

IN THE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

DOROTHY GAUTREAUX, et al.,	)	
	)	
	Plaintiffs,	No. 66 C 1459
	)	
v.	)	No. 66 C 1460
	)	
CHICAGO HOUSING AUTHORITY, et	)	(Consolidated)
al., and GEORGE W. ROMNEY,	)	
	)	
	Defendants.)	

MOTION TO ADD PARTIES DEFENDANT AND TO
FILE SUPPLEMENTAL COMPLAINT

NOW COME plaintiffs, by their attorneys, and move this Court,

(1) For the entry of an order pursuant to Rules 19, 20 and 21 of the Federal Rules of Civil Procedure to add as parties defendant in this cause the Mayor of the City of Chicago, Richard J. Daley; the several duly elected and acting members of the City Council of the City of Chicago, Fred B. Roti, Tyrone T. Kenner, Claude W. B. Holman, Leon M. Despres, Eugene Sawyer, William Cousins Jr., Alexander A. Adduci, Edward R. Vrdolyak, Michael A. Bilandic, Donald T. Swinarski, Casimir J. Staszczuk, Edward M. Burke, Francis X. Lawlor, Anna R. Langford, William H. Shannon, Edward J. Hines, Thomas F. Fitzpatrick, Clifford P. Kelley, Bennett M. Stewart,

Frank D. Stemberk, Joseph Potempa, David Rhodes, Vito Marzullo, Stanley M. Zydlo, Eugene Ray, Jimmy L. Washington, Robert Biggs, Elmer R. Filippini, Thomas E. Keane, Terry M. Gabinski, Rex Sande, Wilson Frost, Casimir C. Laskowski, John F. Aiello, Thomas J. Casey, William J. Cullerton, Anthony C. Laurino, Seymour Simon, Edward T. Scholl, Burton F. Natarus, William S. Singer, Dick Simpson, Edwin P. Fifielski, Christopher B. Cohen, John J. Hoellen, Marilou Hedlund, Paul T. Wigoda, Jack I. Sperling; and the City of Chicago, a municipal corporation; and directing service of process upon them; and

(2) For the entry of an order pursuant to Rule 15(d) of the Federal Rules of Civil Procedure permitting plaintiffs to file instanter and to serve upon defendants a supplemental complaint setting forth certain events that have occurred since the filing of the original complaints herein.

In support of this motion, plaintiffs state as follows:

1. Rule 21 of the Federal Rules of Civil Procedure provides in relevant part that parties may be added by order of the court on motion of any party at any stage of the action and on such terms as are just.

2. Rule 19(a) of the Federal Rules of Civil Procedure provides in relevant part that a person who is subject to service of process and whose joinder will not deprive the court of jurisdiction over the subject matter of the action shall be joined as a party to the action if in his absence complete

relief cannot be accorded among those already parties, or if, under certain circumstances, he claims an interest relating to the subject of the action.

3. Rule 20(a) of the Federal Rules of Civil Procedure provides in relevant part that persons may be joined in one action as defendants if there is asserted against them a right to relief in respect of a series of occurrences and if any question of law or fact common to all defendants will arise.

4. Rule 15(d) of the Federal Rules of Civil Procedure provides in relevant part that upon motion of a party the court may permit him to serve a supplemental pleading setting forth events that have happened since the date of the pleading sought to be supplemented.

5. The parties sought to be added as defendants by this motion are subject to service of process and their joinder will not deprive the court of jurisdiction over the subject matter of this action.

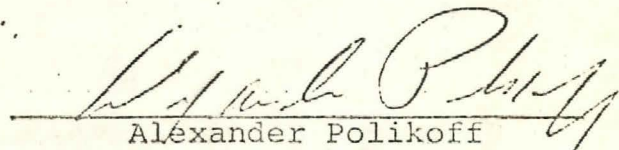
6. Attached hereto and made a part hereof is a copy of the supplemental complaint proposed to be filed if this motion is granted. Such supplemental complaint sets forth events that have happened since the date of the original complaints in this cause. It is probable that the parties sought to be added as defendants will oppose the relief sought in the supplemental complaint and that they will claim an interest relating to the subject of the action under Federal Rule 19(a)(2).

The supplemental complaint asserts against the defendants a right to relief arising out of the same series of occurrences and presents questions of law and fact common to all defendants. Accordingly, "it is probable that the relief sought [in the supplemental complaint] cannot be achieved, or can be achieved only partially or conditionally, without [the parties to be joined]." Bradley v. School Board of City of Richmond, Virginia, 51 F.R.D. 139, 141 (E.D. Va. 1970).

WHEREFORE, plaintiffs ask that their motions be granted and that an order be entered in substantially the form attached hereto.

Respectfully submitted,

Alexander Polikoff
Milton I. Shadur
Roger Pascal
Cecil C. Butler
Bernard Weisberg
Charles R. Markels
Merrill A. Freed
Attorneys for Plaintiffs

By: 

Alexander Polikoff

February 1, 1972

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

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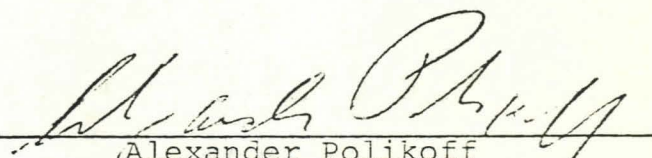
NOTICE

To: James Murray, Esq.	Patrick W. O'Brien, Esq.
219 South Dearborn Street	231 South La Salle Street
15th Floor	19th Floor
Chicago, Illinois 60604	Chicago, Illinois 60604

PLEASE TAKE NOTICE that on February ~~17~~²⁷, 1972, at 10:00 A.M. we will appear before the Honorable Richard B. Austin in the courtroom usually occupied by him at 219 South Dearborn Street, Chicago, Illinois, and then and there present plaintiffs' motion to add parties defendant and to file a supplemental complaint, copies of which motion, together with the supplemental complaint and the proposed form of order referred to therein, are herewith served upon you.

February 1, 1972

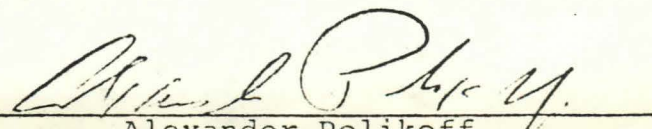
Alexander Polikoff
109 N. Dearborn Street
Chicago, Illinois 60602
641-5570



Alexander Polikoff
One of the Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned, one of the attorneys for plaintiffs, hereby certifies that he served a copy of the foregoing notice together with the motion, supplemental complaint and proposed form of order referred to therein, upon the persons named in the notice at the addresses there shown, by delivering a copy of the same to them this 1st day of February, 1972.



Alexander Polikoff