

*M.C. [unclear]
[unclear]*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DOROTHY GAUTREAUX, et al.,

Plaintiffs,

v.

GEORGE W. ROMNEY and CHICAGO
HOUSING AUTHORITY, et al.,

Defendants.

NO. 66 C 1459
NO. 66 C 1460
(consolidated)

MOTION TO VACATE PART II OF THIS COURT'S
ORDER, DATED NOVEMBER 11, 1971

Now comes George W. Romney, Secretary of the Housing and Urban Development, by JAMES R. THOMPSON, United States Attorney for the Northern District of Illinois, and moves this court pursuant to the Court of Appeals' decision of March 8, 1972 which is attached to this motion marked as Exhibit A, and by that reference incorporated herein, and a copy of the mandate of the Court of Appeals which was issued on May 4, 1972, attached as Exhibit B of this motion, and by that reference made a part hereof, to vacate Part II of this court's order, dated November 11, 1971, which enjoins and restrains the aforementioned defendant, his successors, employees, and agents from releasing federal funds in the amount of \$26,000,000.00 which represents the grant-in-aid for the second period Model Cities Program of the City of Chicago.

JAMES R. THOMPSON
United States Attorney

JCM:ft

Kenneth J. Carrick
Clerk

7-1732
United States Court of Appeals
For the Seventh Circuit
219 South Dearborn Street
Chicago, Illinois 60604

Mr. H. Stuart Cunningham, Clerk
United States District Court
219 South Dearborn Street
Chicago, Illinois 60604

May 4, 1972

Re: DOROTHY GAUTREAUX, et al., Plaintiffs-Appellees,
GEORGE W. ROMNEY, Defendant-Appellant, and
THE CITY OF CHICAGO, etc., et al., Intervenor-
U.S.C.A.-7 No. 71-1732, 71-1733, 71-1734 Appellants.
District Court No. 66-C-1460

Dear Sir:

Herewith is the mandate of this Court in the above entitled appeal. I am returning the original record of your District Court, which was transmitted to this office for use on appeal. **

Please acknowledge receipt on the enclosed copy of this letter.

Sincerely yours,

KENNETH J. CARRICK, Clerk

By: *Carmella I. Von Thaden*
Carmella I. Von Thaden
Deputy Clerk

Date: _____

Received above mandate and record from the Clerk of the United States Court of Appeals for the Seventh Circuit.

Clerk

Copies mailed to:

Mr. Bernard Weisberg, 111 W. Jackson Blvd., Chicago, Ill. 60604
Mr. Alexander Polikoff, 109 North Dearborn St., Chicago, Ill. 60602
Mr. Richard L. Curry, 511 City Hall, Chicago, Illinois
Ms. Barbara H. Sidler, 30 W. Monroe, Chicago, Ill. 60603
Mr. Thomas N. Todd, N.U. Law School, 357 E. Chicago, Chicago, Ill. 60611
Mr. Earl Neal, 602 City Hall, Chicago, Ill.
Mr. Ernest LaFontant, 69 W. Washington, Rm. 1050, Chicago, Ill.
Mr. Patrick W. O'Brien, c/o Mayer, Brown and Platt, 231 S. LaSalle St.,
Chicago, Ill.

** 1 Vol Pleadings; 5 Vol Transcripts; 1 Folder Exhibits.

Gentlemen:

If any physical and large documentary exhibits have been filed in the above entitled cause, they are to be withdrawn within ten days from the date of this notice. Exhibits not withdrawn during this period will be disposed of.

GOVERNMENT
EXHIBIT

B

file
71-1732

United States of America, ss:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

To the Honorable the Judges of the United States District Court

for the Northern
District of Illinois, Eastern Division

GREETING:

WHEREAS, lately in the United States District Court for the Northern District

of Illinois, Eastern Division before you, or some of you, in a cause between

DOROTHY GAUTREAUX, et al., vs. GEORGE W. ROMNEY, etc., et al.; No. 66 C 1460;

an order was entered on the first day of October, 1971.

as by the inspection of the transcript of the record of the said District Court, which was brought into the
United States Court of Appeals for the Seventh Circuit by virtue of an appeal by the CITY OF
CHICAGO, Intervenor-Defendant,
agreeably to the act of Congress, in such case made and provided, in fully and at large appears.

AND WHEREAS, in the term of September, in the year of our Lord one thousand nine hundred and seventy-one, the said cause came on to be heard before the said United States Court of Appeals for the Seventh Circuit, on the said transcript of record, and was argued by counsel

ON CONSIDERATION WHEREOF, it is ordered and adjudged by this court that these appeals from the order of the said District Court entered therein on October 1, 1971 be and the same are hereby DISMISSED, with costs, for reason of mootness.

March 8, 1972

and AFTERWARDS TO WIT, a petition for rehearing en banc was filed on March 22, 1972; on April 26, 1972 an order was entered denying the petition for rehearing en banc.

and further that

recover against the

the sum of

Dollars (\$) for

to award execution thereof.

cost herein expended with direction

You, therefore are hereby commanded that such further proceedings be had in said cause, as according to right and justice, and the laws of the United States, ought to be had, the said appeal notwithstanding.

WITNESS, the HONORABLE WARREN E. BURGER, Chief Justice, of the United States, the fourth day of May, in the year of our Lord one thousand nine hundred and seventy-two.

Clerk of the United States Court of Appeals for the Seventh Circuit

United States Court of Appeals

For the Seventh Circuit

No 71-1732

September Term, 1971

DOROTHY GAUTREAUX, et al.,
Plaintiffs-Appellees,

vs.

GEORGE W. ROMNEY, Defendant-Appellant,
and
THE CITY OF CHICAGO, etc., et al.,
Intervenor-Appellants.

MANDATE

United States Court of Appeals

FOR THE SEVENTH CIRCUIT

219 So. Dearborn Street

Chicago, Illinois 60604

CITY OF CHICAGO, CENTRAL ADVISORY COUNCIL
& CHA, Intervenor Defendants-Appellants.

Taxed in favor of:

BILL OF COSTS

In Cause No. 71-1807

DOROTHY GAUTREUX, et al., Plaintiffs-Appellees,

GEORGE W. ROMNEY, Defendant-Appellant and

THE CITY OF CHICAGO, etc., et al., Intervenor-Appellants.

	COST OF EACH ITEM		
1. For Docketing a case on appeal or review or docketing any other proceeding -----	\$25.00	\$ 25	00
2. For Making a copy (except a photographic reproduction) of any record or paper, and certification thereof, per page -----	.65		
For Comparing for certification a copy (except a photographic reproduction) of any transcript of record, entry, record or paper, when such copy is furnished by the person requesting the certification, per page -----	.10		
For Certification Thereof -----	.50		
For a photographic reproduction of any record or paper, and the certification thereof, per page -----	.50		
For Comparing with the original thereof any photographic reproduction of any record or any paper not made by the Clerk, per page -----	.05		
For Certification Thereof -----	.50		
3. For every search of the records of the court and certifying the result of same -----	1.00		
4. Charge for copy of an opinion of the court -----	1.25		
5. -----			
6. -----			
Total -----		\$ 25	00