

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

DOROTHY GAUTREAUX, et al.,

Plaintiffs,

-v-

SAMUEL R. PIERCE, JR., Secretary
of the Department of Housing and
Urban Development, and CHICAGO
HOUSING AUTHORITY,

Defendants.

Civil Action No. 66C1459
66C1460

(Consolidated)

RECEIVED
DEC 19 1988

Judge Marvin E. Aspen
U. S. District Court

JOINT MOTION FOR AGREED ORDER

Plaintiffs, DOROTHY GAUTREAUX, et al., Defendant, CHICAGO
HOUSING AUTHORITY, and DANIEL E. LEVIN and THE HABITAT COMPANY,
jointly as Receiver, hereby move the Court to enter an agreed
order in the form attached hereto.

In support of this motion, movants state:

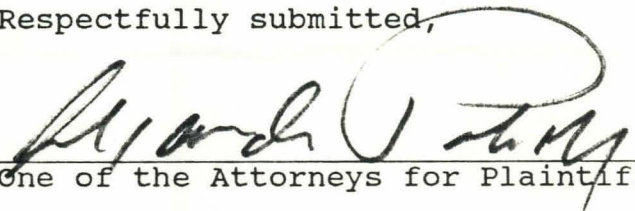
1. The order of this Court entered in this cause on May
18, 1979, provides, among other things, "No new construction of
elderly units shall commence until a proportionate amount (400
GPHA family units/886 elderly units) of new construction and
rehabilitation of family units in the General Public Housing Area
has commenced . . ." (§1(c), Order of May 18, 1979.) The order
of this Court entered in this cause on August 14, 1987, defines
the "scattered site program" to include "all CHA non-elderly
public housing development programs which may in the future be
authorized by HUD during the pendency of Civil Action No.
66C1459." (Page 2, Order of August 14, 1987.)

2. Notwithstanding said provisions of said orders referred to in paragraph 1 hereof, movants agree that it is in the interest of the plaintiff class to permit the Receiver to develop cluster housing for not more than 100 elderly units, utilizing CHA reservations for elderly units from CHA Development Programs 2-99 and 2-101, provided that both the family and elderly components, respectively, of individual cluster developments be limited to no more than 50 units.

3. Movants represent to the Court that they believe that the Defendant, UNITED STATES DEPARTMENT OF HOUSING & URBAN DEVELOPMENT, has no objection to this motion.

Accordingly, movants ask the Court to enter an agreed order in the form attached hereto.

Respectfully submitted,


One of the Attorneys for Plaintiffs


One of the Attorneys for Defendant
CHICAGO HOUSING AUTHORITY

December 15, 1988.


One of the Attorneys for Receiver

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U. S. District Court

AGREED ORDER

THIS MATTER COMING ON TO BE HEARD on the joint motion of Plaintiffs, Defendant CHICAGO HOUSING AUTHORITY, and the Receiver heretofore appointed by the Court, the Defendant UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT having no objection thereto, and the Court having retained jurisdiction of this matter for all purposes and having determined that the provisions of this order are appropriate and consistent with the interests of the plaintiff class,

IT IS HEREBY ORDERED that notwithstanding the provisions of this Court's Orders of May 18, 1979 and August 14, 1987, nothing in this Court's previous orders shall preclude the Receiver from developing cluster housing for not more than 100 elderly units, utilizing reservations for elderly units from CHA Development Programs 2-99 and 2-101, provided that both the family and

elderly components, respectively, of individual cluster developments be limited to no more than 50 units.

ENTER:

JUDGE
United States District Court

December __, 1988

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NOTICE OF MOTION AND CERTIFICATE OF SERVICE

TO: Attached Service List

Please take notice that on the 22nd day of December, 1988, at 9:30 a.m., we shall appear before the Honorable Marvin E. Aspen and then and there present the Joint Motion for Agreed Order, a copy of which is hereby served upon you.

The undersigned hereby certifies that he caused true and correct copies of the foregoing Notice and Motion to be served on all the parties on the attached Service List this 19th day of December, 1987.


Alexander Polikoff,
One of Plaintiffs' Attorneys

Dated: December 19, 1988

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