

IN THE
UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT

No. 71-1807

DOROTHY GAUTREAUX, et al.,

Plaintiffs-Appellees,

v.

GEORGE W. ROMNEY,

Defendant,

and

CITY OF CHICAGO, CENTRAL ADVISORY
COUNCIL, and CHICAGO HOUSING
AUTHORITY,

Intervenor-Appellants.

On Appeal from the United States District Court
for the Northern District of Illinois

U.S.C.A. — 7th Circuit

FILED

NOV 16 1971

KENNETH J. CARRICK
Clerk

RESPONSE OF PLAINTIFFS-APPELLEES TO
MOTION OF INTERVENOR-APPELLANTS TO
CONSOLIDATE APPEALS

Now come plaintiffs-appellees, by their attorneys,
and for their response to the motion to consolidate filed
herein by intervenor-appellants on November 12, 1971 (which
motion is apparently erroneously captioned in the District
Court), represent to the Court as follows:

1. The motion requests, in effect, that this appeal (No. 71-1807) be consolidated with a prior appeal (No. 71-1732, 33, 34), that the record in the prior appeal stand as the record in the consolidated appeal, that the briefing schedule set in the prior appeal stand as the briefing schedule in the consolidated appeal, that briefs already filed pursuant to such schedule stand as briefs on the consolidated appeal, and that the oral argument set for December 10, 1971, in the prior appeal stand as the time for oral argument of the consolidated appeal.

2. Plaintiffs object to the consolidation of the two appeals for the reason that the prior appeal is now moot, the order appealed from having lapsed by its terms upon the issuance of this Court's mandate of November 11, 1971 in No. 71-1073. Under these circumstances, the order appealed from in the prior appeal is no longer in effect, and there is no subject matter with respect to which this Court can appropriately take action pursuant to such prior appeal. Plaintiffs are filing concurrently herewith a motion to dismiss such prior appeal.

3. Plaintiffs do not object to allowing:

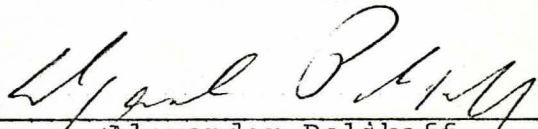
(a) the record in the prior appeal to be made a part of the record on this appeal;

(b) the briefing schedule set on the prior appeal to stand as the briefing schedule on this appeal;

(c) the briefs previously filed pursuant to such schedule to stand as the briefs on this appeal; and

(d) the oral argument set for December 10, 1971, in the prior appeal to stand as the time for oral argument of this appeal.

Respectfully submitted,



Alexander Polikoff
One of the Attorneys for Plaintiffs-
Appellees

November 16, 1971

Alexander Polikoff
109 N. Dearborn Street
Chicago, Illinois 60602
641-5570

IN THE
UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT

No. 71-1732, 33, 34

No. 71-1807

DOROTHY GAUTREAUX, et al.,

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GEORGE W. ROMNEY,

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and

CITY OF CHICAGO, CENTRAL ADVISORY
COUNCIL, and CHICAGO HOUSING
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NOTICE

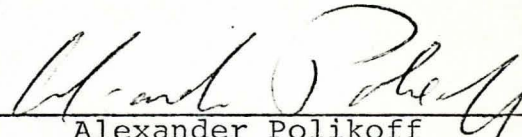
To: Richard L. Curry
Corporation Counsel of
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511 City Hall
Chicago, Illinois 60602

Patrick W. O'Brien
Mayer, Brown & Platt
231 S. La Salle Street
Chicago, Illinois 60604

H. Earnest LaFontant
69 W. Washington Street
Chicago, Illinois 60602

PLEASE TAKE NOTICE that we have this day filed with
the Clerk of the Court of Appeals for the Seventh Circuit the

response of plaintiffs-appellees to the motion of intervenor-appellants to consolidate appeals (filed in No. 71-1807), and a motion to dismiss the appeal (filed in No. 71-1732, 33, 34), copies of which response and motion are attached hereto.



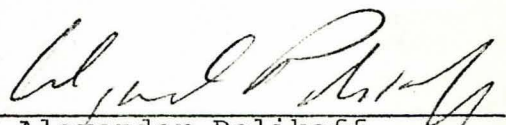
Alexander Polikoff
One of the Attorneys for Plaintiffs-Appellees

November 16, 1971

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109 N. Dearborn Street
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PROOF OF SERVICE

The undersigned, one of the Attorneys for the plaintiffs-appellees, hereby certifies that he served a copy of the response of plaintiffs-appellees to the motion of intervenor-appellants to consolidate appeals, and a motion to dismiss the appeal, together with the foregoing notice, by mailing copies of the same to the persons shown on the notice at the addresses shown, all this 16th day of November, 1971.



Alexander Polikoff

November 16, 1971