:  
Robert L. Boarman  
before me this 28<sup>th</sup> Day of  
SEPTEMBER, 2009  
Donna Lupton  
Notary Public

RLB  
(Signature of Chairman/Treasurer)



BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections  
**Complainant**

v.

09 AE 041

People Empowering Ethical Politics  
**Respondent**

S9854

**REPORT OF HEARING EXAMINER**

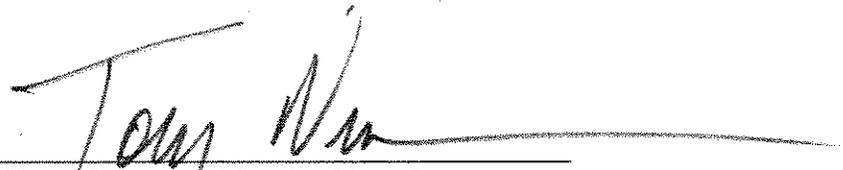
Appeal of Civil Penalty Assessment For Failure to  
File a Schedule A-1 in conjunction with the 2009 Consolidated Election

The Committee received a \$1000 contribution on 4/4/09 but failed to report it on a Schedule A-1, resulting in a civil penalty assessment of \$1000.

Bobby Mullins, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Mullins admits that the Committee failed to file the required Schedule A-1. He says the Committee received two contributions on the same date, with one being reported and the other not reported due to a simple oversight.

I recommend the appeal be denied for lack of an adequate defense. However, since there is no indication the violation was anything other than inadvertent and unintentional I also recommend the \$1000 penalty be reduced to 10% of the original amount, or \$100. As a first violation, the penalty is stayed.



Tom Newman – Hearing Examiner

February 22, 2010

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Bryan A. Schneider, Chairman  
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Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert J. Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
November 18, 2009

People Empowering Ethical Politics  
Bobby Mullins  
9513 Baldwin Dr  
Machesney Park, IL 61115

S9854

Dear People Empowering Ethical Politics;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Citizens for Bob Mullins	4/4/09	1000.00	1000.00	*not filed	1

The committee is fined a **total** of \$1000.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$100.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. Since your committee has no other civil penalty assessments and only one delinquent Schedule A-1 amount is listed above, the penalty will be **stayed** as a first violation and would only become due and owing upon any subsequent delinquent filings by the committee.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue Klos at 217/782-1543.

---

Sincerely,



Rupert T. Borgsmiller  
Assistant Executive Director

RTB: sk

Enclosure(s): Appeal forms

\* This contribution was reported on the June 2009 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

STATE BOARD OF ELECTIONS  
09 NOV 30 PM 2:27

IN THE MATTER OF; )  
)  
ILLINOIS STATE BOARD OF ELECTIONS, )  
)  
Complainant )  
)  
Vs. )  
)  
PEOPLE EMPOWERING ETHICAL POLITICS )  
Respondent(s). )

Case No. 09PE041

APPEAL AFFIDAVIT

I, BOBBY MULLINS, the TREASURER of the  
(Name) (Chairman/Treasurer)  
PEOPLE EMPOWERING ETHICAL POLITICS  
(Name of the Committee)

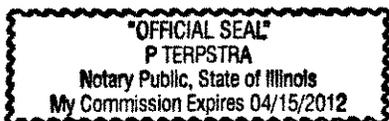
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

IN REVIEWING OUR RECORDS, IT APPEARS THAT WE DID NOT FILE THE REQUIRED FORM A-1 NOTED. THERE WERE 2 RECEIPTS ON APRIL 4, 2009. ONE WAS PROPERLY REPORTED AND THE SECOND RECEIPT WAS NOT REPORTED. THE FAILURE TO REPORT WAS A SIMPLE OVERSIGHT FOR WHICH WE APOLOGIZE.

Signed and Sworn to by:  
Bob Mullins  
before me this 25 Day of  
November, 2009

[Signature]  
(Signature of Chairman/Treasurer)

Notary Public  
[Signature]



**STATE BOARD OF ELECTIONS**

**1020 South Spring Street  
Springfield, Illinois 62704  
217/782-4141**

**Rupert T. Borgsmiller**

**Assistant Executive Director**

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To: Daniel W. White, Executive Director, Members of the Board

Re: Payment of Civil Penalties - Informational

Date: February 24, 2010

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The following committees have made payment of outstanding civil penalties for the period of 2/5/10 – 2/24/10:

- § Citizens for Tellalian - \$300.00
- § United Progressive Party of Alsip - \$1000.00
- § Friends of Kyle Ham - \$637.50
- § Citizens to Elect Robert Howard - \$500.00
- § Cunningham Campaign Committee - \$200.00
- § The Republican Organization of Elk Grove Township - \$200.00
- § Maine Township Regular Republican Organization - \$82.00
- § The Republican Organization of Elk Grove Township - \$1100.00

**Total Amount Paid for this Period- \$4019.50**

**Year to Date Totals:**

1/4/10 – 2/4/10 - \$1350.00

2/5/10 – 2/24/10 - \$4019.50

4. **Other business.**
5. **Comments from the Chairman and Vice Chairman.**
6. **Comments from the general public.**
7. **Next Board meeting Tuesday, April 20, 2010 at 10:30 a.m. in Chicago (pending).**
8. **Executive Session.**