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September 11, 1974

Hon. Richard B. Austin
Judge, U. S. District Court
219 South Dearborn Street
Chicago, Illinois

Re: Gautreaux v. Chicago Housing
Authority et al.

Dear Judge Austin:

In accordance with your order entered yesterday afternoon, we enclose (and are delivering to counsel for both defendants together with copies of this letter) a proposed form of order supplementing the judgment orders heretofore entered. Since the first two paragraphs of the proposed order may not be self-explanatory, we make the following comments:

1. The reference in paragraph 1 of the proposed order to HUD's "allow[ing]" CHA to participate in the first allocation of section 23 units is, we recognize, inexact. The reason is that the specific procedure involved, and the method of establishing participation, are administrative matters known to HUD and not to us (as you may recall from yesterday's discussion, the disallowance of such participation was a matter disclosed in HUD's memorandum filed after the depositions were completed, so that we have not had an opportunity to explore those questions). Accordingly, we hope that HUD's response due September 23 will include, in addition to any objections they may assert to this paragraph of the order, an explanation of the procedures and proper terminology regarding participation in the allocation of section 23 units. In this way if the Court determines that an ordering paragraph is appropriate, the paragraph can be framed in proper terms.

2. The background of suggested paragraph 2 may be found in the portion of our August 9 Reply referring to the Northeastern Illinois Planning Commission.

Respectfully submitted,


Alexander Polikoff


Milton I. Shadur

FILED
SEP 11 1974
H. STUART CUNNINGHAM
o'clock...

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

FILED

SEP 11 1974

DOROTHY GAUTREAUX, et al.,

Plaintiffs,

v.

CHICAGO HOUSING AUTHORITY,
JAMES T. LYNN, Successor to
George W. Romney, Secretary
of Department of Housing and
Urban Development, et al.,

Defendants.

H. STUART CUNNINGHAM
At o'clock.....

NO. 66 C 1459
66 C 1460
(Consolidated)

ORDER

This matter coming on to be heard pursuant to the continuing jurisdiction of the court respecting its judgment orders entered in this consolidated cause on July 1, 1969 (as subsequently modified) and September 11, 1973, respectively, and pursuant to plaintiffs' motion dated February 11, 1974, and proceedings had pursuant thereto, including this court's order of May 6, 1974, plaintiffs' motion of July 10, 1974, the request contained in the last paragraph of plaintiffs' reply filed August 9, 1974, and this court's order of September 10, 1974; and the court having considered the oral and written presentations of the parties; and it appearing to the court

that further orders are necessary to enforce such judgment orders:

IT IS HEREBY ORDERED:

1. Within 7 days of the date hereof, the defendant Secretary of the Department of Housing and Urban Development (HUD) shall allow the defendant Chicago Housing Authority (CHA) to participate in the so-called first allocation of section 23 units referred to in HUD's response of July 31, 1974, without limitation or restriction by reason of the recent advice of the Chicago Area Office of HUD that CHA was not eligible to participate therein, and shall file with the court a report on the action taken pursuant to this paragraph;

2. Within 7 days of the date hereof, HUD shall approve or disapprove all sites previously submitted to it for approval or disapproval by CHA regardless of whether HUD has received comments respecting such sites from other governmental bodies (and shall not disapprove any such site upon the ground of non-receipt of comments from other governmental bodies), and shall file with the court a report on the action taken pursuant to this paragraph;

3. Within 28 days of the date hereof, CHA shall submit to HUD for approval or disapproval all additional sites necessary to provide the 1500 dwelling units referred to in

this court's order of July 20, 1970 and subsequent orders, and shall file with the court a report on the action taken pursuant to this paragraph;

4. Within 28 days of the date hereof HUD and CHA shall file with the court recommendations stating the specific steps to be taken by each of them, respectively, to the end of (a) utilizing HUD's section 23 new construction program to implement the court's judgment orders of July 1, 1969 and September 11, 1973, respectively, to supply additional dwelling units as rapidly as possible, and (b) speeding up the process of providing the 1500 dwelling units which are the subject of this court's order of July 20, 1970, and subsequent orders. Such recommendations shall be joint if CHA and HUD can agree thereon, and they are hereby directed to make every reasonable effort to do so, and shall be separate if notwithstanding such effort no joint recommendation can be produced.

The court retains jurisdiction over this matter for the entry pursuant to notice of such further orders as may be appropriate to effectuate the provisions of this order or otherwise.

E N T E R:

Judge

September 23, 1974

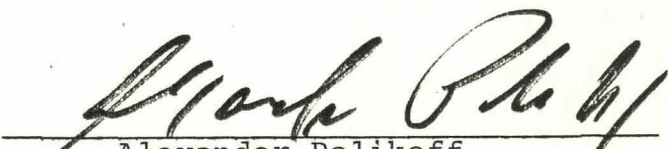
IN THE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

DOROTHY GAUTREAUX, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 66 C 1459
	)	66 C 1460
CHICAGO HOUSING AUTHORITY,	)	(consolidated)
JAMES T. LYNN, Successor to	)	
George W. Romney, Secretary	)	
of Department of Housing and	)	
Urban Development, et al.,	)	
	)	
Defendants.	)	

NOTICE

To: Patrick W. O'Brien, Esq.	R.E. Schaefer, Esq.
Mayer Brown & Platt	Assistant United States Attorney
231 S. LaSalle Street	219 S. Dearborn Street
Chicago, Illinois 60604	Chicago, Illinois 60604

PLEASE TAKE NOTICE that we have this day filed with the Clerk of the United States District Court the form of order, a copy of which is attached and herewith served upon you.



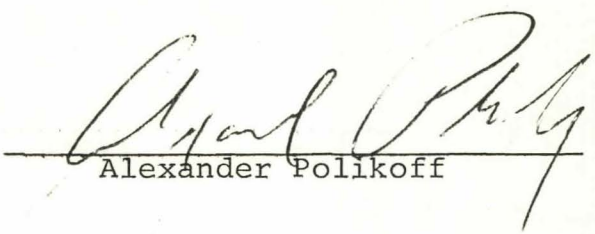
Alexander Polikoff
One of the Attorneys for Plaintiffs

September 11, 1974

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

CERTIFICATE OF SERVICE

Alexander Polikoff, one of the attorneys for plaintiffs, hereby certifies that he served a copy of the foregoing Notice and form of order referred to therein, upon the persons named in the Notice by hand delivering it to them this 11th day of September, 1974.


Alexander Polikoff