

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

DOROTHY GAUTREAUX, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 66 C 1459
	)	
CHICAGO HOUSING AUTHORITY, et al.,	)	
	)	
Defendant.	)	

**JOINT MOTION OF PLAINTIFFS AND
DEFENDANT CHICAGO HOUSING AUTHORITY
FOR AN ORDER APPROVING AN AGREEMENT
OF THE PARTIES RESPECTING PAYMENT OF
PLAINTIFFS' ATTORNEYS FEES**

Plaintiffs and Defendant Chicago Housing Authority ("CHA"), by their respective attorneys, move the Court pursuant to Local Rule 54.3 for entry of an Order as follows:

A. Approving an agreement between the parties for payment of Plaintiffs' attorneys fees in the amount of \$252,472.50, to be paid by CHA to Business and Professional People for the Public Interest ("BPI"), for time spent 1) preparing Plaintiffs' fee and expense motion for the period August 1, 2001 through July 31, 2003, 2) litigating Plaintiffs' entitlement to such fees and expenses, and 3) defending this Court's August 9, 2005 award of the fees and expenses on appeal.

B. Directing payment of said \$252,472.50 in fees in a prompt and appropriate manner.

In support hereof, the parties state as follows:

1. On August 9, 2005, this Court awarded plaintiffs fees and expenses for work in this case during the period August 1, 2001 through July 31, 2003. On June 26, 2007, the United States Court of Appeals for the Seventh Circuit affirmed the award , and on August 6, 2007, denied CHA's Petition for Rehearing With Suggestion for Rehearing En Banc.

2. In their Joint Statement regarding plaintiffs' fees and expense motion for the 2001-2003 period, filed with this Court on May 6, 2005, the parties had stated, "Time spent preparing and litigating this fee petition has not been included and will be requested subsequently." (Exhibit I to Plaintiffs' Motion for Award of Attorneys' Fees and Related Expenses Against Defendant Chicago Housing Authority, May 6, 2005, ¶7.)

3. On September 21, 2007, Plaintiffs submitted to CHA a draft fee petition pursuant to Local Rule 54.3 and requested attorneys' fees of \$280,525 for time spent preparing and litigating their motion for an award of fees and expenses for the 2001-2003 period, and for successfully defending the same on appeal. The draft fee petition reflected the following hours and rates:

Attorney	Hours	Rate	Total
Alexander Polikoff	293.75	\$460	\$ 135,125
Julie Elena Brown	323.00	\$400	\$ 129,000
Kelli Harsch	72.00	\$225	\$ 16,200
TOTAL			\$ 280,525

5. Pursuant to Local Rule 54.3, the parties conferred in an attempt to agree on the amount of fees. Plaintiffs provided CHA with time records on which Plaintiffs' fee request was based and evidence of hourly rates charged by attorneys of comparable experience and qualifications.

6. Defendants objected to plaintiffs' requested hourly rates and the hours expended. However, the parties reached an agreement on an amount of fees to be paid. Under such agreement CHA will pay to BPI \$252,472.50.

7. In light of the parties' agreement, the parties are adhering to Local Rule 54.3's admonition not to submit supporting evidentiary materials. However, Plaintiffs stand ready to submit time records and affidavits or any other supporting material if the Court so requests.

WHEREFORE, Plaintiffs and CHA respectfully request entry of an order (a) approving the parties' agreement respecting CHA's payment to BPI of \$252,472.50 in attorneys' fees, and (b) directing payment of said fees and expenses in a prompt and appropriate manner under the circumstances. A proposed form of order is attached hereto.

Respectfully submitted,

/s/ Julie Elena Brown
One of the Attorneys for the Plaintiffs

/s/ Thomas E. Johnson
One of the Attorneys for the Defendant

October 25, 2007

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	)	
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v.	)	No. 66 C 1459
	)	
CHICAGO HOUSING AUTHORITY, et al.,	)	
	)	
Defendant.	)	

AGREED ORDER

This matter coming to be heard on the Joint Motion of Plaintiffs and Defendant Chicago Housing Authority ("CHA") for an Order Approving an Agreement of the Parties Respecting Payment of Plaintiffs' Attorneys' Fees, and the Court finding, based on the submission of the parties, that the agreement of the parties is reasonable,

IT IS HEREBY ORDERED:

1. The Court approves the agreement of the parties respecting payment by CHA of attorneys' fees to Business and Professional People for the Public Interest ("BPI") in the amount of \$252,472.50
2. CHA is directed to pay \$252,472.50 to BPI in a prompt and appropriate manner under the circumstances.

ENTER:

_____, 2007

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DOROTHY GAUTREAUX, et al.,	)	
	)	
Plaintiffs,	)	
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v.	)	66 C 1459
	)	
CHICAGO HOUSING AUTHORITY, et al.,	)	Hon. Marvin E. Aspen
	)	
Defendants.	)	

NOTICE OF MOTION

To: Attached List

PLEASE TAKE NOTICE that on Thursday, November 1, 2007, at 10:30 a.m., we shall appear before the Honorable Marvin E. Aspen, Judge of the United States District Court, and then and there present the attached Joint Motion and proposed Order, a copy of which is hereby served upon you.

/s/ Julie Elena Brown
Julie Elena Brown
One of the Attorneys for Plaintiffs

October 25, 2007

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CERTIFICATE OF SERVICE

I, Julie Elena Brown, an attorney, certify that on October 25, 2007, I caused copies of the foregoing Notice and Joint Motion to be served upon the persons whose names appear on the attached service list in the manner stated therein.

/s/ Julie Elena Brown

Julie Elena Brown

SERVICE LIST

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