

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

DOROTHY GAUTREAUX, et al.,
Plaintiffs,

vs.

THE CHICAGO HOUSING AUTHORITY, et al.,
Defendants.

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)
)
) No. 66 C 1459
)
)
)

MOTION TO WAIVE NOTICE TIME AND TO INTERVENE.

Now come petitioners Claude W. B. Holman, Ralph H. Metcalfe, Wilson Frost, George Collins, Robert Biggs, Richard K. Hikawa, Alfreda M. Duster, Geneva Bey, Walter Walker, Lee T. Rice, Kenneth Campbell, Rev. Joseph V. Richardson, Donald Nasbitt, Rev. Granville Reed, Jr., Rosemary Love, Eugene Sawyer, Rev. Arthur Hubbard, Hazzard Parks, Rev. Edgar T. Thornton, Dorothy Branch, William Harvey and William Jackson, by their attorneys, Claude W. B. Holman and Wilson Frost, and move that the time within which service of notice required by Rule 6(d) of the Federal Rules of Civil Procedure for serving notice prior to hearing of this Motion be waived and that they be given leave to intervene in this cause, pursuant to Federal Rules of Civil Procedure, Rule 24(a)(2), and in support thereof state as follows:

1. The Rule 6(d) of the Federal Rules of Civil Procedure contemplates circumstances wherein the five-day notice of hearing to be served upon parties prior to the proposed hearing date of a motion may be modified by Court order, particularly when compared with Rule 12(a) of the Rules of the United States District Court for the Northern District of Illinois. Because all parties to this lawsuit are familiar with the issues raised in this Motion to Intervene, and will not be prejudiced by waiver of such time, and because this Court will be in summer recess on July 6, 1970, and will follow a summer emergency call schedule thereafter, whereby the Honorable Richard Austin, one of the Judges of the Federal District Court of the Northern District of Illinois, who is most conversant with the issues herein presented, will not be assigned to said emergency call until September of 1970, it becomes imperative that this matter be considered at the earliest possible time because it affects the living conditions of tens of thousands of persons living in the City of Chicago, and the waiver of the five-day notice period should therefore be allowed.
2. The applicants have a substantial interest in the subject matter of this action. Their interest is described with more particularity in the accompanying affidavits.

3. The judgment order entered in this cause, as modified, adversely affects applicants' interest, as set forth more fully in the aforesaid affidavits.
4. None of the parties presently before the Court in this action adequately represents applicants' interest in the subject matter. ✓
5. This application is accompanied by a prayer for relief entitled "Motion To Amend Judgment Order," which states the relief necessary to protect applicants' interest.
6. Earlier application for intervention was impossible because the judgment order did not adversely affect applicants until the occurrence of events more fully described in the aforesaid affidavit.
7. In further support of this Motion suggestions and affidavits are attached hereto.

WHEREFORE, Petitioners respectfully pray that this motion to waive the time within which service of notice must be made be waived and this motion for leave to intervene be allowed.

Respectfully submitted,

Claude W. B. Holman

Wilson Frost

Attorneys for intervening petitioners.

created by the ordinance of the City Council of the City of Chicago accepting a grant of federal funds and passed July 15, 1969 and now known as North Model Cities Area, West Model Cities Area, Near South Model Cities Area and Mid-South Model Cities Area. The geographical boundaries of the Model Cities Neighborhoods are as follows:

- A. North (bounded by Bryn Mawr, Lake Michigan, Diversey, Halsted, Wrightwood, Lakewood, Clybourn, North Western Railroad).
- B. West (bounded by North, Belt Line Railroad, North Western Railroad, Western, Cermak, Belt Line Railroad, Roosevelt, Austin).
- C. Near South (bounded by Cermak, Lake Michigan, 47th Street, Cottage Grove, Hyde Park Blvd., Pennsylvania Railroad).
- D. Mid-South (bounded by 60th Street, Stony Island, 67th Street, Lake Michigan, 79th Street, South Chicago, South Park -- excludes South Shore Country Club and Rainbow Beach and Park)."

In support of the aforesaid motion, the suggestions of the intervenors and their individual affidavits are attached hereto.

WHEREFORE, Interveners move that this Court allow their motion to amend the Judgment Order of July 1, 1969, as amended by the Order of September 15, 1969, as aforesaid.

Respectfully submitted,

Claude W. B. Holman

Wilson Frost

Attorneys for intervenors.

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

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

SUGGESTIONS IN SUPPORT OF MOTION TO
INTERVENE AND MOTION TO AMEND JUDG-
MENT ORDER

For the reasons set forth herein, and in the individual affidavits attached hereto, the intervenors respectfully request that this Court allow their motions to intervene and to amend the July 1, 1969 judgment order of this Court.

On December 1, 1967, the United States government offered the Chicago Model Cities Program a planning grant totaling \$301,000 for the development of programs in four Chicago communities - Lawndale, Grand Boulevard - North Kenwood-Oakland, Uptown, and Woodlawn. These four Model Cities Neighborhoods are composed of target areas and study areas. Together, a target area and its surrounding study area compose what is known as a model area. Each target area is surrounded by, or contiguous to, a larger and related community, or study area.

During the planning, residents, community leaders, the staff of the Model Cities Program and many local public and private agencies worked hard to develop a program to improve the four model areas, which, together, cover an area of just over six square miles. The combined population of the target areas is 327,000 persons.

The Chicago Model Cities Program, as developed under the foregoing planning grant, was submitted to the Federal Government for funding in May, 1969 and approved on June 26, 1969, with the issuance of an action grant. On August 8, 1969, the City of Chicago received authority to spend \$38,159,000 in supplemental funds to carry out the first-year action program. An integral part of the over-all plan for these model areas is to provide housing for all income levels. The mass infusion of funds and programs for health, education, child and family services, economic development, transportation, leisure time and manpower are all seriously jeopardized by the restraints which the judgment order of this Court of July 1, 1969, imposes in these areas. This judgment order not only effectively restrains the Chicago Housing Authority from constructing low income housing in these areas in the immediate future, but its application also appears to restrict the utilization of Chicago Housing Authority staff as advisory personnel in the planning, development and construction by a

Chicago Housing Authority sponsored not-for-profit corporation to construct moderate income housing. A Model Cities Grant of approximately \$2,000,000 for this latter purpose has been and continues to be thwarted by reason of the judgment order.

In recent years, extensive demolition of existing dwelling units within the four Model Cities Neighborhoods has taken place pursuant to the City of Chicago Program to remove dangerous and dilapidated buildings, wherever they may exist. Thus far in 1970, 350 demolition decrees have been secured from the Circuit Court of Cook County, 971 were issued in 1969, 973 in 1968 and 881 in 1967. A large percentage of this demolition activity has taken place in these four communities without a corresponding increase in the construction of new units. The net effect of this diminution of existing units (more than 9000 units city wide) without the construction of replacement units has intensified the densities in the remaining buildings and has made it extremely difficult for the total impact and projected benefits of the Model Cities Program to be realized by the citizens residing therein.

We recognize the need to provide an integrated housing pattern for both public and private construction in this community, however the effect of the aforesaid Judgment Order of this Court, providing that no "Limited Public Housing Area" units be constructed until "General Public Housing Area" units have been

initiated or completed, is creating within the four Model Cities Neighborhood an urgent shortage of housing for those least able to assist themselves and most likely to benefit if the Model Cities Program for housing is permitted to proceed.

The Model Cities Program, which is currently under contract with the Federal Government, provides that approximately 150 to 200 parcels of vacant land on scattered sites will be acquired in the four Model Cities Neighborhoods. The proposed housing in these areas is intended to benefit moderate-income families and large low-income families residing therein. The Model Cities Program contemplates the involvement of local contractors, business men and residents in the construction of approximately 1000 housing units on these sites during the first year. Unless the restrictions contained in Judgment Order of this Court can be waived for the Model Cities areas, it will be impossible to complete this Program, to utilize funds currently available and to provide the housing desperately needed for these communities. Moreover, unless the above-described four Model Cities areas are exempted from the July 1, 1969, Judgment Order of this Court, job opportunities to be provided to residents in the four Model Cities Neighborhoods will be lost.

WHEREFORE, intervenors respectfully suggest that their motions to intervene and to amend the Judgment Order be allowed.

Respectfully submitted,

Claude W. B. Holman

Wilson Frost

Attorneys for Intervenors.

STATE OF ILLINOIS)
) SS.
COUNTY OF C O O K)

AFFIDAVIT

Now comes DOROTHY BRANCH being first duly sworn, states under oath as follows:

I am a resident of the Lawndale Model Cities area within the City of Chicago. Since July 1, 1969, the date of the court order in the matter of Dorothy Gautreaux, et al. v. The Chicago Housing Authority, et al. (66 C 1459), there has been extensive demolition of buildings in the community in which I live. This reduction of housing units has not been replenished by new construction or development. Families have had to double up in existing buildings or reluctantly leave the community in search of housing elsewhere. Housing for large families and low-income residents has become increasingly difficult to find. I do not wish to leave a community which has been designated a "Model Cities Area." However, I am most anxious to see construction initiated especially for those in the community who cannot afford high rents charged in other areas.

"I ask the U.S. District Court to permit public housing to be developed in low-rise and or town-house or single family units in the Lawndale Model Cities area so that low-income families presently being displaced by demolition will be able to stay in a community which can afford them through Model Cities Programs a wide range of programs, guides and aids to attain a better and more satisfying existence.

SUBSCRIBED AND SWORN TO
before me this 25
day of June, A.D. 1970.

Beverly S. Gargen
Notary Public

Dorothy Branch

2

AFFIDAVIT

I, Rev. Edgar T. Thornton, having been first duly sworn on oath, depose and say:

I am Pastor of the Original Providence Baptist Church located at 3040 W. Washington Boulevard. The Congregation which I head numbers approximately 2800 parishioners, all of whom live within the "limited public housing area" described in an Order of the Federal District Court for the Northern District of Illinois, entered July 1, 1969, by Judge Richard Austin; that this area is one which is and has been deteriorating and requires a comprehensive program of demolition, rehabilitation, but particularly, new housing for poor and lower-income residents who live in my community; that there is a dearth of available funds for private housing construction, either with respect to rehabilitation or new construction, caused by excessive interest rates and the general state of the economy; that the absence of privately funded construction and the removal of existing housing because of demolition has created a housing emergency in my community which, under the present circumstances, can be remedied, in part, by public housing programs; that the order of the Federal District Court of July 1, 1969 entered by Judge Richard Austin effectively eliminates the possibility of public housing construction and rehabilitation in my community, 13 which is so desperately needed to house the kind of persons whom the order purports to protect and who worship at my church; that the effect of said order is creating a housing situation wherein single family homes are now being used by more than one family and apartments intended for use by one family are now being shared by others as a matter of necessity, thereby aggravating an already deteriorating community situation; that public housing, if permitted to continue in my community, would be a step that could begin to remedy this serious community problem and it is respectfully submitted that the Federal District Court order of July 1, 1969, should be amended so as to exclude the programs which have been prepared prior to the entry of the order for the Model Cities Area and to permit said program to be carried on forthwith.

Subscribed and sworn to
before me this 24
day of June
A.D. 1970

Nathan Peoples
Notary Public

STATE OF ILLINOIS)
)
COUNTY OF C O O K)

AFFIDAVIT

Now comes HAZARD PARKS being first duly sworn, states under oath as follows:

I am a resident of the Lawndale Model Cities area within the City of Chicago. Since July 1, 1969, the date of the court order in the matter of Dorothy Gautreaux, et al. v. The Chicago Housing Authority, et al. (66 C 1459) there has been extensive demolition of buildings in the community in which I live. This reduction of housing units has not been replenished by new construction or development. Families have had to double up in existing buildings or reluctantly leave the community in search of housing elsewhere. Housing for large families and low-income residents has become increasingly difficult to find. I do not wish to leave a community which has been designated a "Model Cities Area." However, I am most anxious to see construction initiated especially for those in the community who cannot afford high rents charged in other areas.

I ask the U.S. District Court to permit public housing to be developed in low-rise and or town-house or single family units in the Lawndale Model Cities area so that low-income families presently being displaced by demolition will be able to stay in a community which can afford them through Model Cities Programs a wide range of programs, guides and aids to attain a better and more satisfying existence.

Hazard Parks

SUBSCRIBED AND SWORN TO
before me this 25
day of June, A.D. 1970.

Ernest Burgess
Notary Public

✓

AFFIDAVIT

I, Rev. Arthur Hubbard, having been first duly sworn on oath, depose and say:

I am Pastor of the Central Memorial Missionary Baptist Church located at 249 N. Kedzie Avenue. The Congregation which I head numbers approximately 1500 parishioners, all of whom live within the "limited public housing area" described in an Order of the Federal District Court for the Northern District of Illinois, entered July 1, 1969, by Judge Richard Austin; that this area is one which is and has been deteriorating and requires a comprehensive program of demolition, rehabilitation, but particularly, new housing for poor and lower-income residents who live in my community; that there is a dearth of available funds for private housing construction, either with respect to rehabilitation or new construction, caused by excessive interest rates and the general state of the economy; that the absence of privately funded construction and the removal of existing housing because of demolition has created a housing emergency in my community which, under the present circumstances, can be remedied, in part, by public housing programs; that the order of the Federal District Court of July 1, 1969 entered by Judge Richard Austin effectively eliminates the possibility of public housing construction and rehabilitation in my community, which is so desperately needed to house the kind of persons whom the order purports to protect and who worship at my church; that the effect of said order is creating a housing situation wherein single family homes are now being used by more than one family and apartments intended for use by one family are now being shared by others as a matter of necessity, thereby aggravating an already deteriorating community situation; that public housing, if permitted to continue in my community, would be a step that could begin to remedy this serious community problem and it is respectfully submitted that the Federal District Court order of July 1, 1969, should be amended so as to exclude the programs which have been prepared prior to the entry of the order for the Model Cities Area and to permit said program to be carried on forthwith.

Rev. Arthur Hubbard

Subscribed and sworn to
before me this 24
day of June
A.D. 1970

Nathan Peoples
Notary Public

STATE OF ILLINOIS)
) SS.
COUNTY OF C O O K)

AFFIDAVIT

Now comes ROSE MARIE LOVE being first duly sworn, states under oath as follows:

I am a resident of the Lawndale Model Cities area within the City of Chicago. Since July 1, 1969, the date of the court order in the matter of Dorothy Gautreaux, et al. v. The Chicago Housing Authority, et al. (66 C 1459) there has been extensive demolition of buildings in the community in which I live. This reduction of housing units has not been replenished by new construction or development. Families have had to double up in existing buildings or reluctantly leave the community in search of housing elsewhere. Housing for large families and low-income residents has become increasingly difficult to find. I do not wish to leave a community which has been designated a "Model Cities Area." However, I am most anxious to see construction initiated especially for those in the community who cannot afford high rents charged in other areas.

I ask the U.S. District Court to permit public housing to be developed in low-rise and or town-house or single family units in the Lawndale Model Cities area so that low-income families presently being displaced by demolition will be able to stay in a community which can afford them through Model Cities Programs a wide range of programs, guides and aids to attain a better and more satisfying existence.

Rose Marie Love

SUBSCRIBED AND SWORN TO
before me this 25
day of June, A.D. 1970.

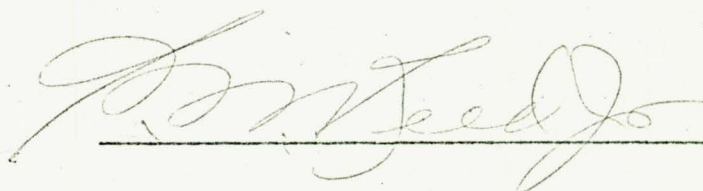
Carlton Burgess
Notary Public

2

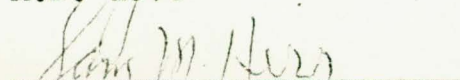
AFFIDAVIT

I, Rev. Granville Reed, Jr., having been first duly sworn on oath, depose and say:

I am Pastor of the St. Paul African Methodist Episcopal Church located at 4236 W. Cermak Road. The Congregation which I head numbers approximately 500 parishioners, all of whom live within the "limited public housing area" described in an Order of the Federal District Court for the Northern District of Illinois, entered July 1, 1969, by Judge Richard Austin; that this area is one which is and has been deteriorating and requires a comprehensive program of demolition, rehabilitation, but particularly, new housing for poor and lower-income residents who live in my community; that there is a dearth of available funds for private housing construction, either with respect to rehabilitation or new construction, caused by excessive interest rates and the general state of the economy; that the absence of privately funded construction and the removal of existing housing because of demolition has created a housing emergency in my community which, under the present circumstances, can be remedied, in part, by public housing programs; that the order of the Federal District Court of July 1, 1969 entered by Judge Richard Austin effectively eliminates the possibility of public housing construction and rehabilitation in my community, which is so desperately needed to house the kind of persons whom the order purports to protect and who worship at my church; that the effect of said order is creating a housing situation wherein single family homes are now being used by more than one family and apartments intended for use by one family are now being shared by others as a matter of necessity thereby aggravating an already deteriorating community situation; that public housing, if permitted to continue in my community, would be a step that could begin to remedy this serious community problem and it is respectfully submitted that the Federal District Court order of July 1, 1969, should be amended so as to exclude the programs which have been prepared prior to the entry of the order for the Model Cities Area and to permit said program to be carried on forthwith.



Subscribed and sworn to
before me this 14th
day of June
A.D. 1970



Notary Public

3

STATE OF ILLINOIS)
) SS
COUNTY OF C O O K)

A F F I D A V I T

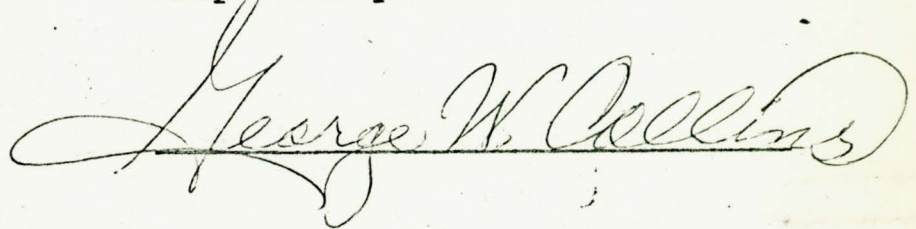
George W. Collins, 3604 W. Roosevelt Road, Chicago, Illinois, first having been duly sworn deposes and says: that he is a resident of the 24th Ward of the City of Chicago and was elected to office as Alderman of said Ward in 1964 in a special election and was re-elected to said office in 1967, an office which he now holds; that as the Alderman of said Ward and as a member of the local legislative body of the City of Chicago he has become extensively informed with respect to problems of living conditions and the availability of housing within the 24th Ward particularly and within the City of Chicago generally; that as Alderman of the 24th Ward, your affiant has been informed of and has participated in plans for rehabilitation of housing within the 24th Ward through the Model Cities Program which has been approved by the City Council of the City of Chicago in cooperation with the Federal Government; that the necessity for demolishing substandard housing, for rehabilitating deteriorating housing and for construction of new housing in said Ward is acute and is becoming more serious inasmuch as there is little or no private capital available for use in

rehabilitating existing dwellings or constructing new dwellings for low-income people residing in the 24th Ward, as well as in the City and in the country generally which has resulted in a diminishment in the number of housing units available to the residents in my Ward; that the foregoing circumstances have caused many residents in my Ward to move from our community who would otherwise prefer to stay, and still others to live with other families resulting in overcrowded conditions and leading to further deterioration not only of housing but of the general standard of living; that the residents of my Ward, and of the City of Chicago generally, have been apprised of the plans that were prepared and could be executed for public housing within the Ward through the Model Cities Program which would alleviate, to some extent, the circumstances heretofore described, and said residents have had a reasonable expectancy that they would be able to live among their relatives, friends and acquaintances in dignity and in decency through the implementation of said Program with the Model Cities aforesaid, but that said hope and expectancy for living conditions reasonably comparable to that enjoyed by other citizens within the City of Chicago and within the country, have not come to fruition because said Ward is contained within the "limited public housing area"

set forth in the District Court order of July 1, 1969, which
precludes public housing of any kind from being constructed
at the earliest possible moment; that while the intent of said
order is noble and desirable, the residents of my community are
unwilling and should not be forced to live under the conditions
wherein demolition is taking place and no new housing is being
constructed to accommodate residents who must move therefrom
or to accommodate residents who wish to improve their living
conditions within this area; and that the hardship, the indigni-
ties, and unhealthful and unwholesome conditions visited upon
the residents of the 24th Ward as well as other citizens in
nearby communities living under similar circumstances, must be
alleviated at the earliest possible time and new housing be per-
mitted for which plans and funds are presently available and
could be started forthwith.

Wherefore, your affiant respectfully suggests that the
Motions to Intervene and to Amend the Judgment Order be allowed.

Respectfully submitted,



Subscribed and sworn to
before me this 25 day

of June, 1970.


Notary Public

STATE OF ILLINOIS)
) SS.
COUNTY OF C O O K)

AFFIDAVIT

Now comes ROZELL NESBITT being first duly sworn, states under oath as follows:

I am a resident of the Lawndale Model Cities area within the City of Chicago. Since July 1, 1969, the date of the court order in the matter of Dorothy Gautreaux, et al. v. The Chicago Housing Authority, et al. (66 C 1459), there has been extensive demolition of buildings in the community in which I live. This reduction of housing units has not been replenished by new construction or development. Families have had to double up in existing buildings or reluctantly leave the community in search of housing elsewhere. Housing for large families and low-income residents has become increasingly difficult to find. I do not wish to leave a community which has been designated a "Model Cities Area." However, I am most anxious to see construction initiated especially for those in the community who cannot afford high rents charged in other areas.

I ask the U.S. District Court to permit public housing to be developed in low-rise and or town-house or single family units in the Lawndale Model Cities area so that low-income families presently being displaced by demolition will be able to stay in a community which can afford them through Model Cities Programs a wide range of programs, guides and aids to attain a better and more satisfying existence.

Rozell R. Nesbitt

SUBSCRIBED AND SWORN TO
before me this 25
day of June, A.D. 1970.

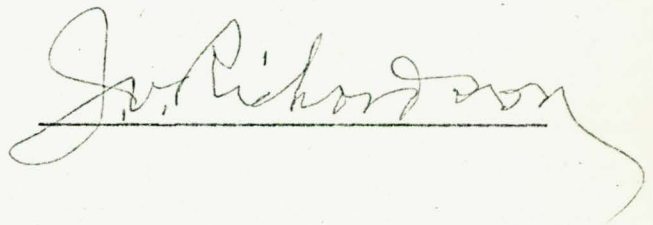
Enelene Burgess
Notary Public

2

AFFIDAVIT

I, Rev. Joseph V. Richardson, having been first duly sworn on oath, depose and say:

I am Pastor of the Mt. Sinai Baptist Church located at 2841 W. Washington Boulevard. The Congregation which I head numbers approximately 1500 parishioners, all of whom live within the "limited public housing area" described in an Order of the Federal District Court for the Northern District of Illinois, entered July 1, 1969, by Judge Richard Austin; that this area is one which is and has been deteriorating and requires a comprehensive program of demolition, rehabilitation, but particularly, new housing for poor and lower-income residents who live in my community; that there is a dearth of available funds for private housing construction, either with respect to rehabilitation or new construction, caused by excessive interest rates and the general state of the economy; that the absence of privately funded construction and the removal of existing housing because of demolition has created a housing emergency in my community which, under the present circumstances, can be remedied, in part, by public housing programs; that the order of the Federal District Court of July 1, 1969 entered by Judge Richard Austin effectively eliminates the possibility of public housing construction and rehabilitation in my community, which is so desperately needed to house the kind of persons whom the order purports to protect and who worship at my church; that the effect of said order is creating a housing situation wherein single family homes are now being used by more than one family and apartments intended for use by one family are now being shared by others as a matter of necessity thereby aggravating an already deteriorating community situation; that public housing, if permitted to continue in my community, would be a step that could begin to remedy this serious community problem and it is respectfully submitted that the Federal District Court order of July 1, 1969, should be amended so as to exclude the programs which have been prepared prior to the entry of the order for the Model Cities Area and to permit said program to be carried on forthwith.



Subscribed and sworn to
before me this 24
day of June
A.D. 1970


Notary Public

4

AFFIDAVIT

I, Walter Walker, having been first
duly sworn, state under oath as follows:

I am a resident of the Near South
Model Cities Area and presently serve as Chairman of the Model
Cities Community Council, having been so elected to that office.

Members of the Council and residents of the Community
with whom I have spoken at great length, are greatly alarmed by the
lack of housing construction in our area. Demolition programs
are proceeding to remove a great number of apartments and houses,
but nowhere is there any construction of buildings for those being
relocated. Unless new buildings are constructed, many of the
Model Cities Programs will fail and many of the residents who are
most anxious to participate in Model Cities Programs will be forced
to leave the area and thereby become ineligible for those programs.

The residents of the Near South
Model Cities Area who will benefit most from Model Cities Programs
are those in the low-income level. If they could secure new housing
accommodations at the same time they were receiving education and
man power assistance, the impact of the Program would be as
comprehensive and up-lifting as has been promised. Without the

housing, the other services will merely make the recipient anxious to move out of the area to a place where better housing is available. The Model Cities Program is not a training program to assist residents to move to other communities, but is a comprehensive scheme to make our community a "Model."

For this reason, I ask the U. S. District Court to exempt the
four Model Cities Areas from its order of July 1, 1969 (Dorothy
Gautreaux, et al. vs. The Chicago Housing Authority, et al. 66 C 1459)
and permit the Chicago Housing Authority to begin immediately
to build housing for low-income families in our area. It is our hope
and understanding that all such construction would be in the nature
of low-rise, town-house or single family development.

Walter Walker

Subscribed and sworn to

before me this 25th

day of June

A. D. 1970.

Emeline B. Washington
Notary Public

4

AFFIDAVIT

I, Geneva Buf, having been first
duly sworn, state under oath as follows:

I am a resident of the West-Lawnedale
Model Cities Area and presently serve as Chairman of the Model
Cities Community Council, having been so elected to that office.

Members of the Council and residents of the Community
with whom I have spoken at great length, are greatly alarmed by the
lack of housing construction in our area. Demolition programs
are proceeding to remove a great number of apartments and houses,
but nowhere is there any construction of buildings for those being
relocated. Unless new buildings are constructed, many of the
Model Cities Programs will fail and many of the residents who are
most anxious to participate in Model Cities Programs will be forced
to leave the area and thereby become ineligible for those programs.

The residents of the West-Lawnedale
Model Cities Area who will benefit most from Model Cities Programs
are those in the low-income level. If they could secure new housing
accommodations at the same time they were receiving education and
man power assistance, the impact of the Program would be as
comprehensive and up-lifting as has been promised. Without the

housing, the other services will merely make the recipient anxious to move out of the area to a place where better housing is available. The Model Cities Program is not a training program to assist residents to move to other communities, but is a comprehensive scheme to make our community a "Model."

For this reason, I ask the U. S. District Court to exempt the four Model Cities Areas from its order of July 1, 1969 (Dorothy Gautreaux, et al. vs. The Chicago Housing Authority, et al. 66 C 1459) and permit the Chicago Housing Authority to begin immediately to build housing for low-income families in our area. It is our hope and understanding that all such construction would be in the nature of low-rise, town-house or single family development.

Geneva Bey

Subscribed and sworn to

before me this 25th

day of June

A. D. 1970.

Ernestine B. Washington
Notary Public

4

AFFIDAVIT

I, ALFREDA M. DUSTER., having been first
duly sworn, state under oath as follows:

I am a resident of the MID-SOUTH
Model Cities Area and presently serve as Chairman of the Model
Cities Community Council, having been so elected to that office.

Members of the Council and residents of the Community
with whom I have spoken at great length, are greatly alarmed by the
lack of housing construction in our area. Demolition programs
are proceeding to remove a great number of apartments and houses,
but nowhere is there any construction of buildings for those being
relocated. Unless new buildings are constructed, many of the
Model Cities Programs will fail and many of the residents who are
most anxious to participate in Model Cities Programs will be forced
to leave the area and thereby become ineligible for those programs.

The residents of the MID-SOUTH
Model Cities Area who will benefit most from Model Cities Programs
are those in the low-income level. If they could secure new housing
accommodations at the same time they were receiving education and
man power assistance, the impact of the Program would be as
comprehensive and up-lifting as has been promised. Without the

housing, the other services will merely make the recipient anxious to move out of the area to a place where better housing is available. The Model Cities Program is not a training program to assist residents to move to other communities, but is a comprehensive scheme to make our community a "Model."

For this reason, I ask the U. S. District Court to exempt the four Model Cities Areas from its order of July 1, 1969 (Dorothy Gautreaux, et al. vs. The Chicago Housing Authority, et al. 66 C 1459) and permit the Chicago Housing Authority to begin immediately to build housing for low-income families in our area. It is our hope and understanding that all such construction would be in the nature of low-rise, town-house or single family development.

Alfreda M. Duster

Subscribed and sworn to

before me this 24th

day of June

A. D. 1970.

Frances Luinter
Notary Public

4

AFFIDAVIT

I, RICHARD K. HIKAWA, having been first duly sworn, state under oath as follows:

I am a resident of the NORTH (Uptown) Model Cities Area and presently serve as Chairman of the Model Cities Community Council, having been so elected to that office.

Members of the Council and residents of the Community with whom I have spoken at great length, are greatly alarmed by the lack of housing construction in our area. Demolition programs are proceeding to remove great number of apartments and houses, but nowhere is there any construction of buildings for those being relocated. Unless new buildings are constructed, many of the Model Cities Programs will fail and many of the residents who are most anxious to participate in Model Cities Programs will be forced to leave the area and thereby become ineligible for those programs.

The residents of the NORTH (Uptown) Model Cities Area who will benefit most from Model Cities Programs are those in the low-income level. If they could secure new housing accommodations at the same time they were receiving education and man power assistance, the impact of

the Program would be as comprehensive and up-lifting as has been promised. Without the housing, the other services will merely make the recipient anxious to move out of the area to a place where better housing is available. The Model Cities Program is not a training program to assist residents to move to other communities, but is a comprehensive scheme to make our community a "Model".

For this reason, I ask the U.S. District Court to exempt the four Model Cities Areas from its order of July 1, 1969 (Dorothy Gautreaux, et al. v. The Chicago Housing Authority, et al. 66 C 1459) and permit the Chicago Housing Authority to begin immediately to build housing for low-income families in our area. It is our hope and understanding that all such construction would be in the nature of low-rise, town-house or single family development.

Richard K. Hikawa

Sibscribed and sworn to

before me this 25th

day of June

A.D. 1970

Ernestine B. Washington -2-
Notary Public

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STATE OF ILLINOIS)
) SS
COUNTY OF C O O K)

A F F I D A V I T

Robert Biggs, 3350 W. Jackson Boulevard, Chicago, Illinois, having first been duly sworn, deposes and says: that he is a resident of the 29th Ward and became the duly elected and qualified Alderman of said Ward in 1967; that he is well familiar with the problems and issues concerning the state of living conditions as they affect the residents of said 29th Ward in particular, and the residents of the City of Chicago in general; that the Building Code Enforcement Program within the City of Chicago properly demands the demolition of homes and apartments unfit for human habitation and the remodeling of dwellings which require extensive repairs in order to bring them into conformity with at least minimum health and safety standards; that said Program contemplates the removal of certain residents from those places to be demolished and in many cases from those places to be rehabilitated while the work is proceeding, and that new accommodations be found for said persons so displaced, as well as new accommodations to be constructed for persons wishing to better their

condition of living; that because of the high interest rates being charged for the use of money and the resultant diminishment of funds available to private builders willing to construct housing for poor and low-income persons, the only alternative to private housing construction is public housing construction such as that for which plans have been drawn and funds made available by and through the Model Cities Program approved by the City Council and the Federal Government, plans which were drawn prior to the entry of the order in the instant case; that demolition has taken place and extensive rehabilitation is urgently required in the 29th Ward; that the order in the instant case entered on July 1, 1969 by Judge Austin places the 29th Ward within a "limited public housing area" and thereby precludes the kind of construction which would enable residents of the 29th Ward to remain in their community, among family and friends, in wholesome surroundings, with dignity in being able to pay that which they are able to afford and yet live in decently constructed and maintained dwellings; that residents of the 29th Ward recognize the desirability of securing the ends set forth in the judgment order of July 1, 1969 aforesaid; however, they must now live under unpleasant and unhealthful circumstances and conditions today by reason of what is hoped to be accomplished at some indeterminate time in the future in

other places; that the Model Cities Program contemplates the renovation and rehabilitation of our community so that the residents of the 29th Ward can live within a standard enjoyed by other citizens of the City and many residents are now being trained and educated under said Program so that said standards can be raised but the completion of the Program, namely, the homes to which they must return, has been frustrated and thereby causes neglect of the most important ingredient in stabilizing home and family life within our community; and that the one available source of funds which could be put to immediate use is now withheld from residents of the 29th Ward by reason of the effect of the order in the instant case, which should be amended so as to exclude from within its terms the Model Cities areas to which earlier reference has been made.

Wherefore, your affiant respectfully suggests that the Court modify its order of July 1, 1969 so as to exclude Model Cities areas from within its prohibitory terms with respect to public housing construction.

Respectfully submitted,

Glad Robert B. [Signature]

Subscribed and sworn to
before me this 25th day
of June, 1970.

Frances Kuntz
Notary Public

STATE OF ILLINOIS)
) SS
COUNTY OF C O O K)

A F F I D A V I T

Kenneth E. Campbell, William Harvey and Eugene Sawyer, having first been duly sworn, depose and say: that we are duly elected officials; that we are all residents of the "limited public housing area" defined in the Judgment Order of July 1, 1969, in the matter of Dorothy Gautreaux v. The Chicago Housing Authority, 66 C 1459; that we have witnessed the increasing amount of demolition being conducted, both privately and publicly, within our communities without any replacement housing being provided whatsoever; that we have read the Affidavits of Claude W. B. Holman, Wilson Frost and Ralph H. Metcalfe, which are to be presented to the U. S. District Court in support of a Motion to Intervene in the above-mentioned Gautreaux suit; that we concur, agree, endorse and accept as our own those statements, facts, conclusions and opinions included therein and that we adopt them as our own for the purpose of presenting our views, interests and concern to this Court.

Wherefore, your affiants respectfully suggest that the Court modify its Order of July 1, 1969, so as to exclude Model

Cities areas from within its prohibitory terms with respect to
public housing construction.

Kenneth E. Ogilby

Melissa H. Harney

Eugene Sawyer

Subscribed and sworn to
before me this 25th day
of June, 1970.

Sarah Reeder
Notary Public

STATE OF ILLINOIS)
) ss:
COUNTY OF C O O K)

AFFIDAVIT

Wilson Frost, having been first duly sworn on oath, deposes and says that he is now, and has been for 3 years last past, an Alderman of the 21st Ward of the City of Chicago; that as such Alderman, he is a member of the City Council of the City of Chicago; and, as such member of the City Council of the City of Chicago, he suggests that he is a party to these proceedings already, pursuant to the provisions of Paragraph IX (erroneously labeled IV) on page 10 of the order heretofore entered on July 1, 1969; that is to say, the aforesaid order recites that it is binding on all members of the City Council who have notice of its entry; and thus, by virtue of the fact that affiant has read, and studied, and had notice of same, he repeats, he should be considered a party hereto.

In addition to the above, affiant has always been, at least indirectly, a party to these proceedings by virtue of the original memorandum opinion entered in this cause on to-wit: February 10, 1969; in that, said memorandum opinion makes many references to the part played by Aldermen, in their Aldermanic capacity; which bore directly on the subject matter of this lawsuit. Or, in the alternative, affiant -- if not a party hereto, should be permitted to

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

DOROTHY GAUTREAUX, et al.,)

Plaintiffs)

VS)

NO. 66 C 1459)

THE CHICAGO HOUSING AUTHORITY,)
et al.,)

Defendants)

AFFIDAVIT OF WILLIE E. JACKSON IN
SUPPORT OF MOTION TO INTERVENE IN
THIS CAUSE; AND IN SUPPORT OF
MOTION TO AMEND THE JUDGMENT ORDER
HERETOFORE ENTERED

Willie E. Jackson, 4523 South Drexel, Chicago, Illinois,
deposes and states as follows:

1. That he is a member of the Model Cities Council
for the Near South Model Cities Area.

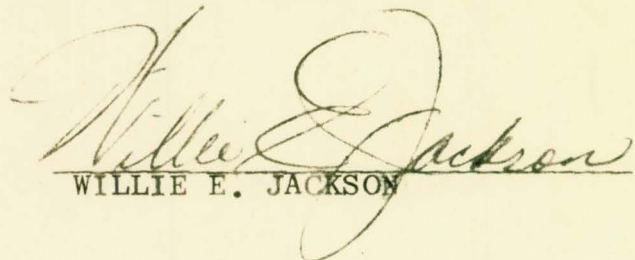
2. That he makes this affidavit in support of the
affidavit filed herein by Alderman Claude W. B. Holman of the
4th Ward.

3. That this affiant has read and heard read to him
the said affidavit of Alderman Claude W. B. Holman.

4. That as a member of the Model Cities Council for the
Near South area, this affiant endorses in toto the observations
made in said affidavit the same as though set forth verbatim
herein and urges this court to modify its previous order so as

to permit the Chicago Housing Authority to construct some public housing in the Model Cities Area.

5. That he be given leave to intervene in these proceedings.


WILLIE E. JACKSON

SUBSCRIBED & SWORN to
before me this 30th day
of June, 1970.


NOTARY PUBLIC

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

DOROTHY GAUTREAUX, et al.,

Plaintiffs,

VS

NO. 66 C 1459

THE CHICAGO HOUSING AUTHORITY,
et al.,

Defendants

AFFIDAVIT OF LEE T. RICE IN SUPPORT
OF MOTION TO INTERVENE IN THIS CAUSE;
AND IN SUPPORT OF MOTION TO AMEND THE
JUDGMENT ORDER HERETOFORE ENTERED

Lee T. Rice, 4934 Forrestville Avenue, Chicago, Illinois,
deposes and states as follows:

1. That he is a member of the Model Cities Council for the Near South Model Cities Area.
2. That he makes this affidavit in support of the affidavit filed herein by Alderman Claude W. B. Holman of the 4th Ward.
3. That this affiant has read and heard read to him the said affidavit of Alderman Claude W. B. Holman.
4. That as a member of the Model Cities Council for the Near South Area, this affiant endorses in toto the observations made in said affidavit the same as though set forth verbatim herein and urges this court to modify its previous order so as to permit the Chicago Housing Authority to construct some public housing in the Model Cities Area.

5. That he be given leave to intervene in these proceedings.

Lee T. Rice

LEE T. RICE

SUBSCRIBED & SWORN to
before me this 25th day
of June, 1970.

William Richardson

NOTARY PUBLIC

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

DOROTHY GAUTREAUX, et al.,
Plaintiffs,

vs.

THE CHICAGO HOUSING AUTHORITY, et al.,
Defendants.

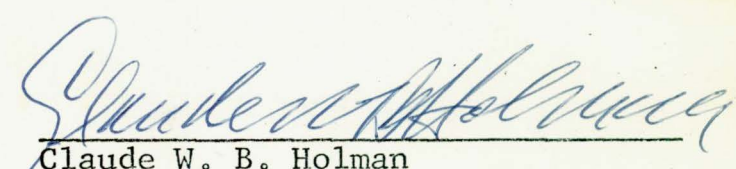
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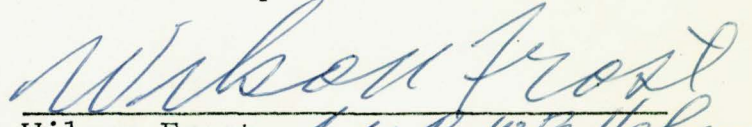
No. 66 C 1459

NOTICE OF MOTION

TO: (See Attached Sheet)

PLEASE TAKE NOTICE that on June 26, 1970, at 10:00 A.M.
or as soon thereafter as counsel may be heard, we shall present
to Judge Richard Austin in his courtroom at 219 S. Dearborn
Street the accompanying Motions for waiver of time for serving
notice and for permission to intervene, for modification of
decree, together with attached affidavits, and suggestions in
support thereof.


Claude W. B. Holman
54 W. Randolph St. FR-2-2721


Wilson Frost
134 N. LaSalle St. FR-2-8105

Attorneys for intervening petitioners.

LIST OF ATTORNEYS TO BE SERVED.

TO: Alexander Polikoff
Schiff, Hardin, Waite, Dorsell and Britton
109 N. Dearborn
Chicago, Ill.

Charles R. Markels
Craven, Stege & Markels
120 S. LaSalle St.
Chicago, Illinois

Bernard Weisberg
Gottlieb & Schwartz
11 W. Jackson Blvd.
Chicago, Ill.

Milton I. Shadur
Devoe, Shadur, Mikva & Plotkin
208 S. LaSalle St.
Chicago, Illinois

Merrill A. Freed
D'Ancona, Pflaum, Wyatt & Riskind
33 N. LaSalle St.
Chicago, Illinois
Attorneys for Plaintiffs.

Chicago Housing Authority & Federal Department of Housing
and Urban Development

John Hunt
Hunter & Hunt
38 S. Dearborn
Chicago, Ill.

Kathryn Kula, Head Counsel
for Chicago Housing Authority
55 W. Cermak Road
Chicago, Ill.

James T. Otis and James A. Broderick
Spray, Price, Hough & Cushman
134 S. LaSalle
Chicago, Illinois
Attorneys for Defendants

PROOF OF SERVICE

Received a copy of the above and foregoing Notice, together with the Motions, Affidavits and Suggestions to which it refers, this 25th day of June, 1970.

Alexander Polikoff

Received a copy of the above and foregoing Notice, together with the Motions, Affidavits and Suggestions to which it refers, this 25th day of June, 1970.

Charles R. Markels

Received a copy of the above and foregoing Notice, together with the Motions, Affidavits and Suggestions to which it refers, this 25th day of June, 1970.

Bernard Weisberg

Received a copy of the above and foregoing Notice, together with the Motions, Affidavits and Suggestions to which it refers, this 25th day of June, 1970.

Milton I. Shadur

Received a copy of the above and foregoing Notice, together with the Motions, Affidavits and Suggestions to which it refers, this 25th day of June, 1970.

Merrill A. Freed

Received a copy of the above and foregoing Notice, together with the Motions, Affidavits and Suggestions to which it refers, this 25th day of June, 1970.

John Hunt

Received a copy of the above and foregoing Notice, together with the Motions, Affidavits and Suggestions to which it refers, this 25th day of June, 1970.

Kathryn Kula

Received a copy of the above and foregoing Notice, together with the Motions, Affidavits and Suggestions to which it refers, this 25th day of June, 1970.

James T. Otis and James A. Broderick