

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

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

ANSWER OF CHA TO SUPPLEMENTAL COMPLAINT

Now come defendants Chicago Housing Authority and C. E. Humphrey (hereinafter collectively called "CHA"), by their attorneys, and for their answer to plaintiffs' Supplemental Complaint state and allege as follows:

The Supplemental Complaint:

1. Defendant Richard J. Daley resides within and is Mayor of the City of Chicago. Under Section 3-11-14, Chapter 24, Illinois Revised Statutes, the Mayor of the City of Chicago presides at meetings of the City Council of the City of Chicago ("City Council") and has the power to vote at such meetings under certain circumstances.

2. Defendants Fred B. Roti *** are all of the duly elected and acting members of the City Council and reside in the City of Chicago.

3. Defendant City of Chicago ("City") is an Illinois municipal corporation having a population of more than 500,000 persons. The City Council is the governing body of the City.

CHA's Answer:

CHA admits the allegations in paragraphs 1, 2 and 3 of the Complaint.

The Supplemental Complaint:

Paragraphs 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 15.

CHA's Answer:

The matters referred to in said paragraphs are matters of judicial notice and need not be pleaded.^{*/} Accordingly, CHA need not and does not respond to same in this answer.

The Supplemental Complaint:

14. Relying upon such lack of such approval and upon the provisions of Section 9, Chapter 67-1/2, Illinois Revised Statutes, CHA has not acquired real property for the provision of Dwelling Units in conformity with the Judgment Order. Such failure by CHA to acquire real property for such purpose has the effect of denying to the plaintiffs the relief to which they are entitled under the Judgment Order and of preventing this

^{*/} Opinions and orders in this case and documents filed with this court by CHA reporting its actions are matters of judicial notice. In re Woodmar Realty, 294 F.2d 785 (7th Cir. 1961, cert. denied, 369 U.S. 803). "*** as a general rule what may be judicially noticed need not be pleaded" Buell v. Sears, Roebuck and Co., 321 F.2d 468, 471 (10th Cir. 1963).

Court from providing a full remedy for the violations of federal constitutional rights which this Court's memorandum opinion of February 10, 1969, found to have occurred.

CHA's Answer:

CHA denies the allegations in paragraph 14 of the Supplemental Complaint.

No facts are alleged in the Supplemental Complaint which would justify the imposition of any relief against CHA. Accordingly, CHA prays that the Supplemental Complaint be dismissed as to it and that it be awarded its costs of defending same.

Respectfully submitted,

CHICAGO HOUSING AUTHORITY
C. E. HUMPHREY

By _____
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Its Attorneys

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