

United States Court of Appeals

For the Seventh Circuit

Chicago, Illinois 60604

August 19, 1970

Before

Hon. LUTHER M. SWYGERT, Chief Judge

Hon. _____

Hon. WILBUR F. PELL, JR., Circuit Judge.

DOROTHY GAUTREAUX, ODELL JONES,
DOREATHA R. CRENCRAW, EVA RODGERS,
JAMES RODGERS, ROBERT M. FAIRFAX
and JIMMIE JONES,

Plaintiffs-Appellees,

No. 18681

vs.

THE CHICAGO HOUSING AUTHORITY, a
corporation, and C. E. HUMPHREY,
Executive Director,

} Appeal from the United
States District Court
for the Northern District
of Illinois, Eastern
Division

Defendants-Appellants.

This matter comes before the court on the defendants-appellants' motion for a stay, pending appeal of the order of July 20, 1970 entered in this cause in the United States District Court, Northern District of Illinois, Eastern Division, by the Honorable Richard B. Austin, District Judge. Appellants contend in their motion that compliance with the order of the district judge "presents a clear danger that there will be no low income housing units built anywhere" by the Chicago Housing Authority. We construe this to be ^{an} assertion that there will be irreparable injury to the public.

We are assuming for the purpose of this order only, and not deciding for the purpose of the appeal to this court, that the order of the district court is an order from which an appeal may be taken.

On consideration of the matter before us, IT IS ORDERED that the order of the district judge in case No. 66 C 1459 in the United States District Court for the Northern District of

No. 18681

Illinois, Eastern Division, on July 20, 1970, be stayed until further order of this court, because of the importance of the public and constitutional issues involved.

Because of the importance of said issues IT IS FURTHER ORDERED that this appeal be expedited. Therefore appellants' principal brief will be filed on or before September 2, 1970, appellees' answer brief will be filed on or before September 16, 1970 and appellants' reply brief will be filed on or before September 23, 1970. Barring exceedingly unusual circumstances no extension of time will be granted for the filing of briefs. Appellants shall cause the record as necessary for the consideration of this appeal to be filed in the Clerk's office of this court no later than due date of their principal brief. Oral argument will be heard at 9:30 a.m. on September 29, 1970.

Plaintiffs have filed their motion for leave to file memorandum of law and for oral argument. In view of the action now taken by the court expediting the appeal in this cause, plaintiffs' motion is denied.