

State of Illinois)
) SS.
County of Cook)

**Before the Duly Constituted Electoral Board for the Hearing and
Passing Upon of Objections to Nomination Papers of Candidates for
the Democratic Party Nomination for the Office of Representative in
the General Assembly for the 40th Representative District
of the State of Illinois**

**Objections of Joe Laiacona to the Nomination Papers
of Deborah L. Mell, Candidate for the Democratic
Party Nomination for the Office of Representative in
the General Assembly for the 40th Representative
District of the State of Illinois, to be voted for at the
General Primary Election to be held on the Second
day of February, 2010**

Verified Objector’s Petition

Joe Laiacona, residing and registered to vote at 4205 N. Avers Avenue, in the City of Chicago, County of Cook, State of Illinois (hereinafter referred to as “Objector”) states that the Objector’s address is as stated, that the Objector is a legal voter of the 40th Representative District of the State of Illinois and that the Objector’s interest in filing the following objections is that of a citizen desirous of seeing that the election laws governing the filing of nomination papers for the Democratic Party Nomination for the office of Representative

in the General Assembly for the 40th Representative District of the State of Illinois to be voted for at the General Primary Election to be held on the Second day of February, 2010, are properly complied with. Therefore, the Objector makes the following objections to the nomination papers of Deborah L. Mell as a candidate for The Democratic Party Nomination for the office of Representative in the General Assembly for the 40th Representative District of the State of Illinois to be voted for at the General Primary Election to be held on the Second day of February, 2010 (hereinafter referred to as the "Nomination Papers").

The Objector states that said Nomination Papers are insufficient in fact and law for the following reasons:

1. Pursuant to Illinois law, nomination papers for the Democratic Party Nomination for the office of Representative in the General Assembly for the 40th Representative District of the State of Illinois to be voted for at the General Primary Election to be held on the Second day of February, 2010, must contain the true signatures of not fewer than 500 qualified and duly registered legal voters of the 40th Representative District of the State of Illinois. In addition, said Nomination Papers must truthfully allege that the candidate is qualified for the office he or she seeks, be gathered and presented in the manner provided for in the Illinois Election Code, and otherwise must be executed in the form provided by law. The Nomination Papers herein purport to contain the signatures of in excess of the legal minimum of such voters, and further purport to truthfully allege that the candidate is qualified for the office he or she seeks and purport to have been gathered, presented and executed in the manner provided by the Illinois Election Code.
2. The Nomination Papers herein contain a Statement of Candidacy which contains a false statement, *to wit*: "that I reside at 2656 West Melrose Street in the City of Chicago, Zip Code 60618 in the county of Cook, State of Illinois; that I am a qualified voter therein and am a qualified primary voter of the Democratic Party . . ." when, in fact, while Deborah L. Mell may reside at said address, she was not on the day she swore to and signed such statement (October 24, 2009), was not on the day she filed said statement with the State Board of Elections (October 26, 2009) and is not on the date of the filing of this objection (November 9, 2009) a registered voter at said address and therefore was and is not a qualified voter or a qualified voter of the Democratic Party at said address under Illinois law, said false statement being in violation of the Illinois Election Code and other provisions of the Illinois law.

3. The Nomination Papers herein contain a Statement of Candidacy which contains a false statement, *to wit*: “that I am a candidate for nomination to the office of Representative in the General Assembly in the 40th Representative District of the State of Illinois, to be voted upon at the primary election to be held on the 2nd day of February, 2010; that I am legally qualified ... to hold such office ...” when, in fact, while Deborah L. Mell may reside at said address, she was not on the day she swore to and signed such statement (October 24, 2009), was not on the day she filed said statement with the State Board of Elections (October 26, 2009) and is not on the date of the filing of this objection (November 9, 2009) a registered voter at said address and therefore was and is not qualified to hold such office from said address under Illinois law, said false statement being in violation of the Illinois Election Code and other provisions of the Illinois law.
4. Because of the above alleged false statements in the Statement of Candidacy, which are contrary to fact and Illinois law and are violative of Illinois law, the Nomination Papers are invalid in their entirety.
5. Because Deborah L. Mell is not a duly registered voter at the address from which she seeks to be a candidate, the Nomination Papers are invalid in their entirety.
6. Because the Nomination Papers contain a Statement of Candidacy which contains at least one material false statement, which false statement is, itself, contrary to Illinois law and is violative of Illinois law, the Nomination Papers are invalid in their entirety.

Wherefore, the Objector requests a hearing on the Objections set forth herein, an examination by the aforesaid Electoral Board (or its duly appointed agent or agents) of the official voter registration records relating to voters in the **40th Representative District of the State of Illinois**, (to the extent that such examination is pertinent to any of the matters alleged herein), a ruling that the Nomination Papers are insufficient in law and fact, and a ruling that the name of Deborah L. Mell **shall not appear** on the ballot for the Democratic Party Nomination for the office of Representative in the General Assembly for the 40th Representative District of the State of Illinois to be voted for at the General Primary Election to be held on the Second day of February, 2010.

Joe Laiacona
Objector

Subscribed and sworn to before me by Joe Laiacona

this ____ day of November, 2009.

NOTARY PUBLIC
(SEAL)

Objections prepared and filed: November 9, 2009

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