

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

MOTION TO DISMISS

Now Come Defendants Claude W. B. Holman, Jimmy L. Washington, David Rhodes, Eugene Ray and Robert Biggs by their Attorney Wilson Frost and move the court as follows:

1. To dismiss the action as to these Defendants pursuant to Rule 14(b) (6) of the Federal Rules of Civil Procedure because the Supplemental Complaint fails to state a claim against these Defendants upon which relief can be granted, for the following reasons:

A. The Supplemental Complaint alleges no set of facts which, if proved, would entitle Plaintiffs to any relief against these Defendants;

B. The Supplemental Complaint includes no request for relief of any kind against these Defendants;

C. The Supplemental Complaint is based on prior original proceedings to which Defendants were not a party. This fact, combined with the facts that the Supplemental Complaint alleges no set of facts that would entitle Plaintiffs to any relief from these Defendants and that no relief of any kind relating to these Defendants is requested, compels the conclusion that these Defendants were not and are not a necessary or proper parties in this cause.

WHEREFORE, the said Defendants Claude W. B. Holman, Jimmy L. Washington, David Rhodes, Eugene Ray and Robert Biggs pray that their motion be granted and an order be entered dismissing this cause of action as to him.

Respectfully submitted,

Wilson Frost

WILSON FROST,
Attorney for Defendants,
134 N. LaSalle St., Chicago, Illinois

372-8105

60602

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

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

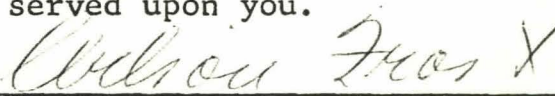
NOTICE OF MOTION

TO. James R. Thompson
United States Attorney
Attn. James Murray, Esq.
219 South Dearborn Street
15th Floor
Chicago, Illinois

Patrick W. O'Brien, Esq.
231 South LaSalle Street
19th Floor
Chicago, Illinois 60604

Alexander Polikoff
109 N. Dearborn Street
Chicago, Illinois 60602

PLEASE TAKE NOTICE that on February 23, 1972 the undersigned filed a Motion to Dismiss the Supplemental Complaint on behalf of Defendants Claude W. B. Holman, Jimmy L. Washington, David Rhodes, Eugene Ray and Robert Biggs by their Attorney Wilson Frost, a copy of which is attached hereto and served upon you.



WILSON FROST,
Attorney for Defendants
134 N. LaSalle St., Chicago, Ill. 60602

372-8105

CERTIFICATE OF SERVICE

I, Daniel Pascale, certify that on February 23, 1972 I served copies of the attached Motion to Dismiss to the persons named above by placing copies with proper prepaid postage in the United States Postal Service Mail Chute at City Hall, Chicago, Illinois.