

**IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT**  
**SANGAMON COUNTY, ILLINOIS**

FRANCES BIXLER and MARY PERKINS, )

Petitioners, )

v. )

20 MR 775 )

ILLINOIS STATE BOARD OF )  
ELECTIONS; STATE OFFICERS )  
ELECTORAL BOARD; WILLIAM J. )  
CADIGAN, WILLIAM R. HAINE, )  
LAURA K. DONAHUE, IAN K. )  
LINNABARY, WILLIAM J. )  
McGUFFAGE, KATHERINE S. )  
O'BRIEN, CHARLES W. SCHOLZ, and )  
CASANDRA B. WATSON, all in their )  
official capacities as members of the duly )  
constituted State Officers Electoral Board; )  
JOHN A. CUNNINGHAM, not )  
individually but in his capacity as Kane )  
County Clerk, KAREN YARBROUGH, not )  
individually but in her capacity as Cook )  
County Clerk; JEAN KACZMAREK, not )  
individually, but in her capacity as DuPage )  
County Clerk; ROBIN M. O'CONNOR, not )  
individually but in her capacity as Lake )  
County Clerk; JOSEPH J. TIRIO, not )  
individually but in his capacity as McHenry )  
County Clerk; and, BILL REDPATH, )

Respondents. )

**FILED**  
SEP 11 2020  
3636  
Clerk of the  
Circuit Court

**FINDINGS AND ORDER**

THIS MATTER COMING ON for hearing on the Petitioners, FRANCES BIXLER and MARY PERKINS, Petition for Judicial Review against the Respondents, ILLINOIS STATE BOARD OF ELECTIONS; STATE OFFICERS ELECTORAL BOARD; WILLIAM J. CADIGAN, WILLIAM R. HAINE, LAURA K. DONAHUE, IAN K. LINNABARY, WILLIAM J. McGUFFAGE, KATHERINE S. O'BRIEN, CHARLES W. SCHOLZ, and

CASANDRA B. WATSON, all in their official capacities as members of the duly constituted State Officers Electoral Board; JOHN A. CUNNINGHAM, not individually but in his capacity as Kane County Clerk; KAREN YARBROUGH, not individually but in her capacity as Cook County Clerk; JEAN KACZMAREK, not individually but in her capacity as DuPage County Clerk; ROBIN M. O'CONNOR, not individually but in her capacity as Lake County Clerk; JOSEPH J. TIRIO, not individually but in his capacity as McHenry County Clerk and, BILL REDPATH, the Court having reviewed the pleadings and record, having heard the argument of counsel and parties hereto, and otherwise being fully advised in the premises, hereby FINDS AND ORDERS as follows:

A. Upon conclusion of its August 21, 2020, hearing on consideration of the Objector's Petition, the State Officers Electoral Board (the "Board") entered a written decision (the "Board Decision") which provides, in pertinent part, that:

"The [Board]... having convened on August 21, 2020, via Zoom videoconference in accordance with Section 7(e) of the Open Meetings Act (5 ILCS 120/7(e))... hereby determines and finds that:

\* \* \* \* \*

7. On the basis of the findings of the Board's appointed Hearing Officer and the recommendation of the General Counsel, the Board finds that:

- A. The fact that neither Objector was a named party and did not have their interests represented in the Libertarian Party of Illinois v. Pritzker, No. 20-cv-2112 (N.D. Ill.) underlying proceeding is of no consequence. The injunction binds the Board's actions in this proceeding.
- B. There is no evidence that Candidate's Statement of Candidacy contains a false statement or that there was any pattern of fraud in the collection of signatures.
- C. The Candidate has filed a total number of signatures exceeding that required by Article 10 of the Election Code, as modified by the preliminary injunction entered by the U.S. District Court for the Northern District of Illinois in Libertarian Party of Illinois v. Pritzker, No. 20-cv-2112 (N.D. Ill).

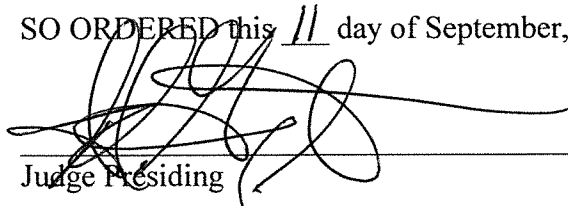
8. On August 20, 2020, the U.S. Court of Appeals for the Seventh Circuit affirmed the preliminary injunction entered by the U.S. District Court for the Northern District of Illinois in Libertarian Party of Illinois v. Pritzker, No. 20-cv-2112 (N.D. Ill.), Libertarian Party of Illinois v. Cadigan, No. 20-1961 (7<sup>th</sup> Cir.). As a result, the Objections to the timeliness of the Objection and circulators' affidavits are rendered moot.

\* \* \* \* \*

IT IS HEREBY ORDERED that the Objection of Frances Bixler and Mary Perkins to the nomination papers of Bill Redpath... is OVERRULED, based on the findings in Paragraph 7 above, dismissed as moot in part based on the findings contained in Paragraph 8 above, and the name of the Candidate Bill Redpath SHALL be certified for the November 3, 2020 , General Election ballot.”

- B. The Court has jurisdiction over the subject matter and all named parties hereto.
- C. The Board Decision is in accordance with the law, and is hereby AFFIRMED.
- D. Respondent Illinois State Board of Elections is hereby ORDERED to certify Respondent Bill Redpath for the November 3, 2020 general election ballot as the Libertarian Party's candidate for United States Representative in the 6<sup>th</sup> Congressional District of the State of Illinois.
- E. This is a final and appealable judgment Order and there is no just reason to delay enforcement or appeal of this order.
- F. The Court retains jurisdiction to enter such further orders as may be just, equitable, or necessary to effectuate the provisions hereof.

SO ORDERED this 11 day of September, 2020.

  
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Judge Presiding