

SMITH LAW FIRM, P.C.

1002 Commercial Dr., Suite 5B
P. O. Box 46
Mahomet, IL 61853

December 29, 2011

Mr. Gordy Hulten
County Clerk of Champaign County
Brookens Administration Center
1776 E. Washington
Urbana, IL 68102

FILED

DEC 29 2011

Gordy Hulten
CHAMPAIGN COUNTY CLERK

Re: Freedom of Information Act Request

Dear Mr. Hulten:

Pursuant to the Illinois Freedom of Information Act (5 ILCS 120/1 *et. seq.*), I request the following information:

- Employment time records for all employees assigned to the office of the County Clerk for the period November 28, 2011 through December 12, 2011. Please ensure these documents have all personal information except names redacted.

- Job descriptions for all employees assigned to the office of the County Clerk.

Please notify me by telephone at (217) 586-3700 when these documents are assembled and ready for pick up. Please leave a voice message if no one answers the telephone. I will personally come to the Office of the County Clerk to pick up these documents.

Sincerely,



GERALD W. SMITH, Esq., Ph.D.
Attorney at Law

**BEFORE THE DULY CONSTITUTED ELECTORAL BOARD FOR THE HEARING
AND PASSING UPON OBJECTIONS TO THE NOMINATION PETITION FOR
STEPHANIE HOLDERFIELD, CANDIDATE FOR ELECTION AS CIRCUIT CLERK
IN THE
COUNTY OF CHAMPAIGN, ILLINOIS**

STEPHEN R. FRANK)
PETITIONER-OBJECTOR)
)
v.)
)
STEPHANIE HOLDERFIELD)
RESPONDENT-CANDIDATE)

FILED
DEC 29 2011
Barbara Halter
CHAMPAIGN COUNTY CLERK

ANSWER TO OBJECTOR'S PETITION TO THE PETITION FOR NOMINATION

NOW COMES the RESPONDENT-CANDIDATE, STEPHANIE HOLDERFIELD, hereinafter referred to as "Candidate", by and through her attorney, Gerald W. Smith of the SMITH LAW FIRM, P.C., in response to the Objector's petition and answers as follows:

1. Candidate admits items number 1 through 6 of the Objector's petition.
2. Candidate denies Objector's item 7. The signing of both Republican and Democratic nomination petitions does not invalidate the Candidate's nominating petitions.
3. Candidate denies Objector's item 8. Candidate did not violate 10 ILCS 5/7-10 by circulating Republican petitions for nomination and signing a Democratic petition for nomination. Circulators of petitions are not required to be a registered voter in the party for which he/she is circulating petitions.
4. Candidate denies Objector's item 9. The circulator's affidavit on Page 6 (a.k.a. Sheet No. 6) of Exhibit #1 is not fraudulent because the circulator (i.e., Stephanie Holderfield) satisfied all of the circulator requirements specified in 10 ILCS 5/7-10.

5. Candidate denies Objector's item 10. Candidate did not violate 10 ILCS 5/7-10 by signing and filing a Statement of Candidacy and signing a Democratic petition for nomination.

Furthermore, Candidate did not fraudulently sign and file her Statement of Candidacy.

WHEREFORE THE RESPONDENT-CANDIDATE PRAYS:

A. That the Electoral Board of Champaign County rule that the Respondent-Candidate's Petitions for Nomination for the office of Circuit Clerk for the Republican Party in the County of Champaign, Illinois, are sufficient in law and fact and are therefore valid;

B. That the Electoral Board of Champaign County rule that the name Stephanie Holderfield shall appear and be printed on the ballot as a candidate for Circuit Clerk nomination for the Republican party in the County of Champaign, Illinois for the elections to be held on March 20, 2012;

C. That the Petitioner-Objector be financially liable for all costs to defend this Petition, to include reasonable attorney's fees.

D. For any and all other relief that is just and equitable.

Respectfully submitted,

December 29, 2011
DATE

Stephanie Holderfield
STEPHANIE HOLDERFIELD
Respondent-Candidate


BY: Gerald W. Smith
GERALD W. SMITH
Attorney for Respondent-Candidate

Prepared By:
SMITH LAW FIRM, P.C.
1002 Commercial Drive, Suite 5B
P.O. Box 46
Mahomet, IL 61853
(217) 586-3700
(217) 586-3755 (fax)

CERTIFICATE OF SERVICE

I, GERALD W. SMITH, state that I did on the 29th day of December, 2011, send a true and correct copy of the foregoing Answer by United States mail, postage fully prepaid, to the Petitioner-Objector's Attorney, at the following address all in accordance with Supreme Court Rule 11(b):

Deborah Frank Feinen
Nally, Bauer, Feinen & Mann, P.C.
309 W. Clark Street
P.O. Box 227
Champaign, IL 61824-0227



GERALD W. SMITH
Attorney for Respondent-Candidate