STATE OF ILLINOIS)) ss COUNTY OF COOK)

BEFORE THE STATE BOARD OF ELECTIONS SITTING AS THE STATE OFFICERS ELECTORAL BOARD FOR THE HEARING AND PASSING UPON OF OBJECTIONS TO NOMINATION PAPERS OF NEW AND INDEPENDENT PARTY CANDIDATES SEEKING TO APPEAR ON THE NOVEMBER 5, 2024, GENERAL ELECTION BALLOT

IN THE MATTER OF OBJ	ECTIONS BY)	
Joseph Mullen Duffy, and Zach Koutsky,)	
	Objectors,)	
V.)	No. 24 SOEB GE 508
Robert F. Kennedy Jr., and)	
Nicole Shanahan,)	
	Candidates.)	

DECISION

The State Board of Elections, sitting as the duly constituted State Officers Electoral Board, having convened on August 23, 2024, at 69 W. Washington, Chicago, Illinois, and via video conference at 2329 S. MacArthur Blvd., Springfield, Illinois and having heard and considered the objections filed in the above-titled matter, hereby determines and finds that:

- 1. The State Board of Elections has been duly and legally constituted as the State Officers Electoral Board pursuant to Sections 10-9 and 10-10 of the Election Code (10 ILCS 5/10-9 and 5/10-10) for the purpose of hearing and passing upon the objections filed in this matter and as such, has jurisdiction in this matter.
- 2. On July 1, 2024, Joseph Mullen Duffy and Zach Koutsky timely filed an objection to the nomination papers of Robert F. Kennedy Jr. and Nicole Shanahan, Independent candidates for the offices of President and Vice President of the United States.
- 3. A call for the hearing on said objection was duly issued and was served upon the Members of the Board, the Objectors, and the Candidates by registered mail as provided by statute unless waived.

- 4. On July 9, 2024, the State Officers Electoral Board voted to adopt the Rules of Procedure, and a hearing officer was assigned to consider arguments and evidence in this matter.
- On July 4, 2024, Candidates filed a Motion to Dismiss Objectors' Petition ("Motion"). On July 18, 2024, Objectors filed a Response to Candidates' Motion to Dismiss Objectors' Petition. On July 20, 2024, Candidates filed a Motion to Reply in Support of the Motion to Dismiss Objectors' Petition.
- 6. On July 12, 2024, through July 18, 2024, a records examination was conducted by the staff of the State Board of Elections on 33,614 lines of the 65,882 signatures submitted. The results of that examination indicate a total of 43,040 valid signatures.
- 7. Objections were made to 3,897 pages on the basis of prohibited dual circulation, pattern of fraud, and/or other sheet-specific deficiencies. Following an examination of the identified petition sheets and removal of the petition pages with sustained objections, Candidates filed 33,286 valid signatures, which is 8,286 signatures over the statutory minimum.
- 8. During the period of August 6, 2024, through August 16, 2024, a hearing was held before the Hearing Officer, totaling 6 days in duration. During the hearing, the parties proffered evidence, testimony, and arguments before the Hearing Officer.
- 9. The Hearing Officer issued a Recommendation dated August 21, 2024, in this matter after reviewing all matters in the record, including arguments and evidence tendered by the parties.
- 10. Upon consideration of this matter, the Board adopts the findings of fact, conclusions of law, and recommendations of the Hearing Officer as supplemented by the General Counsel on the Summary Sheet and General Counsel's Paragraph 14 Supplement, and finds:
 - A. Candidates' Motion seeking dismissal of Paragraphs 35-44 of Objectors' petition is granted, and the remainder of the Motion is denied for the reasons stated on pages 31-43 of the Hearing Officer's Recommendation.
 - B. The Candidates' petition contains a total of 33,286 valid signatures, which is 8,286 signatures above the minimum number of 25,000 signatures required under Section 10-2 of the Election Code (10 ILCS 5/10-2) to qualify Candidates for access

to the ballot as Independent candidates for the offices of President and Vice President.

C. Paragraphs 5-10, 14, 15, 17, 19-21, 23-25, and 27-34 of the Objectors' petition are sustained in whole or in part as recommended in the Hearing Officer's Recommendation, as supplemented by the Recommendation of the General Counsel and the General Counsel's Paragraph 14 Supplement. The objections in the remaining paragraphs are overruled.

IT IS HEREBY ORDERED that Candidates' Motion to Dismiss Objectors' Petition is GRANTED in part and DENIED in part based on the findings contained in Paragraph 10A above, and the objection of Joseph Mullen Duffy and Zach Koutsky to the nomination papers of Robert F. Kennedy Jr. and Nicole Shanahan, Independent candidates for the offices of President and Vice President, is SUSTAINED in part and OVERRULED in part based on the findings contained in Paragraph 10C above, and the names of the Candidates Robert F. Kennedy Jr. and Nicole Shanahan SHALL appear on the November 5, 2024, General Election ballot.

This is a final order subject to review under 10 ILCS 5/10-10.1.

DATED: 08/23/2024

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Casandra B. Watson, Chair

CERTIFICATE OF SERVICE

The undersigned certifies that on August 23, 2024, the foregoing order was served upon the Objector(s) or their attorney(s) by:

XVia email to the addresses listed below:

Laduzinsky & Associates: Admin@laduzinsky.com Odelson Murphey Frazier & McGrath: Elections@omfmlaw.com

□ Placing a pre-paid certified mail envelope in a U.S. mailbox addressed to:

Ross D. Secler; Priscilla E. Centeno Odelson, Murphey, Frazier & McGrath, Ltd. 3318 W. 95th Street Evergreen Park, IL 60805

Steven M. Laduzinsky 216 S. Jefferson Street, Suite 301 Chicago, IL 60661

- \Box Hand delivery at:
 - □ 2329 S. MacArthur Blvd., Springfield, IL 62704
 - □ 69 W. Washington St, Chicago, IL 60602

And on August 23, 2024, served upon the Candidate(s) or their attorney(s) by:

XVia email to the addresses listed below:

Christopher Kruger: Chris@kruger-law.com Andrew Finko: Finkolaw@fastmail.FM

□ Placing a pre-paid certified mail envelope in a U.S. mailbox addressed to:

Andrew Finko 875 N. Michigan Ave. #3100 Chicago, IL 60611 Christopher D. Kruger 2022 Dodge Avenue Evanston, IL 60201

\Box Hand delivery at:

- □ 2329 S. MacArthur Blvd., Springfield, IL 62704
- □ 69 W. Washington St, Chicago, IL 60602

By:

Mª MM

Marni M. Malowitz Illinois State Board of Elections