

STATE OFFICERS ELECTORAL BOARD  
Special Meeting  
Monday, February 1, 2016

MINUTES

PRESENT: Charles W. Scholz, Chairman  
William J. Cadigan, Member  
Andrew K. Carruthers, Member  
Betty J. Coffrin, Member  
William M. McGuffage, Member  
Casandra B. Watson, Member

ABSENT: John R. Keith, Member

ALSO PRESENT: Steven S. Sandvoss, Executive Director  
James Tenuto, Assistant Executive Director  
Kenneth R. Menzel, General Counsel  
Darlene Gervase, Admin. Assistant III

---

The Chairman called the State Officers Electoral Board meeting to order at 10:30 a.m. Chairman Scholz and Member Carruthers were present in the Springfield office; Vice Chairman Gowen, Members Cadigan and McGuffage were present in Chicago; and Members Coffrin and Watson were connected via teleconference call. Member Keith was absent and Chairman Scholz held his proxy.

General Counsel, Ken Menzel, began with consideration of objections to presidential candidates nominating petitions for the March 15, 2016 General Primary Election.

Member Carruthers indicated that he would abstain on items 2.a., b., and c. as his wife is running as an officer and delegate for one of the competing candidates in the Republican presidential primary.

The Objection filed in *Joyce v. Cruz*, 16 SOEB GP 526, states that the Candidate was born in Canada; is not a natural born citizen; and not legally qualified to hold the office of President of the United States. Objector, Lawrence J. Joyce, was present in Chicago and Sharee Langenstein, attorney for the Candidate, was in the Springfield office. The Hearing Officer concluded that Candidate Cruz is a "natural born citizen" by virtue of being born in Canada to a United States citizen and the General Counsel concurred with the Recommendation. Discussion was had among the Board. Member McGuffage moved to dismiss the objection for lack of subject matter jurisdiction. Member Watson seconded the Motion which passed 7-0 with Member Carruthers abstaining. The name of Ted Cruz, Republican Party Candidate for nomination to the office of President of the United States is certified to the ballot for the March 15, 2016 General Primary.

As to Item 2.b., 16 SOEB GP 527, *Graham v. Cruz*, Objector William K. Graham was present in Chicago and Candidate Ted Cruz's attorney, Sharee Langenstein, was present in the Springfield office. Mr. Menzel concurred with the Hearing Officer that the Objector did not state his interest in filing the objection and did not ask for relief, both which are fatal defects in an Objection. Therefore, the Motion to Dismiss should be granted. Member McGuffage moved that this objection be dismissed and that the candidate be certified for the presidential primary ballot for

the same reasons as stated in the last case. We have no jurisdiction in this matter, and the ruling in the prior case would be *res judicata* as far as the Board is concerned. Discussion ensued among the Board. Member McGuffage renewed his motion to dismiss the objection and adopt the report of the Hearing Officer and General Counsel and certify the candidate for the presidential primary ballot. Member Watson seconded the Motion which passed 7-0 with Member Carruthers abstaining. The name of Ted Cruz, Republican Party Candidate for nomination to the office of President of the United States shall be certified to the ballot for the March 15, 2016 General Primary.

Item 2.c., *Graham v. Rubio*, 16 SOEB GPO528, was considered. William K. Graham appeared *pro se*, and Laura Jacksack appeared for the Candidate in Chicago. The Hearing Officer found that the Objector failed to state his interest or relief sought, both fatal defects in an objection, and that the Board has jurisdiction to hear the Objection on the merits. The Candidate was born in the United States to parents who legally immigrated to the United States from Cuba and who were not U.S. citizens at the time of his birth. The Candidate is a natural born citizen by virtue of not having to take any steps to become a naturalized citizen. Member Cadigan moved and Vice Chairman Gowen seconded the Motion to adopt the Recommendations of the Hearing Officer and General Counsel to Grant the Candidate's Motion to Strike the Objector's Petition. The Motion passed 7-0 with Member Carruthers abstaining. The name of Marco Rubio, the Republican Party candidate for nomination to the office of President of the United States, shall be certified to the ballot for the March 15, 2016 General Primary Election.

An Objection was filed by Brant Davis to the nomination papers of Hillary Clinton. Attorney Anish Parikh filed an appearance for the Objector and Michael Kreloff for the Candidate at the hearing before the Hearing Officer. Mr. Kreloff was present in Chicago for the meeting and Mr. Parikh did not attend. During the hearing, the Hearing Officer made a conclusion as to the total number of signatures on the petition and the total number objected to. The Hearing Officer recommended the Candidate's Motion to Strike paragraphs 3, 7, 8 and 16 of the Objector's petition be granted; he made a finding that the Candidate has the required 3000 valid signatures after striking the noted paragraphs and corresponding objections; that the records examination is unnecessary; and recommended that the Candidate's name should be certified to the primary ballot for the Democratic Party nomination for President of the United States. The General Counsel concurred. Member McGuffage moved to adopt the Hearing Officer and General Counsel's recommendations and certify Hillary Clinton as a Democratic Party candidate for nomination to the office of President of the United States for the March 15, 2016 General Primary Election. Member Watson seconded the motion which passed unanimously.

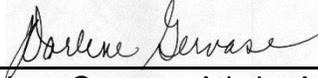
Mr. Menzel advised the Board that the objections were withdrawn in 16 SOEB GP 529, *Hendon and Shaw v. Cohen*; 16 SOEB GP 530, *Hendon and Shaw v. O'Malley*; 15 SOEB GP 531, *Hendon and Shaw v. Sanders*; 15 SOEB GP 532, *Hendon and Shaw v. De La Fuente*. All were withdrawn by the objectors and no action is required by the Board.

For informational purposes, five Board decisions prior to today have gone for judicial review: *Cramer v. Straw*; *Schmidt v. Moeller*; and three 20<sup>th</sup> Judicial circuit cases: Cook, the objector, and Barecivic, Haida and Lechien as candidates.

There being no further business for the State Officers Electoral Board, the Chairman asked for a motion to recess until the February 17, 2016 meeting in Chicago at 10:30 a.m. Member Carruthers so moved and Vice Chairman Gowen seconded the motion which passed unanimously.

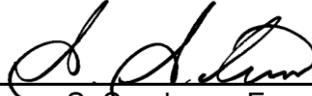
The State Officers Electoral Board recessed at 11:18 a.m.

Respectfully submitted,



---

Darlene Gervase, Admin. Asst. III



---

Steven S. Sandvoss, Executive Director