

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
	)	
CHICAGO HOUSING AUTHORITY, et al.,	)	(Consolidated)
and GEORGE W. ROMNEY,	)	
	)	
Defendants.	)	

MOTION TO DISMISS

Now Comes Defendant Michael Bilandic, member of the City Council of the City of Chicago, by his attorney, and moves the court as follows:

1. To dismiss the action as to this Defendant pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure because the Supplemental Complaint fails to state a claim against this Defendant 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 this Defendant;

B. The Supplemental Complaint includes no request for relief of any kind against this Defendant.

C. The Supplemental Complaint is based on prior original proceedings to which Defendant was 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 this Defendant and that no relief of any kind relating to this Defendant is requested, compels the conclusion that this Defendant was not and is not a necessary or proper party in this cause.

WHEREFORE, said Defendant Michael Bilandic prays that his motion be granted and an order be entered dismissing this cause of action as to him.

Respectfully submitted,

RICHARD L. CURRY
Corporation Counsel of the City of Chicago
511 City Hall, Chicago, Illinois 60602
Attorney for Defendant Michael Bilandic

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NOTICE OF MOTION

TO: James R. Thompson	Patrick W. O'Brien, Esq.
United States Attorney	231 South LaSalle Street
Attn. James Murray, Esq.	19th Floor
219 South Dearborn Street	Chicago, Illinois 60604
15th Floor	
Chicago, Illinois	
 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 on Defendant Michael Bilandic, a copy of which is attached hereto and served upon you.

RICHARD L. CURRY
Corporation Counsel of the City of Chicago
511 City Hall, Chicago, Illinois 60602
Attorney for Defendant Michael Bilandic

CERTIFICATE OF SERVICE

I, Gayle F. Haglund, certify that on February 25, 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.
