STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

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Jesse R. Smart
Robert J. Walters

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

- AMENDED -

AGENDA
STATE BOARD OF ELECTIONS
BOARD MEETING
Tuesday, April 19, 2011
9:30 a.m. – Executive Session
10:30 a.m. – Open Session

James R. Thompson Center – Room 2-025
Chicago, Illinois
and via videoconference
1020 South Spring Street
Springfield, Illinois

Roll call.

Recess to executive session to discuss pending litigation and return to open session no earlier than 10:30 a.m.

1. Approval of the minutes from the March 21 and 31 meetings. (pgs.1-6)

2. Report of the General Counsel;
   a. Campaign Disclosure;
      Appeal of campaign disclosure fines – carryover from March – hearing officer recommendation appeal be granted
      1) *SBE v. Citizens to Elect Judge Raymond W. Mitchell,* 22125, 10AP061; (pgs.7-16)
      Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeals be granted
      2) *SBE v. IL Coin Machine Operators Association PAC,* 712, 10AG005; (pgs.17-19)
      3) *SBE v. Citizens for Lou Lang,* 1330, 10AP089; (pgs.20-23)
      4) *SBE v. Ogle County Republican Central Committee,* 5091, 10GE009; (pgs.24-26)
      5) *SBE v. Citizens for Viverito,* 6053, 10AG007; (pgs.27-29)
      6) *SBE v. Friends for Lauzen,* 7463, 10AP091; (pgs.30-42)
      7) *SBE v. Downers Grove Township Republican Ticket,* 8939, 11DS035; (pgs.43-45)
      8) *SBE v. Citizens for Leuchtefeld,* 11445, 10AG009; (pgs.46-50)
      9) *SBE v. Citizens to Elect LaShawn K. Ford,* 14021, 10AG012; (pgs.51-56)
      10) *SBE v. Meijer PAC of Illinois,* 15453, 11DS060; (pgs.57-59)
      11) *SBE v. Friends for Verschoore,* 17579, 10AG014; (pgs.60-67)

12) *SBE v. Friends for Lee Ann Goodson,* 18169, 10GE019; (pgs.68-76)
13) *SBE v. Citizens for Fred Crespo,* 18583, 10AG016; (pgs.77-79)
14) *SBE v. Committee to Elect Bill Berry,* 19193, 11DS091; (pgs.80-82)
15) *SBE v. State Council of IL Sheet Metal Workers PAC,* 19987, 10AG057; (pgs.83-85)
16) *SBE v. Patrick for Illinois,* 22116, 10AP060; (pgs.86-96)
17) *SBE v. Citizens for Jeffrey L. Junkas,* 22127, 10AG024; (pgs.97-104)
18) *SBE v. Friends of Robyn Gabel,* 22260, 10AP099; (pgs.105-115)
19) *SBE v. Citizens for Ray Pendzinski,* 22429, 10AG059; (pgs.116-119)
20) *SBE v. Committee to Elect Mike Cook,* 22570, 10GE040; (pgs.120-124)
21) *SBE v. Friends of Lynn Scott Pearson,* 22725, 10JS208; (pgs.125-128)

Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeals be denied

22) *SBE v. Jackson County Republican Central Committee,* 358, 10AG002; (pgs.129-131)
23) *SBE v. Gallatin County Republican Central Committee,* 380, 10GE003; (pgs.132-134)
24) *SBE v. North Suburban Teachers Union COPE,* 450, 10GE004; (pgs.135-140)
25) *SBE v. ICA PAC,* 4253, 10GE007; (pgs.141-144)
26) *SBE v. Citizens for Sig,* 9379, 10JS222; (pgs.145-149)
27) *SBE v. Citizens for Thaddeus Jones,* 12697, 11MA001; (pgs.150-154)
28) *SBE v. Will County Young Republicans,* 14432, 11DS055; (pgs.155-157)
29) *SBE v. Citizens for David E. Miller,* 14923, 10AP043; (pgs.158-160)
30) *SBE v. Friends of Zenovia G. Evans,* 16193, 10MA022; (pgs.161-165)
31) *SBE v. Friends for State Rep. Anthony DeLuca,* 17153, 10AG013; (pgs.166-169)
32) *SBE v. Little Rock 8 Republican PAC,* 18401, 11D101; (pgs.170-180)
33) *SBE v. Vote Bob Scott,* 20381, 11DS108; (pgs.181-184)
34) *SBE v. Committee to Elect Marty P. Leffler,* 20736, 11DS116; (pgs.185-188)
35) *SBE v. Friends of Jehan Gordon,* 20886, 10AG017; (pgs.189-192)
36) *SBE v. Citizens for Mark Walker,* 20977, 10AG018; (pgs.193-203)
37) *SBE v. Friends of David Zimmerman,* 21158, 11DS131; (pgs.204-207)
38) *SBE v. McDonough County Democratic Coalition,* 21214, 11DS132; (pgs.208-210)
39) *SBE v. Citizens for DuPar,* 21233, 11DS133; (pgs.211-219)
40) *SBE v. Friends of Eddie Lee Jackson,* 21760, 10AP098; (pgs.220-224)
41) *SBE v. Brady PAC-Illinois,* 22097, 11MA002; (pgs.225-229)
42) *SBE v. Citizens for Wallace Davis III,* 22266, 10AP068; (pgs.230-232)
43) *SBE v. Friends of Harris,* 22270, 10AG026; (pgs.233-236)
44) *SBE v. Maureen Berkowitz for Supervisor of Assessments,* 22336, 10G038; (pgs.237-239)
45) *SBE v. Citizens to Elect Nicholas Karas,* 22362, 10AP074; (pgs.240-242)
46) *SBE v. Citizens for Jesus Garcia,* 22443, 10AG027; (pgs.243-245)
47) *SBE v. Friends of Peter Kramer,* 22456, 10AP080; (pgs.246-268)
48) *SBE v. Friends of Marla Wilson,* 22494, 10AG030; (pgs.269-272)
49) *SBE v. Citizens for Frederick Collins,* 22753, 10AG033; (pgs.273-278)
50) *SBE v. Friends of Terri Bryant,* 22931, 10AG023; (pgs.279-281)
51) *SBE v. Friends to Elect Richard Rodriguez,* 22985, 11DS248; (pgs.282-284)
52) *SBE v. Strobeck-Eckersall for Assessor,* 23073, 11DS258; (pgs.285-)

Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeals be granted & denied

53) *SBE v. Friends of Saviano,* 7684, 10AP035; (pgs.288-293)
54) *SBE v. Friends of Dan Hynes,* 13187, 10AP039; (pgs.294-297)
55) *SBE v. Friends of Adam Brown,* 21520, 10AG020; (pgs.298-304)
56) *SBE v. Committee to Elect Joseph Berrios Assessor,* 22442, 10AP101; (pgs.305-308)

Complaint following public hearing

56 ½) *Lifsics v. Concerned Citizens of the 50th Ward,* 11CD004; (attached)

Other campaign disclosure items

57) Request for extension of deadline to file an appeal – *Friends of Williams J. Kelly,* 22238; (pgs.309-313)

58) Assessments/Final Orders; (pgs.314-316)

59) Payment of civil penalties – informational; (pg.317)

Complaints following closed preliminary hearing (separate packet)

60) *Stern v. College of DuPage Foundation,* 10CD085; (pgs.1-23)

61) *Albers v. Pro-Library Committee,* 11CD009; (pgs.24-38)

62) *Dorado v. Women for Stronger Neighborhoods,* 11CD015 & 11CD020; (pgs.39-59)

63) *Dorado v. Magnolia Malden Block Club,* 11CD016; (pgs.60-71)

64) *Maywood United Party v. Ratley,* 11CD017; (pgs.72-87)

65) *Sherman v. Indian Trails Public Library District/Friends of Indian Trails Library District,* 11CD019; (pgs.88-108)

b. Consideration of proposed rule – electronic filing defense. (pgs.318-319)

3. Report of the Executive Director;
   a. April 5, 2011 Consolidated Election update;
      1) Election day assignments; (pgs.320-321)
      2) Post election report; (pg.322)
      3) Voting systems pre-testing; (pgs.323-324)
      4) Election judge training schools – informational; (pgs.325-326)
   b. Legislative update; (oral report)
   c. Illinois Score FVAP legislative initiatives; (pgs.327-334)
   d. IVRS update – informational; (pgs.335-338)
   e. Census data versus registered voters; (pgs.339-346)
   f. Report on Campaign Finance Reform Task Force; (pg.347)
   g. Consideration of Board meeting schedule for FY12; (pgs.348-349)
   h. Springfield office facility update; (pg.350)
   i. Lump Sum update; (pg.351)
   j. Fiscal status reports – informational;
      1) FY11 – month ending March 31; (pgs.352-359)
      2) Help Illinois Vote Fund; (pgs.360-365)
   k. Two year plan of staff activity for the months of March & April – informational. (pgs.366-368)

4. Follow up;
   a. Reporting of in-kind contributions – February Agenda; (pg.369)
   b. Federal Consent Decree enforcement – February Agenda; (pgs.370-371)
   c. Penalty assessments under the new law – March Agenda; (oral report)
   d. Request for information for VOSS – March Agenda; (pg.372)
   e. Reminder – Special Board Meeting May 6, 2011 at 9:00 a.m. (pg.373)

5. Comments from the general public. (pg.374)

6. Next regular Board meeting May 16, 2011 in Springfield. (pg.374)

7. Executive session. (pg.375-385)

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter of	)	
	)	
David Lifsics,	)	
Complainant	)	
vs.	)	11 CD 04
	)	
Concerned Citizens of the 50th Ward,	)	
Respondent	)	

RECOMMENDATION OF HEARING EXAMINER FOLLOWING PUBLIC HEARING

BACKGROUND

This matter arises from a Complaint filed by David Lifsics against the Concerned Citizens of the 50th Ward. Erik Avila is the Chairman and Treasurer of the Respondent Committee.

It is alleged the Respondent violated Sections 5/9-10 and 5/9-1.14 as follows: "Failure to Report Contributions and Expenditures in Excess of $1,000.00 since 1/12/11. Committee created and mailed at least 2 Election Communications in last 14 days which would exceed $5,000.00 for mailing with no report of contributions/expenditures (Exhibits A & B Attached) 5/9-1.14".

A Closed Preliminary Hearing was held on March 3, 2011. Thereafter, the Board issued the following Order dated March 22, 2011:

1. The Complaint was filed on justifiable grounds as to Count 1 (misidentification of contributors on Schedule A-1 Report).

2. The Complaint was NOT filed on justifiable grounds as to Count 2 (use of a money order as payment for expenses and failure to establish a separate bank account),
3. The Complaint was filed on justifiable grounds as to Count 3 (stated purpose of Respondent Committee was inconsistent with the Committee activities), and
4. The Complaint was filed on justifiable grounds in regards to Count 4 (false attribution of source of campaign materials).

Accordingly, a Public Hearing was convened on March 30, 2011, as to Counts 1, 3 and 4.

EXHIBITS

Three sets of Exhibits were submitted and made a part of the record: State's Exhibits 1-4, Complainant's Exhibits CX 1-A to CX-19 and Respondent's Exhibits RX A-1 to U. The Exhibits are attached to and made a part of this Recommendation.

COMPLAINANT'S CASE-IN-CHIEF

Initially there was a series of Exhibits prepared and agreed to between James Nally and Adam Lasker. James Nally represented the Complainants while Adam Lasker represented the Respondents.

Bernard Stone, Alderman of the 50th Ward, testified that he is the treasurer of the Bernard Stone Campaign Committee (BSCC). He stated he did not know of the Respondent Committee until this Complaint was filed. Adam Quader was his campaign manager and Bernard Stone was not aware funds from the BSCC were being

misdirected to the Respondent Commtee until the filing of the Complaint. He did not know of Adam Quader's involvement with the Respondent Committee until he was informed after February 22, 2011.

One example of how funds were misdirected occurred when Bernard Stone wrote a check for cash on February 16, 2011, (Respondent Exhibit M), in the amount of $4,000.00, because "Adam Quader wanted it that way". The $4,000.00 in funds were ultimately used to benefit the Respondent Committee and the BSCC was not reported as being the source.

Erik Avila, a 22 year old student with an interest in politics, testified that he was the Chairman and Treasurer of Respondent Committee. It was his intention to raise awareness of candidates in the 50th Ward. Erik Avila wanted to help Bernard Stone and contacted Adam Quader though Erik Avila and Adam Quader had never met. It was decided that a separate Respondent Committee would be formed whose primary purpose was to support Bernard Stone and attack Debra Silverstein through negative literature. Mr. Avila acknowledged that Complainant's Exhibit 1 (D-1 Form) was false because it indicated at #6 that its purpose was "to raise citizen awareness of candidates in the 50th Ward" while the true intention was to support Stone and oppose Silverstein.

Erik Avila testified the $13,000.00 raised by the Committee came from the BSCC. He also acknowledged that Complainant Exhibit 2, an A-1 dated February 23, 2011, was false, and that he did not know the individuals named and that the money was used for mailings and postage.

Erik Avila said he signed off on the reports though he had little knowledge of its funding as he trusted Adam Quader. He also admitted Adam Quader, who was not listed

as an officer, had priority over him.

Adam Quader was the final witness called by James Nally. He became the campaign manager for the BSCC as of December 10, 2010. In late December or early January he met Erik Avila. Adam Quader, through the Respondent Committee, engaged in a negative campaign against Debra Silverstein. As he was the campaign manager for the BSCC, he did not want his involvement shown and intended to keep separate funds. There is no testimony that Bernard Stone or any of the members of the BSCC were aware of his dual role. Adam Quader also testified he was not aware that the Campaign Financing Act prohibited a candidate from having more than one committee.

Adam Quader diverted funds from the BSCC to the Respondent Committee via money orders and credit cards which were used to pay for the negative mailings and hide the fact that the BSCC was the sole source of financing for the Respondent Committee.

He also acknowledged that Erik Avila had no control over the activities of the Respondent Committee and apologized on the record to Erik Avila, Bernard Stone and Debra Silverstein.

It is a logical conclusion that since the BSCC was the sole source of the funding for the Respondent Committee, the attribution of source showing Respondent Committee was also false.

RESPONDENT'S CASE-IN-CHIEF

The Respondent did not call any witnesses as his case was presented through the testimony of Complainant's witnesses and the Exhibits.

DISCUSSION

Erik Avila is a college student with an interest in politics. He became acquainted with Adam Quader who took advantage of his youth and inexperience to establish Concerned Citizens of the 50th Ward. Adam Quader hid his involvement by naming Erik Avila both Chairman and Treasurer. The purpose was to allow Adam Quader, through Respondent Committee, to engage in negative campaigning against Debra Silverstein that hopefully would benefit Bernard Stone's re-election effort.

Adam Quader conceded he, and not Erik Avila, had total control of the fundraising, financial activities and spending of Concerned Citizens of the 50th Ward. To shield his involvement Adam Quader solicited cash and money orders which eliminated the need for a bank account.

Adam Quader conceded the reports submitted to the Board were false. He engaged in this deception solely to further the re-election effort of Bernard Stone who did not condone negative campaigning. Though the entire source of funds for Concerned Citizens of the 50th Ward was the Bernard Stone Campaign Committee, there is no testimony or proof Bernard Stone or any of the members of the BSCC were aware of Adam Quader's involvement with Concerned Citizens of the 50th Ward.

While Adam Quader and Erik Avila are to be commended for their willingness to acknowledge their wrongful activities, nevertheless, they must accept responsibility for their actions.

FINDINGS OF FACT

1. The Complaint was filed on justifiable grounds.
2. The Complainants have proved the allegations as to the 3 remaining Counts.
3. Respondents filed a false D-1 as the purpose of the Committee was to support Bernard Stone and oppose Debra Silverstein.
4. Respondent filed false A-1's as the money was from a source other than as set forth in the Filing.
5. The campaign material distributed by Respondent had a false attribution of source.
6. Erik Avila put his trust in Adam Quader who used Avila's inexperience to benefit the Bernard Stone re-election effort.
7. All of the funds for Respondent Committee came from the Bernard Stone Campaign Committee.
8. Adam Quader diverted funds from the Bernard Stone Campaign Committee to Concerned Citizens of the 50th Ward.
9. Adam Quader was the driving force and admitted he controlled and influenced Erik Avila and the activities of the Respondent Committee.
10. There is no evidence to suggest that Bernard Stone or his committee had knowledge of the activities of Adam Quader in regards to Respondent Committe prior to the filing of this Complaint.
11. The Respondent Committee is approximately $14,000.00 - $15,000.00 in debt.
12. The Respondent Committee is willing to do whatever is necessary to correct their reports.

CONCLUSIONS OF LAW

The Respondents violated the Campaign Financing Act as to the 3 Counts that are the subject of this Public Hearing:

1. Filed a false D-1.
2. Filed false A-1's.
3. Set forth a false attribution of source on the campaign materials distributed by Concerned Citizens of the 50th Ward.

RECOMMENDATION

1. The State Board of Elections should consider referring this matter to the State's Attorney or Attorney General for possible action against Erik Avila and Adam Quader as it is uncontroverted that false reports were filed.
2. The State Board of Elections should impose whatever penalties and sanctions it believes are justified.

Respectively Submitted

James Tenuto
Hearing Examiner

Date: April 11, 2011

Sandvoss, Steve

From: Adam Lasker [law_reporter@yahoo.com]
Sent: Tuesday, April 12, 2011 11:19 AM
To: 'James Tenuto'; Sandvoss, Steve
Cc: 'James P Nally'; electionattorney@gmail.com; Gervase, Darlene
Subject: ****SPAM**** RE: David Lifsics V. Concerned Citizens of the 50th Ward

Thank you, Mr. Tenuto, for the clarification.

Mr. Sandvoss:

I hereby request that my previous email (which is included below) be directed to you and that you review the record of these proceedings to fix the incorrect statements of fact contained in Mr. Tenuto's Recommendation before it is presented to the Board members. I believe this is particularly important because Mr. Tenuto has recommended that the matter be sent out to the state's attorney's office for criminal prosecution.

I believe it would be irresponsible of the Board to seek prosecution against people for misusing credit cards when, in fact, no credit cards were ever used. I believe it would be irresponsible of the Board to seek prosecution against people for filing multiple inaccurate reports when, in fact, only one inaccurate report was filed. I also believe it would be irresponsible of the Board to seek prosecution against people for a violation of the political-communication disclosure law without any discussion or reasoning about how the facts of the case establish the alleged violation (a claim that was not even included in the complainant's D-4 filing).

Furthermore, Mr. Sandvoss, I request that you advise the parties and the Board as to how and why it would have been appropriate for Concerned Citizens of the 50th Ward to disclose some other entity as the party responsible for the CC50th political communications, in light of the facts and laws I discussed below. This morning, Mr. Nally sent an e-mail requesting that Mr. Tenuto's Recommendation be amended to include a finding that CC50th should disclose Bernard Stone's committee as a "sponsoring entity." I agree with Mr. Nally's assessment on that issue, and I believe this "sponsoring entity" law is yet another indication that it was proper for CC50th to disclose itself as the committee responsible for the political communications, since it also was required to disclose Ald. Stone's committee both in its A-1 reports and on the D-1 form as a "sponsoring entity."

Thank you again for your consideration,

--Adam

Adam W. Lasker

Law Offices of Adam W. Lasker

8 South Michigan Avenue, Suite 3500

Chicago, Illinois 60603

Tel: 312-578-9500

Fax: 312-377-1840

From: James Tenuto [mailto:jamestenuto@gmail.com]
Sent: Tuesday, April 12, 2011 10:53 AM
To: Adam Lasker
Cc: James P Nally; electionattorney@gmail.com; Sandvoss, Steve; Gervase, Darlene
Subject: Re: David Lifsics V. Concerned Citizens of the 50th Ward

I acknowledge receipt of your e mail. The purpose of sending my Recommendation on April 11, 2011, was to allow everyone an opportunity to review. Any comments, opinions, requests for clarifications, disputed issues, etc. should be directed to Steve Sandvoss for the Board members.
Jim Tenuto

On Mon, Apr 11, 2011 at 5:04 PM, Adam Lasker <law_reporter@yahoo.com> wrote:

Dear Mr. Tenuto:

You stated in your cover letter that you sent us your Recommendation as quickly as possible so the parties would have time to submit comments prior to the next Board meeting. As such, I do have a few comments on what I believe to be minor, yet important, issues:

The second paragraph on page 4 of your report states that the Respondent Committee used credit cards to pay for mailings. However, there was no testimony or evidence at all about credit cards during the preliminary and public hearings, and my clients have assured me that no credit cards, debit cards or anything similar were ever used in any of the Committee's transactions. I don't know that this really makes any difference in how you or the Board would dispose of the case, but my clients did request that I send you a note pointing out this minor inaccuracy. I therefore request that you remove all references to the use of credit cards from your Recommendation.

Also, I personally have a minor complaint about the first sentence of the third paragraph on page 5, which states that "Adam Quader conceded the reports submitted to the Board were false." First of all, there was only one report filed with inaccurate information. Secondly, my understanding is that Mr. Quader did not concede that the report was "false," but he did concede that it erroneously contained inaccurate and incorrect information that was put there by his own negligence.

The exhibits in this case show there was only one report filed with inaccurate information, that being the A-1 filed on Feb. 23, 2011. At several points in your Recommendation, you mention "false reports" in the plural form even though all reports filed after Feb. 23 contain information that the parties seem to agree is correct. Although this is a minor factual issue, your use of the word "reports" in its plural form suggests that my clients filed inaccurate reports over and over again in an ongoing fashion - but that's an incorrect assertion of fact that I believe unfairly prejudices my clients. If you review the exhibits and Mr. Quader's testimony, I believe you will find that only one report contains inaccurate information, and that Mr. Quader testified that he never intended to file a "false" report, even though he admitted that one (and only one) of the reports they filed did contain inaccurate information.

I therefore request that you replace all instances of the word "false" with the word "inaccurate" or "incorrect," and that every time you reference "false reports" you change the word "reports" to its singular form.

Finally, your conclusion of law #3 states that CC50th provided a false attribution of source on the campaign materials, but you provided no discussion for how that could be true in light of the facts of the case and the arguments I made during our public hearing. As you stated, all of the funds spent to date were obtained in the form of in-kind donations and transfer-in contributions to the Respondent Committee ("CC50th"), which had full discretion as to how to spend those funds after it received them from Stone's committee. CC50th established its own accounts with vendors, and the relevant invoices were in its name. My understanding is that every political communication is subject to dual disclosures: (1) the disclosure that appears on the actual publication, stating the name of the entity responsible for the communication, and (2) the A-1 and D-2 disclosures, stating the source or sources of the money that the responsible entity used for the creation of the corresponding communications.

In other words, you have not discussed why it would be proper to list Bernard Stone's committee as the responsible entity in light of your factual findings that Stone and his committee's officers knew nothing about CC50th or its political communications until after everything was completed and distributed, and even though CC50th had full discretion as to how to spend the money after it received it, and despite the fact that CC50th was the entity that contracted with the vendors for these services.

The true source of funds spent on all political communications by all committees comes in the form of donations and contributions from outside sources, but all those committees nonetheless put their own name on mailers because they are the entity that had discretion as

to how to spend that money, and they are the entity that the vendors are required to keep records of. My clients have admitted that all of the money spent thus far came from Stone's committee, but as a matter of law I still don't think that means that Stone's committee is supposed to be disclosed on the political communications themselves as the responsible entity. I believe this because Stone's committee (a) did not know anything about these mailers, (b) did not have discretion over how CC50th spent the money at issue, (c) is not the entity with whom the vendors contracted for the production of these communications, and (d) is not the entity that is liable for the remaining debts owed on the unpaid invoices. In light of those important facts, I remain unable to explain to my clients why they have violated the rule or how it should be done correctly in the future. If my interpretation of the facts and laws is unclear, that is only because there is nothing in your Recommendation that explains this issue.

For those reasons, I request that you add some discussion to your Recommendation that touches on these issues so as to provide guidance for the Board as to how and why CC50th should have disclosed Stone's committee as being responsible for the literature, when the literature was completely produced by CC50th and was paid for entirely out of funds that had been donated to CC50th by an outside source that has already been properly disclosed in A-1 reports (although disclosed late, of course).

Thank you very much your consideration of my comments and concerns.

Yours truly,

--Adam

Adam W. Lasker

Law Offices of Adam W. Lasker

8 South Michigan Avenue, Suite 3500

Chicago, Illinois 60603

Tel: 312-578-9500

Fax: 312-377-1840

From: James Tenuto [mailto:jamestenuto@gmail.com]

FORM

D-4

COMPLAINT FOR VIOLATION OF THE CAMPAIGN DISCLOSURE ACT

COMPLAINANT NAME, ADDRESS AND TELEPHONE NUMBER:

DAVID LIFSICS
6508 N. SACREMENTO
CHICAGO, IL 60645
PHONE: 773-875-3680

VS.

No. 11 CD 004

NAME AND ADDRESS OF RESPONDENT:

CONCERNED CITIZENS OF THE 50TH WARD
ERIK AVILA CHAIR
PO BOX 607582
CHICAGO IL 60660

CHICAGO
11 FEB 18 PM 12:22
STATE BOARD OF ELECTIONS

SECTION 1. HAS RESPONDENT FILED A STATEMENT OF ORGANIZATION AS A POLITICAL COMMITTEE WITH THE ☐ STATE BOARD OF ELECTIONS, ☒ COUNTY CLERK, OR ☐ NONE. IF FILED WITH THE COUNTY CLERK IDENTIFY COUNTY:

SECTION 2. STATUTORY PROVISIONS: STATE THE PORTIONS OF THE CAMPAIGN DISCLOSURE ACT (ARTICLE 9, ELECTION CODE) THAT HAVE BEEN VIOLATED. (USE ADDITIONAL PLAIN SHEETS IF NECESSARY AND REFER TO THIS SECTION.)

5/9-10, 5/9-1.14

SECTION 3. STATE THE NATURE OF THE OFFENSE(s) OR VIOLATION(s), IF APPLICABLE. (USE ADDITIONAL PLAIN SHEETS IF NECESSARY AND REFER TO THIS SECTION.)

5/9-10 - FAILURE TO REPRT CONTRIBUTIONS AND EXPENDITURES IN EXCESS OF $1000 SINCE 1/12/11. COMMITTEE CREATED AND MAILED AT LEAST 2 ELECTION COMMUNICATIONS IN LAST 14 DAYS WHICH COST WOULD EXCEED $500 PER MAILING WITH NO REPORT OF CONTRIBUTIONS/EXPENDITURES (EXHIBITS A+B ATTACHED) 5-9-1.14

SECTION 4. ATTACH ALL STATEMENTS, SCHEDULES, OR OTHER DOCUMENTS REFERRING TO THIS COMPLAINT.

VERIFICATION

I DECLARE THAT THIS COMPLAINT (INCLUDING ANY ACCOMPANYING SCHEDULES AND STATEMENTS) HAS BEEN EXAMINED BY ME AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS A TRUE AND CORRECT COMPLAINT AS REQUIRED BY ARTICLE 9 OF THE ELECTION CODE. I UNDERSTAND THAT THE PENALTY FOR WILLFULLY FILING A FALSE COMPLAINT SHALL BE A FINE NOT TO EXCEED $500 OR IMPRISONMENT IN A PENAL INSTITUTION OTHER THAN THE PENITENTIARY NOT TO EXCEED 6 MONTHS, OR BOTH FINE AND IMPRISONMENT.

2/18/11
DATE

SIGNATURE OF COMPLAINANT

(IF COMPLAINANT IS A CORPORATION THEN VERIFICATION MUST BE SIGNED BY AN AUTHORIZED OFFICER AND ATTESTED TO BY THE SECRETARY)

PROOF OF SERVICE

I, DAVID LIFSICS HEREBY SWEAR OR AFFIRM THAT I SERVED A COPY OF THE FOREGOING COMPLAINT UPON THE FOLLOWING:

a) BY PERSONALLY DELIVERING THE SAME ON THE ___ DAY OF _____, 20__ AT ____ O'CLOCK ___ M. (NAME AND TITLE OF PERSON OR IF NAME IS UNKNOWN A PHYSICAL DESCRIPTION INCLUDING RACE, SEX, AND APPROXIMATE AGE).OR:

b) BY PLACING A COPY THEREOF IN THE UNITED STATES POSTAL SERVICES, PROPER POSTAGE PREPAID, TO THE ABOVE INDICATED ADDRESSES, ON THE 18th DAY _____ OF FEBRUARY 20 11, AT THE MAIL BOX OR POSTAL STATION LOCATED AT: _____

David Lifsics

SIGNATURE OF COMPLAINANT OR AGENT

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 18th DAY OF Feb., 2011

Janet S Barron

NOTARY PUBLIC

OFFICIAL SEAL
JANET S BARRON
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:05/16/13

INSTRUCTIONS

1. THIS FORM IS USED TO FILE COMPLAINTS FOR VIOLATIONS ARISING OUT OF AN ACT TO REGULATE CAMPAIGN FINANCING (ILLINOIS REVISED STATUTES, CHAPTER 46, ART. 9-1 ET SEQ.). SEE RULES AND REGULATIONS OF THE STATE BOARD OF ELECTIONS FOR THE FILING AND HEARING OF COMPLAINTS.

2. THE FILING AND HEARING OF COMPLAINTS ARE GOVERNED BY RULES AND REGULATIONS ADOPTED BY THE BOARD. IF A COMPLAINT IS FILED WITHIN 60 DAYS PRIOR TO THE DATE OF AN ELECTION IN REFERENCE TO WHICH THE COMPLAINT IS FILED, THE COMPLAINANT MUST SERVE A COPY OF THE COMPLAINT UPON ALL RESPONDENTS PRIOR TO THE TIME OF FILING. COPIES OF THE RULES AND REGULATIONS ARE AVAILABLE UPON REQUEST.

3. COMPLAINTS MUST BE FILED BY MAIL OR IN PERSON AT EITHER OF THE FOLLOWING LOCATIONS:

STATE BOARD OF ELECTIONS
1020 S SPRING ST
SPRINGFIELD, ILLINOIS 62704-2924

STATE BOARD OF ELECTIONS
100 W RANDOLPH ST, STE 14-100
CHICAGO, IL 60601-3232