

PRELIMINARY DRAFT [Template Without Board Findings]

BEFORE THE RIVER FOREST MUNICIPAL OFFICERS' ELECTORAL
BOARD FOR THE HEARING AND PASSING UPON OF
OBJECTIONS TO THE REFERENDUM PETITION (PRINCIPAL PROPONENT
DEBORAH L. BORMAN) FILED IN THE VILLAGE OF RIVER FOREST

OBJECTION OF:

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)
) Carolyn A. Kilbride, Objector, to the Petition for Referendum RFMOEB Case No. 1
) Deborah L. Borman, Principal Proponent, seeking placement
) of the question "Shall the terms of office of the Village President
) of the Village of River Forest, Cook County, Illinois be limited
) so that, effective upon the passage of this question as certified
) by the election authority no person may serve as Village
) President for more than a total of eight (8) years" on the ballot
) for the November 5, 2024 General Election.)

DECISION

The duly constituted River Forest Municipal Officers Electoral Board, consisting of the Honorable Mathias Delort, the Honorable Respicio Vazquez and the Honorable Jonathan Keller, was organized by law in response to a call issued by the Honorable Catherine Adduci, initial statutory Chairperson of the Electoral Board (the "Board"), for the purpose of hearing and passing upon objections to a Referendum Petition for term limits for Village President, Deborah Borman, the principal proponent of the Referendum Petition. The Board convened on Tuesday, August 20, 2024, at the hour of 3:00 p.m. in the Community Room of River Forest Village Hall, 400 Park Avenue, River Forest, IL 60305. Having heard and determined the objections to the nominating petitions in the above-entitled matter, the Board finds that:

1. The Electoral Board has been legally constituted according to the laws of the State of Illinois.
2. The principal proponent of the Referendum Petition(s) objected to is Deborah Borman (the "Respondent").
3. A timely objection to the Referendum Petition was filed by Carolyn Kilbride (the "Objector").

4. A call to the hearing on the objections was duly issued and was caused to be served upon the members of the Electoral Board, the Objector and the Respondent. In lieu of statutory service by certified mail, the members of the Electoral Board, the Objector and the Respondent all expressly agreed to accept service by electronic mail.

5. A public hearing was held on these objections on August 20, 2024 in the Community Room of River Forest Village Hall, 400 Park Avenue, River Forest, Illinois and was reconvened on September 4, 2024 at 10:00 a.m. in the Community Room of River Forest Village Hall.

6. At the hearing, the following persons were present, among others:

a. Honorable Catherine Adduci (Mayor), Chairperson, Honorable Respicio Vazquez (most senior trustee), Member and the Honorable Jonathan Keller (Village Clerk), Member the Electoral Board, represented by Scott Uhler, Klein, Thorpe & Jenkins, attorneys;

b. the Objector, Carolyn Kilbride, represented by Thomas Jaconetty and Steve Laduzinsky, attorneys; and

c. the Principal Proponent of the Referendum Petition, Deborah Borman, represented by Ross Secler, attorney.

7. On August 20, 2024, prior to the commencement of the hearing, the Candidate filed two motions: a written Motion Requesting Recusal of the Electoral Board Chairperson Catherin Adduci and a written Motion to Strike Counts I – III & to Dismiss the Objector's Petition of Carolyn Kilbride (the "Motion to Dismiss").

8. At the hearing on August 20, 2024, the Board took steps to organize the Board, adopted the Board's rules of procedure and the scheduling of its proceedings and certain filings.

9. The Board heard brief summary explanations of the proposed evidence and presentation from each party. To best ensure a timely resolution of this issues in this proceeding and develop a complete record in the event of any further judicial review of this matter, the Electoral Board set a briefing schedule for reconvening the hearing on September 4th to consider the Respondent's Motion to Strike Counts I – III & to Dismiss the Objector's Petition and to hear arguments on the issues raised in the Objection Petition, while voting 2-1 to send this matter for a records check in the interim with the results to be returned to the Electoral Board for consideration at its reconvened hearing on September 4th.

10. As its final order of business at its initial hearing on August 20th, the Chairperson, Catherine Adduci, addressed the issue of her recusal from service on the Electoral Board. Chairperson Adduci indicated that she had considered her possible recusal from the Electoral Board before receiving Respondent's Motion requesting her recusal and that it was her decision. Chairperson Adduci stated that to best ensure the trust and confidence of Village residents in a fair and impartial proceeding, that pursuant to applicable law and standards she would recuse herself from further service on the Electoral Board.

11. The remaining two members of the Electoral Board agreed that a public member to fill the vacant seat of Chairperson Adduci would be immediately requested from the Chief Judge of the Cook County Circuit Court, as provided by the Illinois Election Code. A copy of the RIVER FOREST MUNICIPAL OFFICERS ELECTORAL BOARD REQUEST FOR

APPOINTMENT OF PUBLIC MEMBER made August 22, 2024, was introduced into the record of the hearing.

12. Cook County Circuit Court Special Order 2024-79 was issued August 23, 2024 appointing Mathias Delort as a public member to fill the vacancy in the seat of the chairperson of the Electoral Board.

13. On August 26th, the Electoral Board received a Motion for Entry of Order Authorizing and Issuing Subpoenas. In response to the Motion, the Respondent filed a Response opposing the issuance of the subpoenas. Following consideration and vote by the members of the Electoral Board to authorize the issuance of the subpoenas, Chairperson Delort executed and issued the requested subpoenas.

14. Pursuant to the Briefing Schedule established by the Board, the Objector filed a Response to Respondent's Motion to Strike Counts I – III & to Dismiss the Objector's Petition and the Respondent filed a Reply to Objector's Response to Respondent's Motion to Strike Counts I – III & to Dismiss the Objector's Petition which were reviewed and considered by the Board.

15. The Electoral Board reconvened this hearing on Wednesday, September 4, 2024 at 10:00 a.m. at the Village of River Forest Village Hall.

16. At that time, a copy of the Cook County Circuit Court Special Order 2024-79, issued August 23, 2024 providing for the appointment to the Electoral Board of Mathias Delort, to fill the vacancy in the seat of the chairperson of the Electoral Board, was entered into the record of the hearing.

Upon reconvening, the Electoral Board took up and voted unanimously to grant the following motions and relief:

A motion for entry of Group Exhibit 2 making all the filings by the parties and Electoral Board part of the record of hearing, as noted in open session.

A motion to readopt the Board rules of procedure.

The chair read and entered the results of the records check conducted by the Cook County Clerk's office.

Amended the Petition Summary Sheet from the Cook County Clerk's office to add the Petition Page Report.

OBJECTOR'S PETITION

The Board, having heard oral argument, having reviewed written briefs and having considered all the evidence with respect to the objections raised in the Objector's Petition and in Respondent's Motion to Strike and Dismiss, makes the following findings and corresponding rulings, including for the reasons stated on the record:

17. The Respondent's Motion to Strike and Dismiss those objections raised by the Objector to the Referendum Petition in its Counts I & II as to those violations caused by the markings of the "Yes" and "No" boxes in the headings of the Petition sheets is granted by unanimous vote of the Electoral Board.

18. As to the objections raised in paragraph 48 of the Objector's Petition that the petition sheets violate Section 28-3 of the Election Code because the hearing is too vague and

ambiguous, that it legally fails to use language that does not create doubt, that it cannot stand on its own terms and is not self-executing, the Respondent's Motion to Strike and Dismiss is denied and the Objector's Petition is granted, by unanimous vote of the Electoral Board. The Electoral Board hereby holds that the Referendum Petition is invalid.

19. The third objection raised by the Objector to the Referendum Petition as its Count III was that the notarization of a majority of the Referendum Petition sheets was in violation of the Illinois Notary Public Act. The Electoral Board voted unanimously to grant the Respondent's Motion to Strike and Dismiss this objection set forth as Count III in the Objector's Petition.

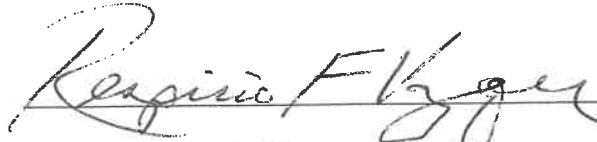
20. The final objection raised by the Objector to the Referendum Petition as its Count IV was that the Referendum Petition contains less than the statutorily required number of signatures. The Electoral Board unanimously ruled that Count IV of the Objector's Petition was overruled.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the objections of Carolyn Kilbride to the Referendum Petition proposing term limits for Village President are hereby determined as provided hereinabove and the Referendum Petition is hereby declared invalid and will not appear on the ballot for the November 5, 2024 General Election.

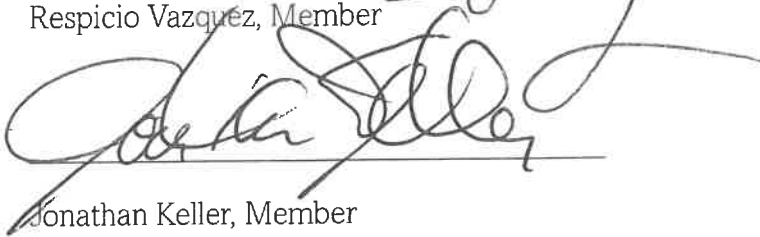
Dated this 4th day of Sept., 2024.



Mathias Delort, Chair



Respicio Vazquez, Member



Jonathan Keller, Member