

**STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

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- AMENDED -

**AGENDA
STATE BOARD OF ELECTIONS
Sitting as the Duly Authorized
State Officers Electoral Board
Monday, September 19, 2016
10:30 a.m.**

2329 S. MacArthur Blvd.
Springfield, Illinois
and via videoconference
James R. Thompson Center – Suite 14-100
Chicago, Illinois

Roll call.

1. **Approval of the minutes from the August 26 meeting. (pgs.1-4)**
2. **Consideration of objections to independent and new party candidate nominating petitions for the November 8, 2016 General Election;**
 - 1) ***Stocks v. Gill*, 16SOEBGE109; (pgs.5-30)**
 - 2) ***Wicklund v. Gill*, 16SOEBGE106. (attached)**
3. **Other business.**
4. **Recess the State Officers Electoral Board until Tuesday, October 18, 2016 at 10:30 a.m. in Chicago or until call of the Chairman, whichever occurs first.**

Stocks v Gill
16 SOEB GE 109
Updated 9-16-16

Candidate: David M. Gill

Office: 17th Congressional

Party: Independent

Objector: Jerrold Stocks

Attorney For Objector: John G. Fogarty, Jr.

Attorney For Candidate: Sam Cahnman

Number of Signatures Required: 10,754

Number of Signatures Submitted: 11,348

Number of Signatures Objected to: 3,384

Basis of Objection: 1. The Candidate's nomination papers contain an insufficient number of valid signatures. Various objections were made against the petition signers including "Signer's Signature Not Genuine," "Signer Not Registered at Address Shown," "Signer Resides Outside of the District," "Signer's Address Missing or Incomplete," and "Signer Signed Petition More than Once." 2. The nomination papers should be disqualified in their entirety, or in the alternative, in part, because they were not numbered consecutively and some pages were numbered incorrectly. 3. The nomination papers contain petition sheets of two circulators who were not the true circulators of the sheets, did not personally witness the signatures that appear on their sheets and were not present at the time such signatures were purportedly made on their sheets. Such signatures appear to have been forged and written in the same hand and the sheets circulated by the two circulators at issue should be stricken in their entirety.

Dispositive Motions: Candidate's Motion to Strike and Dismiss and Motion for Production, Objector's Response to Motion to Strike and Dismiss

Binder Check Necessary: Yes

Hearing Officer: David Herman

Hearing Officer Findings and Recommendations: Candidate filed a Motion to Strike and Dismiss and a Motion for Production. Paragraphs 1 through 10 attacked objections based upon pagination and numbering of petition sheets and pattern and practice of fraud. Paragraph 11 cited Section 10-4 in support of Candidate's argument that Objector lacks standing to bring an objector's petition against an independent candidate because, on information and belief, Objector circulated

or certified petitions for a Republican candidate during this election cycle. Paragraph 12 requested that Objector be ordered to provide Candidate all evidence that Objector intends to rely upon in support of the claims raised in his petition.

Objector filed a Response to the Candidate's motions, arguing that his petition should not be dismissed because Section 10-4's requirement that petition sheets be consecutively numbered is mandatory and whether Candidate substantially complied with this requirement is a question of fact. Objector further argued that Candidate did not provide any basis for striking or dismissing any of the objections or for his request to compel the production of documents at this stage.

A records examination was held and completed on July 18, 2016. The examiners ruled on objections to 3,384 signatures. 2,755 objections were sustained, leaving a total of 8,593 valid signatures, which is 2,161 signatures less than the required 10,754 minimum number of signatures. Neither party submitted a Rule 9 Motion or any evidence contesting the finding of the records examination. The parties met and conferred on July 21, 2016, the report of which shows agreement that Candidate needed 10,754 signatures to qualify for the ballot and noted that neither party planned to submit any Rule 9 evidence, although neither party waived any argument as to the constitutionality of the minimum signature requirement.

On July 22, 2016, the Hearing Officer recommended that Candidate's Motion to Strike and Dismiss and Motion for Production be denied, as the records examination resulted in Candidate being 2,161 signatures short of the minimum number of signatures required to be placed on the ballot and Candidate did not offer any Rule 9 evidence to rehabilitate signatures; candidate was short of the required amount of signatures regardless of whether or not Objector's allegations contained in Paragraphs 1 through 10 were sustained. Accordingly, the Hearing Officer recommended that that part of the motion be denied.

Regarding Candidate's argument that Objector lacked standing to object to an independent candidate because he previously circulated for a Republican candidate during this election cycle, Section 10-8 of the Election Code provides that any legal voter of the political subdivision or district in which the candidate is to be voted on having objection to a candidate's nomination papers shall file an objection. Candidate does not allege that Objector fails to meet this requirement and only cites Section 10-4's prohibition against an individual circulating for an independent candidate or candidates in addition to on political party in support of his argument. Accordingly, the Hearing Officer recommended that this part of the motion be denied.

The Hearing Officer also recommended that Paragraph 12 of the Motion to Strike, which served as a Motion for Production and requested that Objector provide all evidence he intended to rely upon in the case, be denied as the argument was moot as a result of Candidate's lack of valid signatures to qualify for the ballot.

Regarding the objection made to missing petition sheets and incorrect numbering of petition sheets, the Hearing Officer found those arguments moot in light of the undisputed records examination results. Similarly, regarding the two circulator objections, the Hearing Officer found the argument moot in light of the records examination results.

In summary, the Hearing Officer's recommendation of September 6, 2016 was that the Candidate's Motion to Strike and Dismiss and Motion for production be denied and that the Candidate's name not be certified to the ballot as a candidate to the Office of Representative in Congress for the 13th Congressional District in the State of Illinois to be voted for at the 2016 General Election.

On August 18, 2016 the Candidate filed a Motion for temporary Restraining Order or Preliminary Injunction in the United States District Court, Central Division. The Court held an evidentiary hearing on the same on August 24, 2016. On August 25, 2016, the Court issued its Opinion granting the Candidate's Motion for Preliminary Relief and enjoining the State Board of Elections from enforcing the Election Code's minimum signature requirement against the Candidate, finding that his gathering of 8,593 valid signatures demonstrated a modicum of support and that the Candidate otherwise appeared to be qualified for the ballot.

On August 26, 2017, the State Officers Electoral Board convened, considered the matter, and ordered it remanded back to the Hearing Officer for further proceedings relating to the Objector's claims of improper petition pagination and circulation.

The Hearing Officer held a teleconference with the parties on August 31, 2016 and issued a case management order, which, in part, ordered the parties to brief the issue of the Objector's request for issuance of subpoenas and the authority for a party to issue a Rule 237 Notice to Appear. The Hearing Examiner found the issue of the Rule 237 subpoena to be a non-dispositive issue over which he had authority to rule, and on September 6, 2016, ordered that Rule 237 notices, to the extent desired by either party, be served. The Hearing Examiner also found good cause to have been shown as to why subpoena requests were not issued within the deadline set forth in the Rules of Procedure, and recommended that the Objector's request for subpoenas to be issued to certain named circulators be granted by virtue of an Order and Recommendation. The Chair and Vice Chair of the State Board adopted the Hearing Officer's Recommendation and ordered that subpoenas be issued to the circulators.

On September 9, 2016, the 7th Circuit Court of Appeals stayed the August 25, 2016 District court order.

On September 12, 2016, the Candidate and co-Plaintiffs filed their Emergency Petition for Immediate *Vacatur* of Stay and Expedited Initial Hearing *En Banc* Thereon in the Seventh Circuit Court of Appeals.

On September 13, 2016, the Hearing Officer held a hearing at which both Candidate and Objector were present with counsel. The circulator Floyd Brown was served with a subpoena but did not appear.

1. *Pagination Requirements of Election Code*

Paragraph 11 of Objector's Petition alleged that the petition sheets do not comply with 10 ILCS 5/1-04 of the Election Code because they are not numbered consecutively, have pages missing, and duplicate-numbered pages. Objector argues that the nomination papers should be disqualified in their entirety because of Candidate's failure to accurately number the petition

sheets. In the alternative, Objector maintains that every sheet following page 20 should be stricken. Candidate responds that his petition sheets substantially comply with the pagination requirement. Objector disputes that there was substantial compliance. The Hearing Officer finds the facts demonstrate substantial compliance with Section 10-4. The Hearing Officer notes that the Objector did not present any evidence regarding voter confusion, tampering, or fraud with respect to the pagination of the petition sheets at issue. Finally, the Hearing Officer finds Objector's argument that every petition sheet after page 20 should be invalidated because there is no page 20 to be without merit under existing case law.

Accordingly, **the Hearing Officer recommends that the objections related to improper pagination be overruled.**

2. *Pattern and Practice of Fraud With Respect to Specified Petition Sheets*

Objector argues that the petition sheets purportedly circulated by Floyd Brown demonstrate a pattern and practice of fraud and thus all of the petition sheets circulated by Floyd Brown should be invalidated and stricken.

In his Motion to Strike, the Candidate argues that because the sheets have been acknowledged by a notary and are in substantial compliance with the statute, the petition sheets cannot be impeached except for fraud and imposition, and this standard has not been met. The Hearing Officer finds case law cited by the Candidate in this regard to be inapplicable this case.

Both at hearing and in his Objections to Remand and Re-Opening of Electoral Board Proceeding, Candidate responded to Objector's objections by arguing that Objector has not met the standard in Appendix A to the State Board's Rules of Procedure for establishing a claim of fraudulent conduct. The Hearing Officer finds that the Objector has met this standard, as specific allegations were set forth in the Petition and identified specific challenged sheet numbers, and at the hearing, Objector testified regarding his allegations with respect to each of these sheets.

The Hearing Officer went on to examine the evidence to resolve the question of whether the evidence of record establishes a pattern and practice of fraud with respect to Floyd Brown's petition sheets, noting that in total, approximately 83% of the signatures on petition sheets collected by Floyd Brown that were reviewed at the records examination were invalidated. The Hearing Officer cited case law in finding that the State Board would be well within its discretion to strike Floyd Brown's petition sheets because more than 50% of the signatures were found to be invalid, which indicates a clear pattern of fraud. The Hearing Officer found this conclusion to be further supported by a comparison of many of the signatures on the petition sheets, which he found to contain numerous similarities, indicating they were written by the same hand. The Hearing Officer finds that the totality of the circumstances indicate a pattern and practice of fraud in the circulation of Floyd Brown's petition sheets. **Accordingly, the Hearing Officer recommends that all of the petitions circulated by Floyd Brown be stricken. This would reduce the Candidate's signature count total from 8,593 to 8,491.**

3. *Authority of State Board to Remand This Matter to This Hearing Examiner*

The Candidate questioned the authority of the State Board to remand this matter to the Hearing Officer. In this instance, when issuing the initial Recommendation, the Hearing Officer did not consider evidence related to the pagination and pattern and practice of fraud objections since the Candidate's petition fell so far below the number of required signatures. The Hearing Officer finds that the State Board had the authority to remand this matter to this Hearing Officer for further development of the record.

4. *Objector's Request for Enforcement of Subpoena Issued to Floyd Brown*

The Hearing Officer recommends that the State Board not initiate enforcement proceedings in the circuit court regarding the subpoena issued to Floyd Brown, as doing so would be an inefficient use of the State Board's resources.

In conclusion and summary, consistent with the Hearing Officer's original Recommendation of July 22, 2016, the Hearing Officer recommends that the Candidate's name not be certified to the November 2016 General Election ballot as a candidate to the Office of Representative in Congress for the 13th Congressional District in the State of Illinois.

Recommendation of the General Counsel: The General Counsel concurs in the Hearing Officer's recommendation.

**BEFORE THE DULY CONSTITUTED ELECTORAL BOARD
FOR THE HEARING AND PASSING UPON OBJECTIONS TO NOMINATION
PAPERS OF CANDIDATES FOR ELECTION TO THE OFFICE OF
REPRESENTATIVE IN CONGRESS FROM THE 13TH CONGRESSIONAL DISTRICT
IN THE STATE OF ILLINOIS**

Jerrold Stocks, Petitioner-Objector,)	
)	
vs.)	Case No. 16-SOEB-GE-109
)	
David M. Gill, Respondent-Candidate.)	

SUPPLEMENTAL RECOMMENDATION OF HEARING EXAMINER

I. PROCEDURAL HISTORY

On June 27, 2016, David Gill (hereinafter “Candidate”) filed a Statement of Candidacy as an independent candidate for the office of Representative in Congress from the 13th Congressional District with the Illinois State Board of Elections (hereinafter “State Board”). On July 5, 2016, Jerrold Stocks (hereinafter “Objector”) filed a Verified Objector’s Petition with the State Board in which he alleged that the nomination papers of Candidate were insufficient in that they were not in conformance with certain provisions of the Illinois Election Code. As set forth in the Recommendation of Hearing Examiner dated July 22, 2016, those grounds were as follows:

- the nomination papers contained petition sheets with names of persons 1) who are not registered voters at the address shown, 2) whose addresses are not within the 13th Congressional District, 3) whose signatures were not genuine or signed by the proper person, 4) who signed the nomination papers more than once, and 5) whose addresses were missing or incomplete;
- the nomination papers should be disqualified in their entirety, or in the alternative, in part, because they were not numbered consecutively, several pages were missing, and some pages were numbered incorrectly;
- the nomination papers contained petition sheets purportedly circulated by Floyd Brown, who was not the true circulator of the petitions sheets that he purported to have circulated, did not witness the signatures that appear on his petition sheets and was not present at the time such signatures were purportedly made on his petition sheets, that numerous signatures on Mr. Brown’s petition sheets appear to not be genuine and that such signatures appear to have been forged and written in the same hand; and

- the nomination papers contained petition sheets purportedly circulated by David McCarver, who was not the true circulator of the petitions sheets that he purported to have circulated, did not witness the signatures that appear on his petition sheets and was not present at the time such signatures were purportedly made on his petition sheets, that numerous signatures on Mr. McCarver's petition sheets appear to not be genuine and that such signatures appear to have been forged and written in the same hand.

In their initial Meet and Confer Report, the Parties stipulated that 10,754 signatures were required for an independent candidate to be placed on the ballot as a candidate for the office of Representative in Congress for the 13th Congressional District. Because the records examination revealed that Candidate was 2,161 signatures short of this requirement, this Hearing Examiner recommended that Candidate not be placed on the ballot. The Hearing Examiner also found the issues relating to improper pagination and circulation moot.

The State Board had scheduled a hearing for August 26, 2016 to act on that recommendation. However, on August 25, 2016, United States District Judge Sue E. Myerscough entered an order enjoining the State Board from enforcing the signature requirement against Candidate. On August 26, 2016, the State Board remanded this matter back to this Hearing Examiner for further proceedings relating to the objections based upon improper petition pagination and circulation. The State Board has not acted on the Hearing Examiner's initial Recommendation.

On August 31, 2016, during a teleconference with the Parties and this Hearing Examiner, Objector's counsel raised the issue of subpoenaing two circulators referenced in the filed Objection – Floyd Brown and David McCarver. After the teleconference, the Hearing Examiner issued a Case Management Order which, in part, ordered the Parties to brief the issue of Objector's request for issuance of subpoenas and the authority for a party to issue a Rule 237 Notice to Appear. A hearing on the pending objections was also scheduled for September 13, 2016 and the Hearing Examiner notified the Parties that the State Board of Elections will take up the remaining objections at their next meeting on September 19, 2016.

On September 9, 2016, the 7th Circuit Court of Appeals entered an Order granting a stay of the District Court's Order enjoining the State Board from enforcing the Election Code's signature requirement against the Candidate.

Also on September 9, 2016, following review of the Parties' briefing on the Rule 237 Notice to Appear and subpoena issues, this Hearing Examiner issued an Order and Recommendation which ruled that a Rule 237 Notice to Appear is an appropriate method of compelling a party to appear at the evidentiary hearing in this matter. The Hearing Examiner also recommended that subpoenas be issued for the two circulators in question. The Chairman and Vice Chairman of the State Board adopted the Hearing Examiner's Recommendation and ordered that subpoenas be issued to the two circulators. Objector was able to obtain service of the subpoena on Floyd Brown but not David McCarver.

On September 13, 2016, a hearing was held at which Candidate and Objector both appeared with counsel. Although a subpoena had been issued to Floyd Brown, he did not appear. At the hearing, Objector withdrew the allegations in Paragraph 14(b) of his Objector's Petition pertaining to David McCarver. Accordingly, the issues that remain before this Hearing Examiner are the objections in Paragraphs 11 and 14(a) of Objector's Petition which pertain to pagination and petition sheets circulated by Floyd Brown, respectively. Issues raised in Paragraphs 1 through 10 of Candidate's Motion to Strike and Dismiss and Motion for Production ("Motion to Strike"), which were previously deemed moot because of Candidate's failure to meet the signature requirement, also remain. Specifically, Paragraphs 1 through 8 address the objections based upon pagination and Paragraphs 9 and 10 address the pattern of fraud and false swearing objections.

The following evidence relevant to the remaining issues was presented. Candidate testified that his campaign manager, Don Necessary, recruited people to circulate petitions. Mr. Necessary trained the circulators. Initially, the circulators were not paid. However, Candidate made the decision to have the campaign pay approximately six of his circulators, including David McCarver and Floyd Brown, after hearing that other campaigns pay circulators. Initially, Candidate's circulators were paid \$0.25 per signature. Candidate stated that the pay increased to \$1.00 per signature approximately three weeks before the filing deadline. Candidate thought that paying by the signature rather than by hour would encourage the circulators to be more efficient. Candidate did not have direct supervision over the circulators. Candidate has never met Floyd Brown.

Objector Jerrold Stocks testified. Candidate's counsel questioned Objector regarding Floyd Brown's petition sheets identified in Objector's Petition (Objector's Petition was marked as Gill Exhibit No. 2). Objector stated he had no knowledge of any witnesses to Floyd Brown's actions with respect to circulating the petitions. Counsel asked Objector about each of the petition sheets in Paragraph 14(a) of his Objector's Petition. While Objector identified many sheets on which he thought there were similarities in the signatures which would indicate they were written by the same hand, Objector did concede that there were sheets which may contain valid signatures. The totality of circumstances led him to conclude that many of Floyd Brown's petition sheets were put together "at the eleventh hour" and that many of the signatures were forged. Objector challenged all signatures based upon a pattern and practice of fraud.

In closing argument, Objector's counsel stated that the Objector had met his burden of showing that Floyd Brown was not the true circulator and that all of the petition sheets circulated by him should be stricken. Counsel also argued that the pagination requirement in the Election Code is a mandatory requirement. He claimed that the misnumbering of pages was so severe, there was no substantial compliance. Counsel for Candidate argued that Objector had not met the high burden set forth in the State Board's Rules for showing a pattern and practice of fraud. With respect to the pagination issue, Candidate's counsel argued that Candidate's petition sheets substantially complied with the requirements of the Election Code.

This Hearing Examiner offered the Parties the opportunity to make argument with respect to Candidate's Motion to Strike and the issue of the State Board's authority to remand this matter to this Hearing Examiner. The Parties stood on their briefs with respect to the Motion to Strike.

Both Parties acknowledged not finding any case law discussing the issue of the authority of the State Board to remand the matter.

Counsel for Objector did request that the State Board undertake enforcement proceedings with respect to the subpoena served upon Floyd Brown. Candidate argued that Objector did not comply with the rules relating to subpoenas because he did not tender the check for fees and mileage when the subpoena was served. Counsel for Objector acknowledged that he did not, but said it was not possible to get a check to the process server in the time he had. Counsel did have checks with him for Floyd Brown's mileage and fees if Mr. Brown had appeared at the hearing.

II. ANALYSIS

As stated, the issues before the Hearing Examiner are the allegations in Paragraph 11 of Objector's Petition that Candidate's petition sheets failed to comply with the pagination requirements of the Election Code and the allegations Paragraph 14(a) of a pattern and practice of fraud in the petition sheets purportedly circulated by Floyd Brown. This Hearing Examiner previously found those issues moot due to Candidate's failure to meet the signature requirement. Because the issues that remain to be ruled upon from Candidate's Motion to Strike involve these allegations, they will be discussed together.

A. *Allegations of Failure to Comply with Pagination Requirements of Election Code*

Paragraph 11 of Objector's Petition alleges that the petition sheets do not comply with 10 ILCS 5/1-04 of the Election Code because they are not numbered consecutively. Objector acknowledges that Candidate has filed at least 825 petition sheets. See Objector's Petition, at ¶ 4. Objector alleges that the nominating papers contain defects because (1) there are no pages 20, 188, 533, 555, or 559; (2) pages 321 through 330 do not exist; (3) there are two pages numbered 354; and (5) the page appearing between pages 736 and 738 appears to be numbered 733, rendering that page out of order and a duplicate of page 733. Objector argues that the nomination papers should be disqualified in their entirety because of Candidate's failure to accurately number the petition sheets. In the alternative, Objector maintains that every sheet following page 20 should be stricken. Candidate responds that his petition sheets substantially comply with the pagination requirement. Objector disputes that there was substantial compliance.

Section 10-4 of the Code provides in pertinent part that, "All petitions for nomination under this Article 10 for candidates for public office in this State, shall in addition to other requirements provided by law, be as follows: * * * the sheets shall * * * be numbered consecutively." 10 ILCS 5/10-4. This requirement is mandatory. See Wollan v. Jacoby, 274 Ill. App. 3d 388, 393 (1st Dist. 1995) (holding "that the page numbering provision of section 10-4 is mandatory and not directory as a matter of law"); Hagen v. Stone, 277 Ill. App. 3d 388, 391 (1st Dist. 1995) (stating "[i]t is clear that both the page numbering requirement and the provision requiring that a circulator's affidavit include a statement as to when the sheet was circulated are mandatory provisions"). "However, substantial compliance can satisfy even mandatory provisions of the Code." King v. Justice Party, 284 Ill. App. 3d 886, 890 (1st Dist. 1996).

“Substantial compliance is achieved when a deviation from the Election Code is minor or technical in nature and the deviation does not defeat the thrust, purpose, and effect of the Election Code. The general purpose of the Election Code is to protect the integrity of the electoral process and to guarantee a fair and honest election. * * * Further, to determine whether substantial compliance has been achieved, courts also consider whether the deviation impairs the purpose of the specific statutory provision at issue.” Atkinson v. Roddy, 2013 IL App (2d) 130139, ¶¶ 16-17. In Nader v. Illinois State Bd. of Elections, 354 Ill. App. 3d 335, 343 (1st Dist. 2004), the court stated that the purpose behind the consecutive page numbering requirement of Section 10-4 is that it

“aids those persons who choose to comb through what is likely to be voluminous pages of a nominating petition in identifying specific pages or information contained thereon by reference to a page number and prevents tampering, thereby preserving not only the integrity of the petitions submitted, but also the election process in general. Without page numbers that are accurately numbered in consecutive order, there may be no way to effectively ascertain whether additional pages were later inserted or whether original pages were missing.”

(Citation and quotations omitted).

In his Motion to Strike, Candidate cites to Reynolds v. County Officers Electoral Board, 379 Ill. App. 3d 423 (4th Dist. 2008), for the proposition that he substantially complied with the pagination requirement of Section 10-4 because 50 percent of the petition sheets were improperly numbered in Reynolds yet substantial compliance was found. However, in Reynolds the total petition consisted of four pages, two of which were properly numbered. The court stated that “given the limited number of pages involved, the fact that the two pages at issue are easily identified by the name of the individuals who circulated them, and the lack of any claim of possible voter confusion, tampering, or fraud by the plaintiff lead to the conclusion that the evidence before the Board was sufficient to sustain its finding that the defendant substantially complied with the requirements of the statute.” Reynolds, 377 Ill. App. 3d at 425. Here, there were more than 825 petition sheets. Thus, the reasoning in Reynolds is not compelling.

However, this Hearing Examiner believes the facts present here demonstrate substantial compliance with the requirement in Section 10-4 that the pages be numbered consecutively. While there are far less petition sheets involved in this case, this Hearing Examiner finds this case to be somewhat similar to King, 284 Ill. App. 3d 886, where the court found substantial compliance with the page-numbering requirement where there were 4,427 petition sheets and 16 pages were not numbered and two pages were missing. Here, there were over 825 petition sheets. Objector claimed that pages 321 through 330¹, or 10 consecutive pages, were omitted. This could be because whoever numbered the pages inadvertently skipped from page 320 to 331. Objector additionally claims that 5 other page numbers were omitted (20, 188, 533, 555, and 559) and that there are two pages number 354. Finally, Objector claims that the page between 736 and 738 appears to be numbered 733 rendering that page both out of order and a duplicate of page 733. While the percentage of pages here either missing or alleged to duplicate page numbers is somewhat higher than that in King, it is still a relatively low percentage such that the

¹ The Objector’s Petition actually lists page number 328 twice and omits any reference to page 329.

Hearing Examiner does not believe it warrants striking all of the petition sheets. While compliance was not strict, it was substantial nonetheless. See King v. Justice Party, 284 Ill. App. 3d at 891. Moreover, Objector did not present any evidence regarding voter confusion, tampering, or fraud with respect to the pagination of the petition sheets.

Finally, Objector's argument that every petition sheet after page 20 should be invalidated because there is no page 20 is without merit. This argument has been rejected in Williams v. Butler, 35 Ill. App. 3d 532, 535 (4th Dist. 1976) (stating that the omission of page 191 out of 323 did "not constitute any basis for striking the remaining pages") (abrogated on other grounds).

For these reasons, this Hearing Officer recommends that the objections related to improper pagination be overruled.

B. Allegations of Pattern and Practice of Fraud With Respect to Petition Sheets Circulated by Floyd Brown

In Paragraphs 13 and 14(a) of his Objector's Petition, Objector argues that the petition sheets purportedly circulated by Floyd Brown demonstrate a pattern and practice of fraud. Objector argues that all of the petition sheets circulated by Floyd Brown should be invalidated and stricken. Specifically, in Paragraph 14(a), Objector contends that Floyd Brown (1) is not the true circulator of the petition sheets that he purports to have witnessed, (2) did not witness the signatures that appear on his petition sheets, and (3) was not present at the time the signatures were made on his petition sheets. Moreover, Objector contended that numerous signatures on Floyd Brown's petition sheets appear to be not genuine and that such signatures appear to have been forged and written in the same hand. Objector identifies petition sheet numbers 121-128, 534, 537, 557, 794, and 814-817.

In his Motion to Strike, Candidate argues, citing Resolution Trust Corp. v. Hardisty, 269 Ill App. 3d 613, 616-17 (3rd Dist. 1995), that because the sheets have been acknowledged by a notary and are in substantial compliance with the statute, the petition sheets cannot be impeached except for fraud and imposition. That case goes on to say that the party seeking to impeach such an acknowledgment must do so by providing clear and convincing evidence coming from a disinterested witness. Because Objector is not disinterested, Candidate claims this standard has not been met. Resolution Trust Corp. has no application to the facts of this case. Resolution Trust Corp. involved allegations of a forged signature on a mortgage that included an acknowledgement by a notary. In that case, the defendant disputed that the signature on the mortgage was his. Here, nobody disputes that the signature of Floyd Brown on his petition sheets is not genuine. Indeed, such an allegation was not the basis of Objector's Petition. Candidate's reliance on Resolution Trust Corp. would carry more weight if there were a requirement that each signature on the petition sheets were required to be signed in the presence of a notary as those are the signatures that are being challenged as not genuine.

Candidate, both at hearing and in his Objections to Remand and Re-Opening of Electoral Board Proceeding, responded to Objector's objections based upon an allegation of a pattern and practice of fraud in Floyd Brown's petition sheets by arguing that Objector has not met the

standard in Appendix A to the State Board's Rules of Procedure for establishing a claim of fraudulent conduct, which in relevant part states:

To make a valid claim of a pattern of fraud, an objector must allege specific instances of fraudulent conduct in the signature gathering and related processes. A general claim of a pattern of fraud without specific examples is insufficient to establish such a claim. In addition, the sheer number of invalid signatures on a petition, or on sheets circulated by a specific circulator, without an accompanying allegation of specific fraudulent conduct, shall not by itself establish a pattern of fraud.

Objector has met this standard. Paragraph 14(a) of his Objector's Petition sets forth allegations of specific fraudulent conduct. As set forth above, Objector alleged that Floyd Brown (1) is not the true circulator of the petition sheets that he purports to have witnessed, (2) did not witness the signatures that appear on his petition sheets, and (3) was not present at the time the signatures were made on his petition sheets. Moreover, Objector contended that numerous signatures on Floyd Brown's petition sheets appear to be not genuine and that such signatures appear to have been forged and written in the same hand. Objector even identified petition sheets which he challenged. His Objector's Petition identified sheets numbered 121-128, 534, 537, 557, 794, and 814-817. At the hearing, Objector testified regarding his allegations with respect to each of these sheets. Thus, Objector has met the standard in Appendix A to the State Board's Rules of Procedure. The question is whether the evidence of record establishes a pattern and practice of fraud with respect to Floyd Brown's petition sheets.

In his statement at the bottom of each petition sheet, the circulator must certify, in part, that (1) the signatures on that sheet of the petition were signed in his or her presence; (2) the signatures are genuine; (3) the signatures were gathered during a specific period; and (4) to the best of his knowledge and belief the signers were at the time of signing the petition duly registered voters under Articles 4, 5 or 6 of the Code of the political subdivision or district for which the candidate or candidates shall be nominated, and certifying that their respective residences are correctly stated therein. 10 ILCS 5//10-4.

Of the 165 signatures on the 11 petition sheets collected by Floyd Brown and reviewed as part of the Records Examination, 137 objections to those signatures were sustained. Approximately 134 of those objections were sustained on the basis of there being no registered voter by the name indicated at the address indicated. Of the 11 petition sheets, 5 of them had objections to all 15 signatures sustained (121, 126, 127, 534, and 557). 14 objections were sustained on sheet numbers 122 and 123, 13 objections were sustained on sheet number 128, 9 objections were sustained on sheet number 125, 8 objections were sustained on sheet number 124, and 4 objections were sustained on sheet number 537. In total, approximately 83% of the signatures on petition sheets collected by Floyd Brown that were reviewed at the records examination were invalidated.

In Fortas v. Dixon, 122 Ill. App. 3d 697 (1st Dist. 1984), the court permitted the invalidation of entire sheets and not just individual signatures because of clear evidence of fraud. See also Huskey v. Municipal Officers Elector Board for the Village of Oak Lawn, 155 Ill. App.

3d 201, 205 (1st Dis. 1987) (citing Fortas). Other courts have upheld an election board's decision to strike all petitions on which more than 50% of the signatures were found to be invalid. See Harmon v. Town of Cicero Mun. Officers Electoral Bd., 371 Ill. App. 3d 1111, 1116 (1st Dist. 2007). Thus, the State Board would be well within its discretion to strike Floyd Brown's petition sheets because more than 50% of the signatures were found to be invalid. Candidate's petition sheets contained 15 signatures. Therefore, 10 of them had more than 50% of the signatures stricken. Under Fortas, the State Board would be within its discretion to strike all of Floyd Brown's petition sheets given the fact that more than 83% of the signatures on his petition sheets that were reviewed were invalid which indicates a clear pattern of fraud.

The conclusion that Floyd Brown engaged in fraud is further supported by a comparison of many of the signatures on the petition sheets. Here, both Candidate and Objector were questioned regarding signatures on Floyd Brown's petition sheets identified in Paragraph 14(a) of the Objector's Petition. See Transcript of September 13, 2016 Hearing, at pgs. 18-28 (Candidate); pgs. 78-86 (Objector).² Candidate acknowledged that many of the signatures contained similarities. See Transcript, at pgs. 20, 21, 22, 24, 25, 27. At the same time, Objector acknowledged that "there are good sheets" and that "Floyd Brown passed a good sheet, maybe more than one good sheet." Transcript, at pg. 88. This Hearing Examiner has been a hearing examiner for over ten years with the State Board of Elections and has examined thousands of signatures. To this Hearing Examiner's eyes, many of the signatures on Floyd Brown's petition sheets seem to be written by the same hand. Notably, because such a high percentage of the purported signers could not be found at the address indicated and their genuine signatures were never found in the binder check, a comparison to the purported signer's known signature could not be done. Additionally, an examination of the petition sheets also reveals that it appears the same person printed many of the purported signers' names and addresses in those columns of each respective petition sheet. See Gill Group Exhibit 1.

While each of these red flags, standing alone, may not be enough to establish a pattern and practice of fraud, the totality of the circumstances (high number of challenged signatures invalidated, the similarity in signatures and letters in numerous alleged signatures, and similarity in the printed names and address columns) lead this Hearing Examiner to conclude that such a pattern and practice of fraud has occurred in the circulation of Floyd Brown's petition sheets. Floyd Brown's certifications on many of his petition sheets were therefore falsely sworn to. For these reasons, it is this Hearing Officer's recommendation that all of the petitions circulated by Floyd Brown be stricken because of a clear pattern of fraud. This Hearing Examiner notes that this recommendation in no way reflects poorly upon the Candidate. Candidate testified that he did not supervise the circulators and was not aware of any irregularities in the circulation of his petition sheets. It is clear from the evidence presented that Candidate was not a party to any improprieties involving this circulator.

² Petitions sheets were also discussed elsewhere in the transcript. These citations are to the portions of the transcript where the similarity of the signatures on the petition sheets was discussed and the petition sheets identified in Paragraph 14(a) of the Objector's Petition were examined sequentially.

C. Authority of State Board to Remand This Matter to This Hearing Examiner

As stated, Candidate questioned the authority of the State Board to remand this matter to the Hearing Examiner. Rule 10 of the State Board's Rules of Procedure states as follows:

Where a hearing examiner has been appointed, he or she will receive all evidence and make all evidentiary rulings, subject to review by the entire Board. The Board will not retry issues heard by a hearing examiner unless the hearing examiner has excluded evidence the Board believes should have been admitted. In such case, the Board will hear the excluded evidence and such other evidence as may be appropriate in response to the matter excluded.

Here, when issuing the initial Recommendation, this Hearing Examiner did not consider evidence, or excluded evidence, in relation to the pagination and pattern and practice of fraud objections because those objections were deemed moot since Candidate was so far below the number of required signatures. Thus, under Rule 10 the Board has the authority to hear the excluded evidence and any other evidence that may be appropriate in response to those matters excluded. Rule 5 gives this Hearing Examiner the authority to hear the excluded evidence in the State Board's stead since the State Board appointed this Hearing Examiner to receive evidence and hear the objections. Specifically, Rule 5 states that any hearing examiner appointed by the State Board has the duties and powers of the State Board with the exception of ruling on dispositive motions and issuing a final decision. For these reasons, the State Board had the authority to remand this matter to this Hearing Officer for further development of the record.

D. Objector's Request for Enforcement of Subpoena Issued to Floyd Brown

Given that this Hearing Examiner is recommending that all of Floyd Brown's petition sheets be invalidated based upon a pattern and practice of fraud, enforcing the subpoena against him would serve no purpose other than to delay this case. Therefore, it is this Hearing Officer's recommendation that the State Board not initiate enforcement proceedings in the circuit court regarding the subpoena issued to Floyd Brown. Doing so would be an inefficient use of the State Board's resources.

III. CONCLUSION

1. It is this Hearing Examiner's recommendation that the bases set forth in Paragraphs 1 through 10 of Candidate's Motion to Strike, which were not addressed in the previous Recommendation, be denied.

2. It is this Hearing Examiner's recommendation that the objection in Paragraph 11 of the Objector's Petition regarding improper pagination be overruled.

3. It is this Hearing Examiner's recommendation that the objection in Paragraph 14(a) of the Objector's Petition of regarding the allegations of a pattern and practice of fraud in Floyd Brown's petition sheets be sustained and that all petition sheets circulated by Floyd Brown be stricken. This would reduce the Candidate's signature total from 8,593 to 8,491.

4. It is this Hearing Examiner's recommendation that the State Board not initiate enforcement proceedings with respect to the subpoena issued and served upon Floyd Brown.

5. Consistent with this Hearing Examiner's original Recommendation dated July 22, 2016, the Hearing Examiner recommends that Candidate not be on the ballot.

DATED: September 16, 2016

A handwritten signature in black ink, appearing to read 'D. Herman', is written over a horizontal line. The signature is stylized and cursive.

David A. Herman, Hearing Examiner

CERTIFICATE OF SERVICE

Service of the foregoing document was made by electronic transmission, where indicated,

to:

Jerrold Stocks
c/o John G. Fogarty, Jr.
4043 N. Ravenswood
Suite 226
Chicago, IL 60613
john@fogartylawoffice.com

David M. Gill
c/o Sam Cahnman
915 Second Street
Springfield, IL 62704
samcahnman@yahoo.com

Ken Menzel
Illinois State Board of Elections
2329 S. MacArthur Blvd.
Springfield, IL 62704
kmenzel@elections.il.gov

David M. Gill
c/o Andrew Finko
180 W. Washington St., Suite 400
Chicago, IL 60602
FinkoLaw@fastmail.com

from the office of the undersigned this 16th day of September, 2016.



David A. Herman, Hearing Examiner

David A. Herman, Reg. No. 6211060
GIFFIN, WINNING, COHEN & BODEWES, P.C.
One West Old State Capitol Plaza
Myers Building - Suite 600
Springfield, Illinois 62701
Phone: (217) 525-1571
Fax: (217) 525-1710
dherman@giffinwinning.com

INDEPENDENT CANDIDATE PETITION

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NAME	OFFICE	ADDRESS - ZIP CODE
David M. Gill	Representative in U.S. House of Representatives for IL-13 th District	24 Conway Circle. Bloomington, IL 61704

If required pursuant to 10ILCS 5/10-5.1, complete the following (this information will appear on the ballot)

FORMERLY KNOWN AS _____ UNTIL NAME CHANGED ON _____
 (List all names during last 3 years) (List date of each name change)

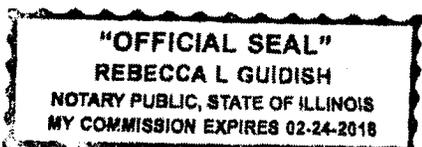
NAME	VOTER'S SIGNATURE	STREET ADDRESS OR RURAL ROUTE NUMBER	CITY, TOWN OR VILLAGE	COUNTY
1 Dave Wright	Dave Wright	19125 Wood st	Decatur	Macon ✓
2 Steve Taylor	Steve Taylor	1601 N MLK st	Decatur	Macon ✓
3 Jill Taylor	Jill Taylor	100 W MLK st	Decatur	Macon ✓
4 Perry Simm	P. Simm	1740 S Fairview #20	Decatur	Macon ✓
5 Chris Simm	Chris Simm	1740 S Fairview apt 20	Decatur	Macon ✓
6 Todd Neal	Todd Neal	617 N John st	Decatur	Macon ✓
7 Clifford Neal	C Neal	617 N John st	Decatur	Macon ✓
8 Martin Breaker	M Breaker	416 W Decatur st	Decatur	Macon ✓
9 William Brown	W Brown	701 W Grand st	Decatur	Macon ✓
10 Eddie Brown	Eddie Brown	701 W Grand st	Decatur	Macon ✓
11 Tony Walker	Tony Walker	1512 Jasper st	Decatur	Macon ✓
12 Gill Walker	G Walker	1512 Jasper st	Decatur	Macon ✓
13 Tammy Brown	Tammy Brown	1231 E Ellis st	Decatur	Macon ✓
14 Perry Brown	P Brown	1731 E Ellis st	Decatur	Macon ✓
15 Alex Smith	A Smith	2046 N Charles	Decatur	Macon ✓

State of Illinois) SS.
 County of Macon)

I, Floyd Brown (Circulator's Name) do hereby certify that I reside at 1700 S Fairview in the City Village/Unincorporated Area (circle one) of Decatur (if unincorporated area, list municipality that provides postal service) Zip Code 62521 County of Macon State of Illinois that I am 18 years of age or older, that I am a citizen of the United States, and that the signatures on this sheet were signed in my presence, not more than 90 days preceding the last day of filing of the petitions and are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition qualified voters in the political division in which the candidate is seeking elective office, that the persons so signing have not signed any other candidate's petition for this office and that their respective residences are correctly stated, as above set forth.

Signed and sworn to (or affirmed) by Floyd Brown (Circulator's signature) before me, on June 24, 2016 (insert Day, Month and Year)
 (Name of Circulator)

Rebecca L Guidish
 (Notary Public's Signature)



SHEET NO. 121



INDEPENDENT CANDIDATE PETITION

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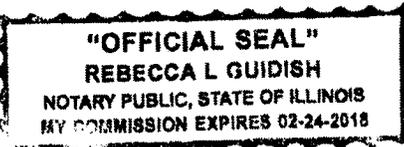
FORMERLY KNOWN AS _____ UNTIL NAME CHANGED ON _____
(List all names during last 3 years) (List date of each name change)

NAME	VOTER'S SIGNATURE	STREET ADDRESS OR RURAL ROUTE NUMBER	CITY, TOWN OR VILLAGE	COUNTY
1 James Braund	James Braund	4442 butler dr	Decatur	Macon
2 George Kelly	George Kelly	2320 N. Vine	Decatur	Macon
3 Michael Ellis	Michael Ellis	520 N Church st	Decatur	Macon
4 Erik Cardia	Erik Cardia	17605 Fairview apt 6	Decatur	Macon
5 Kelly Rose	Kelly Rose	17440 Fairview apt 1	Decatur	Macon
6 Sue Casey	Sue Casey	1012 Decatur st	Decatur	Macon
7 Kevin Baker	Kevin Baker	217 home ave	Decatur	Macon
8 Glen Rice	Glen Rice	2129 W Edwards St	Decatur	Macon
9 Danny Williams	Danny Williams	2305 E North st	Decatur	Macon
10 Kirk Wallace	Kirk Wallace	2408 E North st	Decatur	Macon
11 Tina Little	Tina Little	1804 N John st	Decatur	Macon
12 Dennis Johnson	Dennis Johnson	1041 W maine st	Decatur	Macon
13 Donna White	Donna White	741 college st	Decatur	Macon
14 Billy Taylor	Billy Taylor	1909 shore oak dr	Decatur	Macon
15 John Wallace	John Wallace	2048 N Church	Decatur	Macon

State of Illinois) SS.
County of Macon)

I, Floyd Brown (Circulator's Name) do hereby certify that I reside at 1760 S. Fairview in the City Village/Unincorporated Area (circle one) of Decatur (if unincorporated area, list municipality that provides postal service) Zip Code 62522 County of Macon, State of Illinois that I am 18 years of age or older, that I am a citizen of the United States, and that the signatures on this sheet were signed in my presence, not more than 90 days preceding the last day of filing of the petitions and are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition qualified voters in the political division in which the candidate is seeking elective office, that the persons so signing have not signed any other candidate's petition for this office and that their respective residences are correctly stated, as above set forth.

Signed and sworn to (or affirmed) by Floyd Brown (Circulator's signature) before me, on June 24, 2016 (Name of Circulator) (insert Day, Month and Year)
Rebecca L Guidish (Notary Public's Signature)



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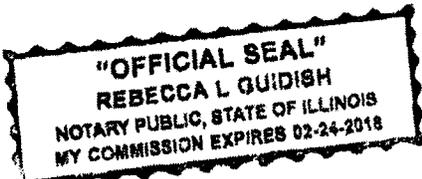
NAME	VOTER'S SIGNATURE	STREET ADDRESS OR RURAL ROUTE NUMBER	CITY, TOWN OR VILLAGE	COUNTY
Megan Scales	<i>Megan Scales</i>	349 W Imboden Dr	Decatur	Macon
² Brian York	<i>Brian York</i>	1202 Florida Ave	Decatur	Macon
³ Ray Woods	<i>R Woods</i>	3589 E. FULLON AVE	Decatur	Macon
⁴ David Wallace	<i>D Wallace</i>	1116 North main st	Decatur	Macon
⁵ Amber Wallace	<i>A Wallace</i>	2175 E Reshing Rd	Decatur	Macon
⁶ Tobitha Comp	<i>T Comp</i>	503 W Decatur st	Decatur	Macon
⁷ Janice Vail	<i>J Vail</i>	847 N Macon St	Decatur	Macon
⁸ Eric Vail	<i>E Vail</i>	2165 Eldorado St	Decatur	Macon
⁹ Brandi Vail	<i>B Vail</i>	2165 Eldorado St	Decatur	Macon
¹⁰ No-tah Vail	<i>N Vail</i>	2165 Eldorado St	Decatur	Macon
¹¹ Carol Vail	<i>C Vail</i>	2165 Eldorado St	Decatur	Macon
¹² Greg Jelks	<i>G Jelks</i>	501 W Decatur St	Decatur	Macon
¹³ Cory Conyer	<i>C Conyer</i>	211 Eldorado St	Decatur	Macon
¹⁴ Ashley Betzer	<i>A Betzer</i>	1115 N main st	Decatur	Macon
¹⁵ Ryan Berry	<i>R Berry</i>	1117 N main st	Decatur	Macon

State of Illinois) SS.
County of Macon)

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Signed and sworn to (or affirmed) by Floyd Brown (Circulator's signature) before me, on June 24, 2016 (Name of Circulator) (insert Day, Month and Year)

Rebecca L Guidish
(Notary Public's Signature)



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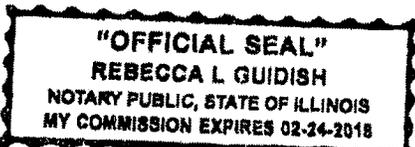
NAME	VOTER'S SIGNATURE	STREET ADDRESS OR RURAL ROUTE NUMBER	CITY, TOWN OR VILLAGE	COUNTY
1 Amy Bustamante	<i>Amy Bustamante</i>	1450 N. Monroe St	Decatur	Macon
2 Sylvia Gill	<i>Sylvia Gill</i>	1504 Barringer Ave	Decatur	Macon
3 Lora	<i>Lora M. Lee</i>	1760 S. Fairview	Decatur	Macon
4 Darnell Adams	<i>Darnell Adams</i>	N. Main St	Decatur	Macon
5 Alan Ford	<i>Alan Ford</i>	1014 Moore	Decatur	Macon
6 Dickey Howard	<i>Dickey Howard</i>	1645 Wood	Decatur	Macon
7 Kevin Allen	<i>Kevin Allen</i>	144 Calab	Decatur	Macon
8 Anop M. Merck	<i>Anop M. Merck</i>	163 E. Prairie	Decatur	Macon
9 Richard Overton	<i>Richard Overton</i>	1341 E. William	Decatur	Macon
10 DEMETRIUS	<i>Demetrius Hill</i>	1343 N. GULICK	Decatur	Macon
11 Ray Hill Davis	<i>Ray Hill</i>	3139 E. Fitzgerald	Decatur	Macon
12 Crystal Walker	<i>Crystal Walker</i>	429 N. Stone	Decatur	Macon
13 James Atkins	<i>James Atkins</i>	341 N. James	Decatur	Macon
14 Bernard Albert	<i>Bernard Albert</i>	5357 Kirby RD	Decatur	Macon
15 Brad Chaney	<i>Brad Chaney</i>	1293 E. Willard Ave	Decatur	Macon

State of Illinois)
 County of Macon) SS.

I, Floyd Brown (Circulator's Name) do hereby certify that I reside at 1760 S Fairview in the City Village/Unincorporated Area (circle one) of Decatur (if unincorporated area, list municipality that provides postal service) Zip Code 62520 County of Macon, State of Illinois that I am 18 years of age or older, that I am a citizen of the United States, and that the signatures on this sheet were signed in my presence, not more than 90 days preceding the last day of filing of the petitions and are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition qualified voters in the political division in which the candidate is seeking elective office, that the persons so signing have not signed any other candidate's petition for this office and that their respective residences are correctly stated, as above set forth.

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Rebecca L. Guidish
 (Notary Public's Signature)



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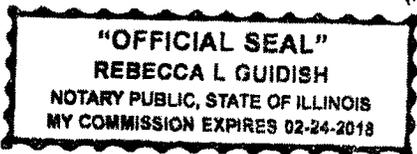
NAME	VOTER'S SIGNATURE	STREET ADDRESS OR RURAL ROUTE NUMBER	CITY, TOWN OR VILLAGE	COUNTY
1 Robert Berry	[Signature]	349 W Main St	Decatur Macon	Macon /
2 Sam Parker	[Signature]	548 N Water St	Decatur Macon	Macon /
3 Wanda Wolfe	[Signature]	578 S Water St	Decatur Macon	Macon /
4 Chica Brooks	[Signature]	2183 E Pershing	Decatur Macon	Macon /
5 Edoly Brooks	[Signature]	7581 E Pershing	Decatur Macon	Macon /
6 Melissa Wolfe	[Signature]	1761 S Division	Decatur Macon	Macon /
7 Dennis Chapman	[Signature]	1761 S Division	Decatur Macon	Macon /
8 John Sanders	[Signature]	1761 E Lombard St	Decatur Macon	Macon /
9 Jack Wolfe	[Signature]	2175 N Union	Decatur Macon	Macon /
10 Mark Brooks	[Signature]	3144 N Union	Decatur Macon	Macon /
11 Kelly Brooks	[Signature]	200 N Charise	Decatur Macon	Macon /
12 Amber Bradford	[Signature]	1113 W Woodford	Decatur Macon	Macon /
13 Samantha Bolyard	[Signature]	1913 W Fairview	Decatur Macon	Macon /
14 Greg Hudson	[Signature]	923 W King St	Decatur Macon	Macon /
15 Sara Sader	[Signature]	501 N Edwards	Decatur Macon	Macon /

State of Illinois)
 County of Macon) SS.

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Rebecca L Guidish
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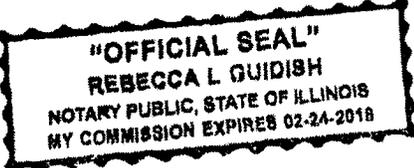
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NAME	VOTER'S SIGNATURE	STREET ADDRESS OR RURAL ROUTE NUMBER	CITY, TOWN OR VILLAGE	COUNTY
1 Amy Chapman	Amy Chapman	294 W Ash Ave	Decatur	Macon
2 Larry Rosenbury	Larry Rosenbury	1520 W. Kadesprings RD	Decatur	Macon
3 Andrea McGinnis	Andrea McGinnis	3780 N. Woodland Apt 101	Decatur	Macon
4 Mercy Evetta	Mercy Evetta	2727 N. Monroe St	Decatur	Macon
5 Tim Maddox	Tim Maddox	834 S 23rd St	Decatur	Macon
6 Gerald Like	Gerald Like	380 S. North St	Decatur	Macon
7 Connie Hunt	Connie Hunt	6854 W. Division	Decatur	Macon
8 Carrol Howe	Carrol Howe	2121 N. Union	Decatur	Macon
9 Vicky Phipps	Vicky Phipps	906 W. Main	Decatur	Macon
10 Bruce Nims	Bruce Nims	1851 W. Main	Decatur	Macon
11 Thomas Less	Thomas Less	945 W 2 nd St	Decatur	Macon
12 Bryson Orr	Bryson Orr	631 W Karen Dr	Decatur	Macon
13 May Rivers	May Rivers	760 W Division	Decatur	Macon
14 Charles Dub	Charles Dub	1444 N. Main	Decatur	Macon
15 Sherril Dub	Sherril Dub	1444 N. Main	Decatur	Macon

State of Illinois)
County of Macon) SS.

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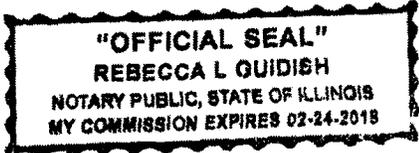
NAME	VOTER'S SIGNATURE	STREET ADDRESS OR RURAL ROUTE NUMBER	CITY, TOWN OR VILLAGE	COUNTY
1 <u>Dominic Besser</u>	<u>Dominic Besser</u>	<u>500 W. State St.</u>	<u>Decatur</u>	<u>Macon</u>
2 <u>Kyle Reedy</u>	<u>Kyle Reedy</u>	<u>501 W. State St.</u>	<u>Decatur</u>	<u>Macon</u>
3 <u>Tyler Bignall</u>	<u>Tyler Bignall</u>	<u>16th Lakeshore Dr</u>	<u>Decatur</u>	<u>Macon</u>
4 <u>Cathy Harpool</u>	<u>Cathy Harpool</u>	<u>16 Lakeshore Dr</u>	<u>Decatur</u>	<u>Macon</u>
5 <u>Phillip Harpool</u>	<u>Phillip Harpool</u>	<u>17th St</u>	<u>Decatur</u>	<u>Macon</u>
6 <u>Kate Clark</u>	<u>Kate Clark</u>	<u>400 E Moore</u>	<u>Decatur</u>	<u>Macon</u>
7 <u>Kurt Blind</u>	<u>Kurt Blind</u>	<u>400 E Moore</u>	<u>Decatur</u>	<u>Macon</u>
8 <u>Wilson Heath</u>	<u>Wilson Heath</u>	<u>607 W Williams</u>	<u>Decatur</u>	<u>Macon</u>
9 <u>Donnie Park</u>	<u>Donnie Park</u>	<u>1516 N Clay St</u>	<u>Decatur</u>	<u>Macon</u>
10 <u>Troy Williams</u>	<u>Troy Williams</u>	<u>907 N Jasper</u>	<u>Decatur</u>	<u>Macon</u>
11 <u>Karin Peckster</u>	<u>Karin Peckster</u>	<u>907 N Jasper</u>	<u>Decatur</u>	<u>Macon</u>
12 <u>Tina Howard</u>	<u>Tina Howard</u>	<u>1017 W Macon</u>	<u>Decatur</u>	<u>Macon</u>
13 <u>Amanda Neal</u>	<u>Amanda Neal</u>	<u>1012 W Macon</u>	<u>Decatur</u>	<u>Macon</u>
14 <u>Amanda Braun</u>	<u>Amanda Braun</u>	<u>503 W Decatur</u>	<u>Decatur</u>	<u>Macon</u>
15 <u>Lisa Turres</u>	<u>Lisa Turres</u>	<u>503 W Decatur</u>	<u>Decatur</u>	<u>Macon</u>

State of Illinois) SS.
 County of Macon)

I, Floyd Brown (Circulator's Name) do hereby certify that I reside at 1700 S. Fairview in the City Village/Unincorporated Area (circle one) of Decatur (if unincorporated area, list municipality that provides postal service) Zip Code 62521 County of Macon, State of Illinois that I am 18 years of age or older, that I am a citizen of the United States, and that the signatures on this sheet were signed in my presence, not more than 90 days preceding the last day of filing of the petitions and are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition qualified voters in the political division in which the candidate is seeking elective office, that the persons so signing have not signed any other candidate's petition for this office and that their respective residences are correctly stated, as above set forth.

Signed and sworn to (or affirmed) by Floyd Brown (Circulator's signature) before me, on June 24, 2016 (insert Day, Month and Year).
 (Name of Circulator)

Rebecca L Guidish
 (Notary Public's Signature)



INDEPENDENT CANDIDATE PETITION

We, the undersigned, qualified voters in the IL-13th District of U.S. House of Representatives in the County of Macon and State of Illinois, do hereby petition that the following named person shall be an Independent Candidate for election to the office hereinafter specified to be voted for at the GENERAL Election to be held on November 8th, 2016 (date of election).

NAME	OFFICE	ADDRESS - ZIP CODE
David M. Gill	Representative in U.S. House of Representatives for IL-13 th District	24 Conway Circle. Bloomington, IL 61704

If required pursuant to 10ILCS 5/10-5.1, complete the following (this information will appear on the ballot)

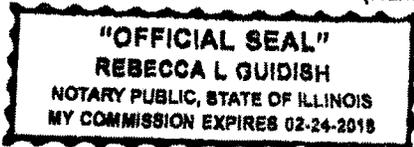
FORMERLY KNOWN AS _____ UNTIL NAME CHANGED ON _____
 (List all names during last 3 years) (List date of each name change)

NAME	VOTER'S SIGNATURE	STREET ADDRESS OR RURAL ROUTE NUMBER	CITY, TOWN OR VILLAGE	COUNTY
1 Isaac Allison	<i>Isaac Allison</i>	243 W. Cerro Verde	Decatur	Macon
2 DARRA LLOIC	<i>DARRA LLOIC</i>	210 Main	Decatur	Macon
3 DEBERTER	<i>DEBERTER</i>	243 W. Cerro Verde	Decatur	Macon
4 Arthel L. Rober	<i>Arthel L. Rober</i>	243 W. Cerro Verde	Decatur	Macon
5 ANTHONY MCG	<i>Anthony McG</i>	442 W. Graham	Decatur	Macon
6 Edna M. DeBerry	<i>Edna M. DeBerry</i>	1242 N. Woodlark	Decatur	Macon
7 Chris Alexander	<i>Chris Alexander</i>	1231 N. Norton	Decatur	Macon
8 Edna M. DeBerry	<i>Edna M. DeBerry</i>	1242 N. Woodlark	Decatur	Macon
9 Andrew Lewis	<i>Andrew Lewis</i>	970 S. 16 th	Decatur	Macon
10 Tama Powell	<i>Tama Powell</i>	1214 N. Union	Decatur	Macon
11 KIM TUCKER	<i>KIM TUCKER</i>	2255 E. Olive	Decatur	Macon
12 Barbara C. Cune	<i>Barbara C. Cune</i>	1389 E. Decatur	Decatur	Macon
13 Tanya Hollett	<i>Tanya Hollett</i>	954 E. Clay	Decatur	Macon
14 Fred Hill	<i>Fred Hill</i>	380 Main	Decatur	Macon
15 Chris Scott	<i>Chris Scott</i>	1035 Marlette	Decatur	Macon

State of Illinois) SS.
 County of Macon)

I, Floyd Brown (Circulator's Name) do hereby certify that I reside at 1760 S. Fairview in the City Village/Unincorporated Area (circle one) of Decatur (if unincorporated area, list municipality that provides postal service) Zip Code 62521 County of Macon, State of Illinois that I am 18 years of age or older, that I am a citizen of the United States, and that the signatures on this sheet were signed in my presence, not more than 90 days preceding the last day of filing of the petitions and are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition qualified voters in the political division in which the candidate is seeking elective office, that the persons so signing have not signed any other candidate's petition for this office and that their respective residences are correctly stated, as above set forth.

Signed and sworn to (or affirmed) by Floyd Brown (Circulator's signature) before me, on June 24, 2016 (insert Day, Month and Year)
 (Name of Circulator) (Notary Public's Signature)



INDEPENDENT CANDIDATE PETITION

We, the undersigned, qualified voters in the IL-13th District of U.S. House of Representatives in the County of Macon and State of Illinois, do hereby petition that the following named person shall be an Independent Candidate for election to the office hereinafter specified to be voted for at the GENERAL Election to be held on November 8th, 2016 (date of election).

NAME	OFFICE	ADDRESS - ZIP CODE
David M. Gill	Representative in U.S. House of Representatives for IL-13 th District	24 Conway Circle. Bloomington, IL 61704

If required pursuant to 10ILCS 5/10-5.1, complete the following (this information will appear on the ballot)

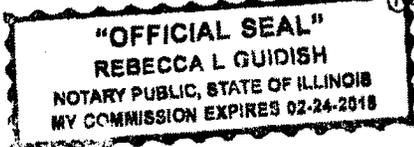
FORMERLY KNOWN AS _____ UNTIL NAME CHANGED ON _____
(List all names during last 3 years) (List date of each name change)

NAME	VOTER'S SIGNATURE	STREET ADDRESS OR RURAL ROUTE NUMBER	CITY, TOWN OR VILLAGE	COUNTY
1 Richard Durbin	[Signature]	1444 N. main	Decatur	Macon
2 Richard Durbin	[Signature]	1444 N. main	Decatur	Macon
3 Tiffany Durbin	[Signature]	1444 N. main	Decatur	Macon
4 Kacie Perryman	[Signature]	1444 N. main	Decatur	Macon
5 Halie Durbin	[Signature]	1444 N. main	Decatur	Macon
6 Kevin Durbin	[Signature]	1444 N. main	Decatur	Macon
7 Jayden Durbin	[Signature]	1444 N. main	Decatur	Macon
8 Ashley Durbin	[Signature]	1444 N. main	Decatur	Macon
9 Ellen Durbin	[Signature]	1444 N. main	Decatur	Macon
10 David Durbin	[Signature]	1444 N. main	Decatur	Macon
11 Micheal Ollis	[Signature]	2429 E. Peedles	Decatur	Macon
12 Anthony Jones	[Signature]	2429 E. Peedles	Decatur	Macon
13 Joseph Booth	[Signature]	2429 E. Peedles	Decatur	Macon
14 Donald Jackson	[Signature]	2429 E. Peedles	Decatur	Macon
Steven Cheneveth	[Signature]	2429 E. Peedles	Decatur	Macon

State of Illinois)
County of Macon) SS.

I, Floyd Brown (Circulator's Name) do hereby certify that I reside at 1760 S Fairview in the City/Village/Unincorporated Area (circle one) of Decatur (if unincorporated area, list municipality that provides postal service) Zip Code 62521 County of Macon, State of Illinois that I am 18 years of age or older, that I am a citizen of the United States, and that the signatures on this sheet were signed in my presence, not more than 90 days preceding the last day of filing of the petitions and are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition qualified voters in the political division in which the candidate is seeking elective office, that the persons so signing have not signed any other candidate's petition for this office and that their respective residences are correctly stated, as above set forth.

Signed and sworn to (or affirmed) by Floyd Brown (Circulator's signature) before me, on June 24 2016 (Insert Day, Month and Year)
(Name of Circulator)



SHEET NO. 534

Rebecca L Guidish
(Notary Public's Signature)

INDEPENDENT CANDIDATE PETITION

We, the undersigned, qualified voters in the IL-13th District of U.S. House of Representatives in the County of Macon and State of Illinois, do hereby petition that the following named person shall be an Independent Candidate for election to the office hereinafter specified to be voted for at the GENERAL Election to be held on November 8th, 2016 (date of election).

NAME	OFFICE	ADDRESS - ZIP CODE
David M. Gill	Representative in U.S. House of Representatives for IL-13 th District	24 Conway Circle. Bloomington, IL 61704

If required pursuant to 10ILCS 5/10-5.1, complete the following (this information will appear on the ballot)

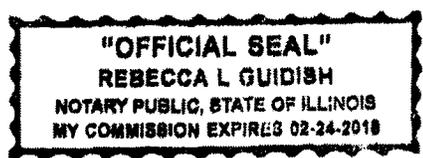
FORMERLY KNOWN AS _____ UNTIL NAME CHANGED ON _____
(List all names during last 3 years) (List date of each name change)

NAME	VOTER'S SIGNATURE	STREET ADDRESS OR RURAL ROUTE NUMBER	CITY, TOWN OR VILLAGE	COUNTY
1 Antwan Moore	<i>ADM</i>	1760 S Fairview ave 24pt	Decatur	Macon
2 Kevin Bork	<i>Kevin Bork</i>	1760 S Fairview ave 24pt	Decatur	Macon
3 Amanda Simon	<i>Amanda</i>	1760 S Fairview ave 24pt	Decatur	Macon
4 Bridgette Allis	<i>Bridgette Allis</i>	1760 S Fairview Apt 14	Decatur	Macon
5 Jennifer Pace	<i>Jennifer Pace</i>	1760 S Fairview Apt 8	Decatur	Macon
6 Roseell King	<i>Roseell King</i>	1247 N Edward	Decatur	Macon
7 Andrew Esteban	<i>Andrew Esteban</i>	1113 N College	Decatur	Macon
8 Estelita Maldonado	<i>Estelita Maldonado</i>	4601 W Windsor	Decatur	Macon
9 Robert Jones	<i>Robert Jones</i>	1760 S Fairview	Decatur	Macon
10 Fred Jones	<i>Fred Jones</i>	1145 E Hickory	Decatur	Macon
11 Dustin St. John	<i>Dustin St. John</i>	1221 N Church	Decatur	Macon
12 Chris Currie	<i>Chris Currie</i>	457 W. Priest	Decatur	Macon
13 Gary Pfingst	<i>Gary Pfingst</i>	3750 N. W. ...	Decatur	Macon
14 Vicki Day	<i>Vicki Day</i>	1221 N Van Dyke	Decatur	Macon
15 Mykela Mosstetter	<i>Mykela Mosstetter</i>	1760 S Fairview Ave Apt 15	Decatur	Macon

State of Illinois)
County of Macon)

I, Floyd Brown (Circulator's Name) do hereby certify that I reside at 1760 S Fairview in the City Village/Unincorporated Area (circle one) of Decatur (if unincorporated area, list municipality that provides postal service) Zip Code 62521 County of Macon, State of Illinois that I am 18 years of age or older, that I am a citizen of the United States, and that the signatures on this sheet were signed in my presence, not more than 90 days preceding the last day of filing of the petitions and are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition qualified voters in the political division in which the candidate is seeking elective office, that the persons so signing have not signed any other candidate's petition for this office and that their respective residences are correctly stated, as above set forth.

Signed and sworn to (or affirmed) by Floyd Brown (Circulator's signature) before me, on June 24, 2016 (insert Day, Month and Year)



Rebecca L Guidish (Notary Public's Signature)
SHEET NO. 537

INDEPENDENT CANDIDATE PETITION

We, the undersigned, qualified voters in the IL-13th District of U.S. House of Representatives in the County of Macon and State of Illinois, do hereby petition that the following named person shall be an Independent Candidate for election to the office hereinafter specified to be voted for at the GENERAL Election to be held on November 8th, 2016 (date of election).

NAME	OFFICE	ADDRESS - ZIP CODE
David M. Gill	Representative in U.S. House of Representatives for IL-13 th District	24 Conway Circle. Bloomington, IL 61704

If required pursuant to 10ILCS 5/10-5.1, complete the following (this information will appear on the ballot)

FORMERLY KNOWN AS _____ UNTIL NAME CHANGED ON _____
(List all names during last 3 years) (List date of each name change)

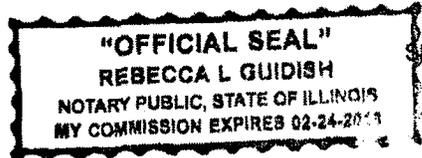
NAME	VOTER'S SIGNATURE	STREET ADDRESS OR RURAL ROUTE NUMBER	CITY, TOWN OR VILLAGE	COUNTY
1	Carr Jones	Clare	3601 N. Union	██████████ Macon
2	Ebony Smith	E Smith	200 N. Charles	██████████ Macon
3	Emmoch Clark	Emmoch Clark	1112 N. Lincoln	██████████ Macon
4	Aaron Clark	A Clark	1213 N. Fairview	██████████ Macon
5	Antoneo Bradley	Antoneo Bradley	923 W. King	██████████ Macon
6	Moosh Pinkster	Moosh Pinkster	501 N. Edwards	██████████ Macon
7	Kimberlynn Brim	K. Brim	1021 N. Water	██████████ Macon
8	Brooklyn Durbin	B Durbin	1710 Al Van Dyke	██████████ Macon
9	Eric Ryan	E Ryan	1501 N. Johns	██████████ Macon
10	Stacy Hill	S Hill	1300 S. William	██████████ Macon
11	James Johnson	J Johnson	1809 E. Lawrence	██████████ Macon
12	Arthur King	A King	1786 N. Chick Ave	██████████ Macon
13	Dory Fisher	Dory Fisher	2929 E. Bradley	██████████ Macon
14	Robert Welch	R Welch	320 N. Charles	██████████ Macon
15	Alice Welch	A Welch	208 N. Charles	██████████ Macon

State of Illinois) SS.
 County of Macon)

I, Floyd Brown (Circulator's Name) do hereby certify that I reside at 1700 S Fairview in the city/Village/Unincorporated Area (circle one) of Deerfield (if unincorporated area, list municipality that provides postal service) Zip Code 62520 County of Macon, State of Illinois that I am 18 years of age or older, that I am a citizen of the United States, and that the signatures on this sheet were signed in my presence, not more than 90 days preceding the last day of filing of the petitions and are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition qualified voters in the political division in which the candidate is seeking elective office, that the persons so signing have not signed any other candidate's petition for this office and that their respective residences are correctly stated, as above set forth.

Signed and sworn to (or affirmed) by Floyd Brown (Circulator's signature) before me, on June 24, 2016 (insert Day, Month and Year)
(Name of Circulator)

Rebecca L Guidish
(Notary Public's Signature)



INDEPENDENT CANDIDATE PETITION

We, the undersigned, qualified voters in the IL-13th District of U.S. House of Representatives in the County of Macon and State of Illinois, do hereby petition that the following named person shall be an Independent Candidate for election to the office hereinafter specified to be voted for at the GENERAL Election to be held on November 8th, 2016 (date of election).

NAME	OFFICE	ADDRESS - ZIP CODE
David M. Gill	Representative in U.S. House of Representatives for IL-13 th District	24 Conway Circle. Bloomington, IL 61704

If required pursuant to 10ILCS 5/10-5.1, complete the following (this information will appear on the ballot)

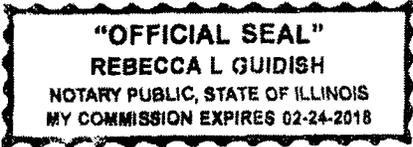
FORMERLY KNOWN AS _____ UNTIL NAME CHANGED ON _____
(List all names during last 3 years) (List date of each name change)

NAME	VOTER'S SIGNATURE	STREET ADDRESS OR RURAL ROUTE NUMBER	CITY, TOWN OR VILLAGE	COUNTY
1 <u>Diana Tisdale</u>	<u>[Signature]</u>	<u>3405 E. Fabius</u>	<u>Dec IL</u>	Macon ✓
2 <u>Angela Baker</u>	<u>[Signature]</u>	<u>1621 E. Wood St</u>	<u>Dec Ill.</u>	Macon ✓
3 <u>Ellie Joe</u>	<u>[Signature]</u>	<u>1750 E Wood St</u>	<u>Decatur</u>	Macon ✓
4 <u>Tillman Giv</u>	<u>[Signature]</u>	<u>1730 N. Water St</u>	<u>Dec. Ill</u>	Macon ✓
5 <u>Nate Kralman</u>	<u>[Signature]</u>	<u>1770 S. Wyckoff</u>	<u>"</u>	Macon ✓
6 <u>Annice Kralman</u>	<u>[Signature]</u>	<u>"</u>	<u>"</u>	Macon ✓
7 <u>DAVID R FELTS</u>	<u>[Signature]</u>	<u>4731 E HAYDEN</u>	<u>DECATUR IL</u>	Macon ✓
8 <u>Amber Bennett</u>	<u>[Signature]</u>	<u>227 S. Walnut</u>	<u>Macon IL</u>	Macon ✓
9 <u>Linda Thomas</u>	<u>[Signature]</u>	<u>4421 Country Manor</u>	<u>Decatur</u>	Macon ✓
10 <u>Troy Maguire</u>	<u>[Signature]</u>	<u>1061 E. Main</u>	<u>Decatur</u>	Macon ✓
11 <u>Jennifer Stokor</u>	<u>[Signature]</u>	<u>17 Josephine</u>	<u>Decatur</u>	Macon ✓
12 <u>Mark Williams</u>	<u>[Signature]</u>	<u>1740 S. Fairview</u>	<u>Decatur</u>	Macon ✓
13 <u>Andre</u>	<u>[Signature]</u>	<u>136 N. Oldland</u>	<u>Decatur</u>	Macon ✓
14 <u>Chris Perry</u>	<u>[Signature]</u>	<u>1820 N. Union St.</u>	<u>"</u>	Macon ✓
15 <u>Matt Jay</u>	<u>[Signature]</u>	<u>1237 Florida Ave</u>	<u>Decatur</u>	Macon ✓

State of Illinois SS.
County of Macon

I, Floyd Brown (Circulator's Name) do hereby certify that I reside at 1760 S Fairview in the city/Village/Unincorporated Area (circle one) of Decatur (if unincorporated area, list municipality that provides postal service) Zip Code 62522 County of Macon State of IL that I am 18 years of age or older, that I am a citizen of the United States, and that the signatures on this sheet were signed in my presence, not more than 90 days preceding the last day of filing of the petitions and are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition qualified voters in the political division in which the candidate is seeking elective office, that the persons so signing have not signed any other candidate's petition for this office and that their respective residences are correctly stated, as above set forth.

Signed and sworn to (or affirmed) by Floyd Brown (Circulator's signature) before me, on June 27, 2016 (insert Day, Month and Year).
Rebecca L Guidish (Notary Public's Signature)



INDEPENDENT CANDIDATE PETITION

We, the undersigned, qualified voters in the IL-13th District of U.S. House of Representatives in the County of ... and State of Illinois, do hereby petition that the following named person shall be an Independent Candidate for election to the office hereinafter specified to be voted for at the GENERAL Election to be held on November 8th, 2016 (date of election).

Table with 3 columns: NAME, OFFICE, ADDRESS - ZIP CODE. Row 1: David M. Gill, Representative in U.S. House of Representatives for IL-13th District, 24 Conway Circle, Bloomington, IL 61704

If required pursuant to 10ILCS 5/10-5.1, complete the following (this information will appear on the ballot)

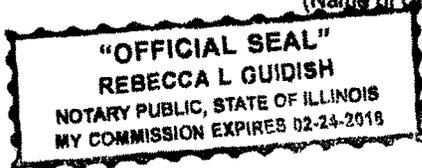
FORMERLY KNOWN AS ... UNTIL NAME CHANGED ON ... (List all names during last 3 years) (List date of each name change)

Table with 5 columns: NAME, VOTER'S SIGNATURE, STREET ADDRESS OR RURAL ROUTE NUMBER, CITY, TOWN OR VILLAGE, COUNTY. Contains 15 rows of handwritten entries.

State of ILLINOIS)
County of MAHON) SS.

I, Floyd Brown (Circulator's Name) do hereby certify that I reside at 17100 S FAIRVIEW in the city/Village/Unincorporated Area (circle one) of Decatur (if unincorporated area, list municipality that provides postal service) Zip Code 62522 County of MAHON State of IL that I am 18 years of age or older, that I am a citizen of the United States, and that the signatures on this sheet were signed in my presence, not more than 90 days preceding the last day of filing of the petitions and are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition qualified voters in the political division in which the candidate is seeking elective office, that the persons so signing have not signed any other candidate's petition for this office and that their respective residences are correctly stated, as above set forth.

Signed and sworn to (or affirmed) by Floyd Brown (Circulator's signature) before me, on June 27, 2016 (insert Day, Month and Year)



SHEET NO. 814 (Notary Public's Signature)

INDEPENDENT CANDIDATE PETITION

We, the undersigned, qualified voters in the IL-13th District of U.S. House of Representatives in the County of Macon and State of Illinois, do hereby petition that the following named person shall be an Independent Candidate for election to the office hereinafter specified to be voted for at the GENERAL Election to be held on November 8th, 2016 (date of election).

Table with 3 columns: NAME, OFFICE, ADDRESS - ZIP CODE. Row 1: David M. Gill, Representative in U.S. House of Representatives for IL-13th District, 24 Conway Circle, Bloomington, IL 61704

If required pursuant to 10ILCS 5/10-5.1, complete the following (this information will appear on the ballot)

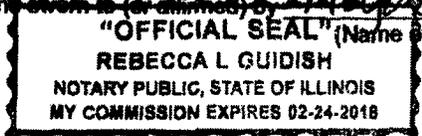
FORMERLY KNOWN AS UNTIL NAME CHANGED ON (List all names during last 3 years) (List date of each name change)

Table with 5 columns: NAME, VOTER'S SIGNATURE, STREET ADDRESS OR RURAL ROUTE NUMBER, CITY, TOWN OR VILLAGE, COUNTY. Lists 15 voters with their signatures and addresses in Decatur, Macon.

State of Illinois) SS. County of Macon)

I, Floyd Brown (Circulator's Name) do hereby certify that I reside at 1700 S Fairview in the city/village/unincorporated area (circle one) of Decatur (if unincorporated area, list municipality that provides postal service) Zip Code 62520 County of Macon State of IL that I am 18 years of age or older, that I am a citizen of the United States, and that the signatures on this sheet were signed in my presence, not more than 90 days preceding the last day of filing of the petitions and are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition qualified voters in the political division in which the candidate is seeking elective office, that the persons so signing have not signed any other candidate's petition for this office and that their respective residences are correctly stated, as above set forth.

Signed and sworn to (or affirmed) by Floyd Brown (Circulator's signature) Before me, on June 27, 2016 (insert Day, Month and Year) Rebecca L Guidish (Notary Public's Signature)



INDEPENDENT CANDIDATE PETITION

We, the undersigned, qualified voters in the IL-13th District of U.S. House of Representatives in the County of _____ and State of Illinois, do hereby petition that the following named person shall be an Independent Candidate for election to the office hereinafter specified to be voted for at the GENERAL Election to be held on November 8th, 2016 (date of election).

NAME	OFFICE	ADDRESS - ZIP CODE
David M. Gill	Representative in U.S. House of Representatives for IL-13 th District	24 Conway Circle. Bloomington, IL 61704

If required pursuant to 10ILCS 5/10-5.1, complete the following (this information will appear on the ballot)

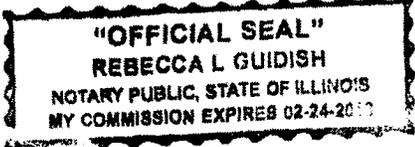
FORMERLY KNOWN AS _____ UNTIL NAME CHANGED ON _____
(List all names during last 3 years) (List date of each name change)

NAME	VOTER'S SIGNATURE	STREET ADDRESS OR RURAL ROUTE NUMBER	CITY, TOWN OR VILLAGE	COUNTY
1 James Wood	<i>James Wood</i>	1043 N College	Decatur Ill	
2 Coley Richardson	<i>Coley Richardson</i>	2304 N Central Dr	Decatur Ill	
3 Macky Toone	<i>Macky Toone</i>	16 W Dr	Decatur Ill	Macou
4 Michèle Cuenca	<i>Michèle Cuenca</i>	2155 N Charles	Decatur	Ill
5 Ricardo Foreman	<i>Ricardo Foreman</i>	1452 E Walnut	Decatur Ill	Macou
6 Joe Tingo	<i>Joe Tingo</i>	151 E Decatur St	Decatur	Macou
7 James Smith	<i>James Smith</i>	1211 N Tumbler	Decatur	Macou
8 Tabatha Althoff	<i>Tabatha Althoff</i>	1452 E Walnut St	Decatur Ill	Macou
9 Louis Brady	<i>Louis Brady</i>	7456 E Walnut	Decatur	Macou
10 Gladys Smith	<i>Gladys Smith</i>	1733 E Olive	Decatur Ill	Macou
11 Doris White	<i>Doris White</i>	3350 N York	Decatur	Macou
12 Shileen Adams	<i>Shileen Adams</i>	1303 S Huber	Decatur	Macou
13 Cheri Lowe	<i>Cheri Lowe</i>	14785 Logan St	Decatur	Macou
14 Emma Link	<i>Emma Link</i>	1540 E Walnut	Decatur	Macou
15				

State of Illinois) SS.
County of Macou)

I, Floyd Brown (Circulator's Name) do hereby certify that I reside at 1760 S Fairview in the city/village/unincorporated area (circle one) of Decatur (if unincorporated area, list municipality that provides postal service) Zip Code 62526 County of Macou, State of IL that I am 18 years of age or older, that I am a citizen of the United States, and that the signatures on this sheet were signed in my presence, not more than 90 days preceding the last day of filing of the petitions and are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition qualified voters in the political division in which the candidate is seeking elective office, that the persons so signing have not signed any other candidate's petition for this office and that their respective residences are correctly stated as above set forth.

Signed and sworn to (or affirmed) by Floyd Brown (Circulator's signature) before me, on June 27, 2016 (insert Day, Month and Year)
(Name of Circulator)



Rebecca L Guidish (Notary Public's Signature)
SHEET NO. 816

INDEPENDENT CANDIDATE PETITION

We, the undersigned, qualified voters in the IL-13th District of U.S. House of Representatives in the County of Macon and State of Illinois, do hereby petition that the following named person shall be an Independent Candidate for election to the office hereinafter specified to be voted for at the GENERAL Election to be held on November 8th, 2016 (date of election).

Table with 3 columns: NAME, OFFICE, ADDRESS - ZIP CODE. Row 1: David M. Gill, Representative in U.S. House of Representatives for IL-13th District, 24 Conway Circle, Bloomington, IL 61704

If required pursuant to 10ILCS 5/10-5.1, complete the following (this information will appear on the ballot)

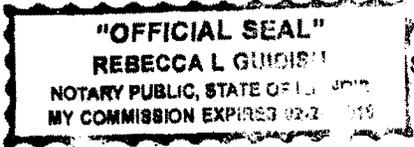
FORMERLY KNOWN AS UNTIL NAME CHANGED ON (List all names during last 3 years) (List date of each name change)

Table with 5 columns: NAME, VOTER'S SIGNATURE, STREET ADDRESS OR RURAL ROUTE NUMBER, CITY, TOWN OR VILLAGE, COUNTY. Contains 15 rows of voter information with handwritten signatures and addresses.

State of ILLINOIS County of Macon

I, Floyd Brown (Circulator's Name) do hereby certify that I reside at 1700 S Fairview in the city/Village/Unincorporated Area (circle one) of Decatur (if unincorporated area, list municipality that provides postal service) Zip Code 62521 County of Macon, State of Illinois that I am 18 years of age or older, that I am a citizen of the United States, and that the signatures on this sheet were signed in my presence, not more than 90 days preceding the last day of filing of the petitions and are genuine and that to the best of my knowledge and belief the persons so signing were at the time of signing the petition qualified voters in the political division in which the candidate is seeking elective office, that the persons so signing have not signed any other candidate's petition for this office and that their respective residences are correctly stated as above set forth

Signed and sworn to (or affirmed) by Floyd Brown (Name of Circulator) before me, on June 27, 2016 (insert Day, Month and Year) Rebecca L. Guish (Notary Public's Signature)



**BEFORE THE DULY CONSTITUTED ELECTORAL BOARD FOR THE HEARING
AND PASSING UPON OBJECTIONS TO THE NOMINATION PAPERS FOR
CANDIDATES FOR THE OFFICE OF REPRESENTATIVE IN CONGRESS FROM
THE 13th CONGRESSIONAL DISTRICT OF THE STATE OF ILLINOIS**

Jerrold Stocks,)
)
Petitioner-Objector,)
)
vs.)
)
David M. Gill,)
)
Respondent-Candidate.)

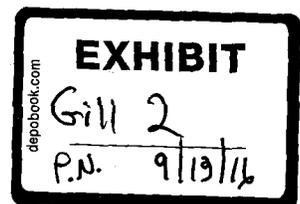
ORIGINAL ON FILE AT
STATE BD OF ELECTIONS
ORIGINAL TIME STAMPED
AT 4:03p 7/5/16 Alle

VERIFIED OBJECTOR'S PETITION

Now comes Jerrold Stocks (hereinafter referred to as the "Objector"), and states as follows:

1. Jerrold Stocks resides at 500 S. Henderson Street, Mt. Zion, Illinois 62549, in the 13th Congressional District of the State of Illinois; that he is duly qualified, registered and a legal voter at such address; that his interest in filing the following objections is that of a citizen desirous of seeing to it that the laws governing the filing of nomination papers for a candidate for election to the office of Representative in Congress from the 13th Congressional District of the State of Illinois are properly complied with and that only qualified candidates have their names appear upon the ballot as candidates for said office.

2. Your Objector makes the following objections to the nomination papers of David M. Gill ("the Nomination Papers") as an independent candidate for the office of Representative in Congress from the 13th Congressional District of the State of Illinois, and files the same herewith, and states that the said Nomination Papers are insufficient in law and in fact for the following reasons:



3. Your Objector states that in the 13th Congressional District of the State of Illinois the signatures of not fewer than 10,754 duly qualified, registered, and legal voters of the said 13th Congressional District of the State of Illinois are required for a candidate to qualify as an independent candidate for said office. In addition, said Nomination Papers must truthfully allege the qualifications of the candidate, be gathered and presented in the manner provided for in the Illinois Election Code, and otherwise be executed in the form and manner required by law.

The Candidate Has An Insufficient Number Of Signatures To Qualify For Office

4. Your Objector states that the Candidate has filed at least 825 petition signature sheets purporting to contain 11,462 signatures of allegedly duly qualified, legal, and registered voters of the 13th Congressional District of the State of Illinois.

5. Your Objector states that the laws pertaining to the securing of ballot access require that certain requirements be met as established by law. Filings made contrary to such requirements must be voided, being in violation of the statutes in such cases made and provided.

6. Your Objector further states that the aforesaid Nomination Papers contain the names of numerous persons who are not in fact duly qualified, registered, and legal voters at the addresses shown opposite their names in the Thirteenth Congressional District and their signatures are therefore invalid, as more fully set forth in the Appendix Recapitulation under Column "A" designated "SIGNER NOT REGISTERED AT ADDRESS SHOWN," attached hereto and made a part hereof, all of said signatures being in violation of the statutes in such cases made and provided.

7. Your Objector further states that the said Nomination Papers contain the names of numerous persons who have signed said petition but who are not, in fact, duly qualified, registered, and legal voters at addresses that are located within the boundaries of the Thirteenth

Congressional District as shown by the addresses they have given on the petition, as more fully set forth in the Appendix-Recapitulation under Column "B" designated "SIGNER RESIDES OUTSIDE DISTRICT," attached hereto and made a part hereof, all of said signatures being in violation of the statutes in such cases made and provided.

8. Your Objector further states that the said Nomination Papers contain the names of numerous persons who did not sign the said nomination papers in their own proper persons, and that the said signatures are not genuine, as more fully set forth in the Appendix-Recapitulation under the Column "C" designated "SIGNATURE NOT GENUINE / NOT SIGNED BY PROPER PERSON," attached hereto and made a part hereof, all of said signatures being in violation of the statutes in such cases made and provided.

9. Your Objector further states that said Nominating Papers contain the signatures of various individuals who have signed the petition more than once, and such duplicate signatures are invalid, as more fully set forth in the Appendix-Recapitulation, under Column "D" designated "SIGNED PETITION TWICE" at the sheet and line #s indicated, attached hereto and made a part hereof, all of said signatures being in violation of the statutes in such cases made and provided.

10. Your Objectors state that said Nominating Papers contain the signatures of various individuals who have signed the petition, but have failed to provide a complete residence address as more fully set forth in the Appendix-Recapitulation, under Column "E" designated "SIGNER'S ADDRESS MISSING OR INCOMPLETE" attached hereto and made a part hereof, all of said signatures being in violation of the statutes in such cases made and provided.

11. Your Objector further states that § 10-4 of the Election Code requires that any nominating petition submitted pursuant to Article 10 must be securely fastened and "shall then

be numbered consecutively." 10 ILCS 5/10-4. The Nomination Papers herein contested are legally deficient because the said petition sheets are not numbered consecutively, in contravention of the Election Code, but also rendering the Nomination Papers impossible to accurately assess for their validity. In particular, the Nomination Papers contain the following defects:

- a. There is no page 20.
- b. There is no page 188.
- c. There are no pages 321, 322, 323, 324, 325, 326, 327, 328, 328 or 330.
- d. There are two pages numbered 354.
- e. There is no page 533.
- f. There is no page 555.
- g. There is no page 559.
- h. The page appearing between pages 736 and 738 appears to be numbered "733,"

rendering said sheet both out of order and a duplicate of page 733.

12. This Honorable Electoral Board should disqualify the Nomination Papers in their entirety due to the Candidate's failure to accurately number said petition sheets. In the alternative, each and every sheet that follows page 20 should be invalidated and stricken, given the severe numbering discrepancies present, all of which render the Nomination Papers impossible to accurately review for validity.

13. Your Objector further states that the Nomination Papers contain petition sheets purportedly circulated by individuals whose petition sheets demonstrate a pattern of fraud and disregard of the Election Code to such a degree that every signature on every sheet purportedly circulated by said individuals are invalid, and should be invalidated, in order to protect the

integrity of the electoral process, in accordance with the principles set forth in the decisions of *Canter v. Cook County Officers Electoral Bd.*, 170 Ill.App.3d 364, 523 N.E.2d 1299 (1st Dist. 1988); *Huskey v. Municipal Officers Electoral Bd. for Village of Oak Lawn*, 156 Ill.App.3d 201, 509 N.E.2d 555 (1st Dist., 1987) and *Fortas v. Dixon*, 122 Ill.App.3d 697, 462 N.E.2d 615 (1st Dist. 1984).

14. Your Objectors state that there will be presented substantial, clear, unmistakable, and compelling evidence that establishes a “pattern of fraud and false swearing” with an “utter and contemptuous disregard for the mandatory provisions of the Election Code.” In addition, an examination of the nominating petitions hereunder will reveal a pervasive and systematic attempt to undermine the integrity of the electoral process. Consequently, your Objector states that this Electoral Board “cannot close its eyes and ears” but will be compelled to void the entire nominating petition as being illegal and void in its entirety. This allegation is made with specific reference to all of the petition sheets circulated by at least the following individuals for at least the following reasons:

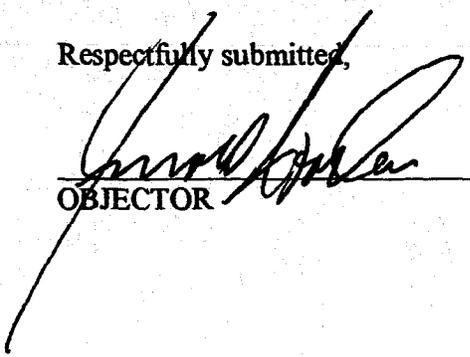
- a. Floyd Brown. Mr. Brown is not the true circulator of the petition sheets that he purports to have circulated, has not witnessed the signatures that appear on his petition sheets, and was not present at the time such signatures were purportedly made on his petition sheets, in violation of the Election Code. Moreover, numerous signatures on Floyd Brown’s petitions appear to be not genuine, and such signatures appear to have been forged and written in the same hand. Floyd Brown purports to have circulated at least petition nos: 121-128, 534, 537, 557, 794 and 814-817.
- b. David McCarver. Mr. McCarver is not the true circulator of the petition sheets that he purports to have circulated, has not witnessed the signatures that appear on his petition sheets, and was not present at the time such signatures were purportedly made on his petition sheets, in violation of the Election Code. Moreover, numerous signatures on David McCarver’s petitions appear to be not genuine, and such signatures appear to have been forged and written in the same hand. David McCarver purports to have circulated at least petition nos: 31-34, 208, 211, 214, 300, 303, 306, 309, 312, 315, 318, 331, 367, 369, 373-378, 380, 382-388, 390-392, 394, 396, 397, 400, 401, 404, 405, 407, 410-412, 414, 416,

419, 420, 422, 423, 425, 428, 430, 431, 433, 435, 436, 437 (there are 2 pages marked 437 which have McCarver's signature on them), 439, 440, 442, 443, 445, 447, 458, 511, 772, 773, and 798-802.

15. Your Objector states that the Nomination Papers herein contested consist of various sheets purportedly containing the valid and legal signatures of 11,462 individuals. The individual objections cited herein with specificity reduce the number of valid signatures below the statutory minimum of 10,754.

WHEREFORE, your Objector prays that the purported Nomination Papers of David M. Gill as an independent candidate for the office of the Representative in Congress for the 13th Congressional District of the State of Illinois be declared by this Honorable Electoral Board to be insufficient and not in compliance with the laws of the State of Illinois and that the Candidate's name be stricken and that this Honorable Electoral Board enter its decision declaring that the name of David M. Gill as an independent candidate for the office of the Representative in the Congress for the 13th Congressional District of the State of Illinois **BE NOT PRINTED** on the **OFFICIAL BALLOT** at the General Election to be held on November 8, 2016.

Respectfully submitted,



OBJECTOR

Wicklund v Gill
16 SOEB GE 106

Candidate: David M. Gill

Office: 13th Congressional

Party: Independent

Objector: Mark D. Wicklund

Attorney For Objector: Pro se

Attorney For Candidate: Sam Cahnman

Number of Signatures Required: 10,754

Number of Signatures Submitted: 12,375

Number of Signatures Objected to:

Basis of Objection: The Candidate's nomination papers contain an insufficient number of valid signatures because certain petition sheets contain blank lines left and certain petition signers do not reside in the 13th Congressional District.

Dispositive Motions: Candidate's Motion to Strike and Dismiss and Motion for Production, Objector's Response to Candidate's Motion to Strike and Dismiss and Motion for Production

Binder Check Necessary: No

Hearing Officer: David Herman

Hearing Officer Findings and Recommendations: The objections to Candidate's petition in this case are similar to objections made in the case of Jerrold Stocks v. David M. Gill, 16 SOEB GE 109. Because more individual signatures were challenged in the Stocks case, the parties agreed to stay the records examination in this matter until the Stocks' records examination was completed. The Stock's records examination revealed that Candidate failed to meet the minimum signature requirement to be placed on the ballot for the office sought. Candidate failed to submit any Rule 9 evidence to rehabilitate any signatures ruled invalid at the Stocks' records examination.

Accordingly, in light of the results of the Stocks' records examination, the Hearing Officer found the objection in this case to be moot and recommends that the objection be dismissed.

Recommendation of the General Counsel: The General Counsel concurs in the Hearing Officer's recommendation.

**BEFORE THE DULY CONSTITUTED ELECTORAL BOARD
FOR THE HEARING AND PASSING UPON OBJECTIONS TO NOMINATION
PAPERS OF CANDIDATES FOR ELECTION TO THE OFFICE OF
REPRESENTATIVE IN CONGRESS FROM THE 13TH CONGRESSIONAL DISTRICT
IN THE STATE OF ILLINOIS**

Mark D. Wicklund, Petitioner-Objector,)	
)	
vs.)	Case No. 16-SOEB-GE-106
)	
David M. Gill, Respondent-Candidate.)	

RECOMMENDATION OF HEARING EXAMINER

I. PROCEDURAL HISTORY

This matter commenced on July 5, 2016, when Mark D. Wicklund filed a “Verified Objector’s Petition” with the Illinois State Board of Elections. Wicklund (hereinafter “Objector”) alleged that the nomination papers of David M. Gill for the Office of Representative in Congress from the 13th Congressional District in the State of Illinois (hereinafter “Candidate”), were insufficient in that they were not in conformance with certain provisions of the Illinois Election Code. Specifically, the Objector alleged that

- the nomination papers contained petition sheets with lines left blank that are included in the total number of signatures, and;
- the nomination papers contained petition sheets with signatures of persons who do not reside in the 13th Congressional District.

On July 13, 2016, Candidate filed his Motion to Strike and Dismiss and Motion for Production wherein he argued that the Objector circulated or certified petition sheets for a Democratic candidate in this election cycle and therefore, lacks standing to bring his Objection against an independent candidate, pursuant to Section 10-4 of the Illinois Election Code.

On July 18, 2016, Objector filed his Response to the Motion to Strike and Dismiss wherein he argued that the Candidate’s Motion to Dismiss was not timely filed and that Section 10-4 of the Illinois Election Code did not apply.

The objections to Candidate’s nominating papers in this matter were similar to objections also advanced by another objector in the case of Jerrold Stocks v. David M. Gill, 16 SOEB GE 109 (“Stock’s Case”) regarding the nomination papers of the same Candidate. Since there were more signatures being challenged in the Stock’s Case, the Parties agreed to stay the records examination in this matter until the records examination was completed in the Stock’s Case. The Stock’s Case record examination revealed that the Candidate did not meet the minimum signature requirement to be placed on the ballot. The Candidate failed to submit any Rule 9

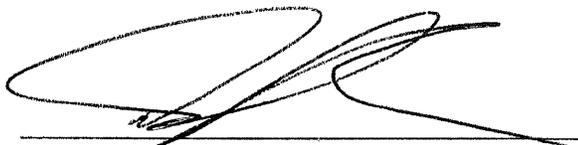
evidence to rehabilitate any signatures in the Stock's Case. Accordingly, the recommendation of the Hearing Examiner in the Stock's Case was that the Candidate not be placed on the ballot as a candidate to the Office of Representative in Congress from the 13th Congressional District in the State of Illinois

II. CONCLUSION AND RECOMMENDATION

Because Candidate has **NOT** met the minimum signature requirement as determined in the case of Jerrold Stocks v. David M. Gill, 16 SOEB GE 109 and it was the recommendation of the Hearing Examiner in that case to not place Candidate on the ballot, this objection is moot and should be dismissed.

The parties herein have until **Wednesday, July 27, 2016** on or before 5:00 p.m. to file any exception to this Recommendation with the Hearing Examiner.

DATED: July 22, 2016



David A. Herman, Hearing Examiner

CERTIFICATE OF SERVICE

Service of the foregoing document was made by electronic transmission, where indicated, to:

Mark D. Wicklund
3865 E. Cantrell St.
Decatur, IL 62521
wicklund.mark@gmail.com

David M. Gill
c/o Sam Cahnman
915 Second Street
Springfield, IL 62704
samcahnman@yahoo.com

Ken Menzel
Illinois State Board of Elections
2329 S. MacArthur Blvd.
Springfield, IL 62704
kmenzel@elections.il.gov

on this 22nd day of July, 2016.



David A. Herman, Hearing Examiner

David A. Herman, Reg. No. 6211060
GIFFIN, WINNING, COHEN & BODEWES, P.C.
One West Old State Capitol Plaza
Myers Building - Suite 600
Springfield, Illinois 62701
Phone: (217) 525-1571
Fax: (217) 525-1710
dherman@giffinwinning.com

**BEFORE THE DULY ELECTORAL BOARD
FOR THE HEARING AND PASSING UPON OBJECTIONS TO NOMINATION
PAPERS OF CANDIDATE FOR ELECTION TO THE OFFICE OF
REPRESENTATIVE IN CONGRESS FROM THE 13TH CONGRESSIONAL DISTRICT
IN THE STATE OF ILLINOIS**

MARK D. Wicklund,)	
OBJECTOR)	
)	
VS.)	NO. 16-SOEB-GE-106
)	
DAVID M. GILL,)	
CANDIDATE)	

**OBJECTOR'S MOTION TO STRIKE AND DISMISS
CANDIDATES MOTION TO STRIKE AND DISMISS AND
MOTION FOR PRODUCTION**

Now comes the Objector, Mark D Wicklund for his motion to dismiss Candidate David M Gill's motion to dismiss and motion for production.

Objector States as follows.

1. The Candidates use of Section 10-4 has no bearing on the case at hand. Section 10-4 Election Code prohibits and individual from circulating petitions for multiple candidates of different parties (Democratic, Republican, or third party) The Objector did circulate petitions for a Democratic Candidate only, and no one else. Making this this section of the election void for challenging as for it relates to circulation of petitions.
2. The Objector and the Candidate and his attorney involved in the initial hearing on July 11, 2016 at 10:30AM in the State Board of Elections office in Springfield, Illinois. Were both informed as to the rules going forward on filling and procedures, The Objector and Candidate was informed that all filings from this point on could be done electronically. Thus the Candidate and His attorney Samuel J. Cahnman, failed to meet the 5pm deadline on July 13, 2016 as required by the rules governing the hearing. Wherefore the Candidates motion should be dismissed.
3. Finally, the objector has filed all necessary forms and copies and should be in the possession of the State Board of Elections, Candidate and his attorney Samuel J.

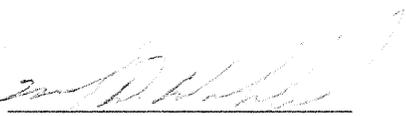
Cahnman. If there is something the Candidate or his attorney believe they are missing. The Objector will provide.

WHEREFORE, the Objector prays that:

- A. The Candidates motion be dismissed in its entirety
- B. Provide such other relief the Board deems adequate and just.

Mark D. Wicklund
3865 E. Cantrell St.
Decatur, IL. 62521
217-413-1265
Wicklund.mark@gmail.com

Respectfully Submitted,
Mark D. Wicklund,
Objector

By: 

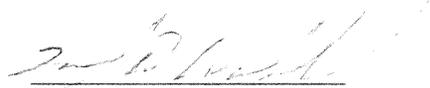
PROFF OF SERVICE

The undersigned certifies that the original was filed with the Illinois State Board of Elections Office, In Springfield Illinois on Friday July 15, 2016 and that a copy was served upon the following persons by enclosing same in an envelope addressed as indicated with postage fully paid, and by depositing same envelope in the United States Post Office and by email on July 15, 2016

Samuel J. Cahnman
Attorney at law
915 South Second Street
Springfield, IL. 62704

Ken Menzel
Illinois State Board of Elections
2329 S. MacArthur Blvd.
Springfield, IL. 62704

David A Herman
Giffin, Winningm Cohen & Bodewes, P.C.
1 W. Old State Capital Plaza
Myers Building, Suite 600
Springfield, IL. 62701



Mark D. Wicklund

Mark D. Wicklund
3865 E. Cantrell St.
Decatur, IL. 62521
217-413-1265
Wicklund.mark@gmail.com

BEFORE THE DULY CONSTITUTED ELECTORAL BOARD
FOR THE THE HARING AND PASSING UPON OBJECTIONS TO NOMINATION
PAPERS OF CANDIDATES FOR ELECTION TO THE OFFICE OF
REPRESENTATIVE IN CONGRESS FROM THE 13th CONGRESSIONAL DISTRICT
IN THE STATE OF ILLINOIS

MARK D. WICKLUND,)
Petitioner-Objector,)
vs.) NO. 16-SOEB-GE-106
DAVID M. GILL,,)
Respondent-Candidate.)

RECEIVED

JUL 13 2016

State Board of Elections

CANDIDATE'S MOTION TO STRIKE AND DISMISS
AND MOTION FOR PRODUCTION

NOW COMES the Respondent-Candidate, David M. Gill, by his attorney,
Samuel

J. Cahnman, and for his motion to strike and dismiss and motion for production states a
follows:

1. Section 10-4 of the Election Code prohibits a person from circulating the
petitions of a candidate of one political party and for an independent candidate in the
same election cycle. The Objector circulated or certified petitions for a
Democratic candidate in this election cycle. Therefore, the Objector lacks
standing to bring an objector's petition against an independent candidate in this
election cycle.

2. Finally, the Candidate moves for an order requiring the Objector to promptly

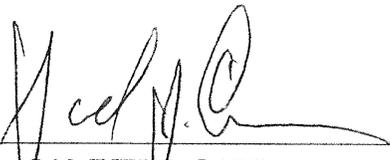
provide to the Candidate all evidence the Objector intends to rely upon in regards to the claims raised in his Objector's Petition. There is no good reason why Objector's evidence should not be produced to the Candidate at the earliest possible moment. An immediate and ongoing duty for the Objector to provide Candidate with with relevant evidence will help ensure fairness in these proceedings, without putting any undue burden on the Objector.

WHEREFORE, the Candidate prays that:

- A. the Objector's Petition be dismissed in its entirety; and that
- B. Objector be ordered to produce all relevant evidence in his possession to the Candidate immediately, and that Objector promptly produce any future evidence immediately after it has become known to Objector; and
- C. provide such other relief as the Board deems adequate and just.

Samuel J. Cahnman
Attorney at Law
915 S. Second St.
Springfield, IL 62704
217/528-0200
samcahnman@yahoo.com

Respectfully submitted,
DAVID M. GILL,
Respondent-Candidate,

By: 

SAMUEL J. CAHNMAN
Attorney for Respondent-Candidate

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing instrument was served upon the following persons by enclosing same in an envelope addressed as indicated with postage fully prepaid and by depositing same in the U.S. Post Office Mail Box and by email on the 13th day of July, 2016:

Mark D. Wicklund
Attorney at Law
3865 East Cantrell St.
Decatur IL 6251
Wicklund.mark@gmail.com

Ken Menzel
Illinois State Board of Election
2329 S. MacArthur Blvd.
Springfield, IL 62704
kmenzel@elections.il.gov

David A. Herman
Giffin, Winning, Cohen & Bodewes, P.C.
1 W. Old State Capitol Plaza
Myers Building, Suite 600
Springfield, IL 62701
dherman@giffinwinning.com

A handwritten signature in black ink, appearing to read "Samuel J. Cahnman", is written over a horizontal line.

SAMUEL J. CAHNMAN
Attorney at Law
915 South Second Street
Springfield, IL 62704
217/528-0200
samcahnman@yahoo.com

to the US House of Representatives, and files the same herewith, and states that the said nomination papers are insufficient in law and in fact for the following reasons:

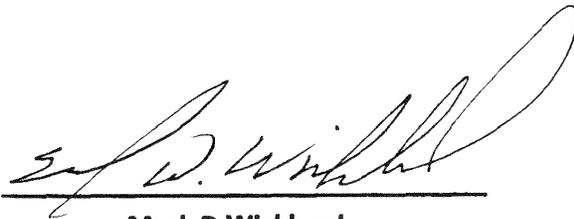
1. Your Objector states that in the 13th District of the US house of Representatives of the State of Illinois, that the signatures of no less than 10,754 Duly qualified, registered, and legal voters of the said the 13th District of the US house of Representatives of the State of Illinois are required. 10 ILCS 5/8
2. Your Objector states that the Candidate has filed 825 petition signature sheets – 15 signature lines each- containing 12,375 signatures of allegedly duly qualified, legal, and registered voter of the 13th District of the US house of Representatives of the State of Illinois; a Statement of Candidacy; and optional Loyalty Oath
3. Your Objector states that the laws pertaining to the securing of ballot access require that certain requirement be met as established by law. Filings made contrary to such requirements must be voided, being in violation of the statutes in such case made and provided. One such legal requirement mandates that Petitions for nomination for the office of the 13th District of the US house of Representatives of the State of Illinois, shall be signed by no less than 10,754 Duly qualified, registered and legal voters of his or hers representative district. "(Emphasis added). 10 ILCS 5/8-8. This nominating petition fails to adhere to and therefore is in contravention of, the Illinois Election Code cited above, in that is contains 12,375 Signatures of allegedly duly qualified, legal, and registered voters of the 13th District of the US house of Representatives of the State of Illinois. The Candidate papers are therefore, not in compliance with the statutes in such case made and provided.
4. Your Objector further states that the aforesaid nomination papers contain the names of numerous person who are not in fact duly qualified, registered, and legal voters at the addresses shown opposite their names that are located within the the 13th District of the US house of Representatives of the State of Illinois, and their signatures are therefore invalid, as more fully set forth in the Appendix-Recapitulation under the column designated "Out of District" attached hereto and made part hereof, all of said signatures being in violation of the statutes in such case made and provided.
5. Your Objector further states that there are numerous lines left blank that are included in the nomination papers that are included in the 12,375 signatures filed by the Candidate. That such lines are not duly qualified, registered, and legal voter of the 13th District of the US house of Representatives of the State of Illinois, as more fully set forth in the Appendix-Recapitulation under the column designated as "Blank" attached hereto and made part hereof, all said signatures being in violation of the statutes is such cases made and provided.

- 6. Your Objectors states that the 825 signature pages with 15 lines per page totaling 12,375 of which 92 signatures were removed by the candidate himself. Leaving 12,283 signature filed by the Candidate, of Those 12,283 signatures do not meet the minimum number of Duly qualified, registered, and legal voters of the 13th District of the US house of Representatives of the State of Illinois. As set forth by the election law of the State of Illinois do not met the required number of signature to be placed on the ballot for the general election to be held on November 8, 2016**
- 7. Your Objector states that of the 12,283 signature filed by the Candidate, of those 778 signature lines were left Blank as leaving the Candidate with 11,505 signature lines left.**
- 8. Your Objector states that of the 11,505 signatures of those 1,308 were non-residing duly qualified, registered, and legal voters , thus unable to sign; leaving the Candidate with 10,197 therefore leaving the Candidate 557 duly qualified, registered, and legal voters short of the minimum 10,754 duly qualified, registered, and legal voters of the 13th District of the US house of Representatives of the State of Illinois. See attached Appendix-Recapitulation.**

Wherefore, your Objector prays that the purported nomination papers of David M Gill as an Independent Candidate for the general election to be held on November 8, 2016 for the office the 13th District of the US House of Representatives of the State of Illinois. Be declared by this Honorable Electoral Board to be insufficient and not in compliance with the laws of the State of Illinois and that the Candidate's name be stricken and that this Honorable Electoral Board enter its decision declaring that the name of David M Gill as an Independent Candidate for the nomination to the office of the 13th District of the US house of Representatives of the State of Illinois BE NOT PRINTED on the OFFICIAL BALLOT for the GENERAL ELECTION to be held on NOVEMBER 8, 2016

Dated

Jul 5, 2016



Mark D Wicklund

Objector

Mark D Wicklund
3865 E Cantrell St.
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