

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

DOROTHY GAUTREAUX, et al.,

Plaintiffs,

vs.

The CHICAGO HOUSING AUTHORITY ("CHA"), an
Illinois Municipal Corporation,

Defendant.

CONCERNED RESIDENTS OF ABLA ("CRA"),
CAROLYN NANCE, WANDRA STIMAGE,
LATONYA WILLETT, and LORREE BROWN
on behalf of themselves,
NONA YOUNG, FERRELL FREEMAN,
KIZZIE JOHNSON, and HERVENE GLASS on behalf
of themselves and all others
similarly situated,

Intervenor-Plaintiffs,

vs.

The CHICAGO HOUSING AUTHORITY ("CHA"), an
Illinois Municipal Corporation; TERRY PETERSON,
In His Official Capacity as Chief Executive Officer of
the CHA; The UNITED STATES DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT ("HUD");
ALPHONSO JACKSON, In His Official Capacity as
Secretary of HUD; DANIEL E. LEVIN and
The HABITAT COMPANY, jointly,
as Gautreaux Receiver,

Intervenor-Defendants.

No. 66 C 1459

Hon. Marvin Aspen

ABLA PLAINTIFFS' FIRST AMENDED MOTION TO INTERVENE

Now come the Intervenor-Plaintiffs Concerned Residents of ABLA ("CRA"), Carolyn Nance, Wandra Stimage, Latonya Willett, and Lorree Brown, on behalf of themselves, and Nona Young, Ferrell Freeman, Hervene Glass, and Kizzie Johnson on behalf of themselves and all others similarly situated, collectively the "ABLA Plaintiffs," by and through their attorneys, the Sargent Shriver National Center on Poverty Law, the Chicago Lawyers' Committee for Civil Rights Under Law, and SONNENSCHN NATH & ROSENTHAL LLP, and, pursuant to this Court's Orders of November 4, 1999 and September 25, 2000, and Rule 24 of the Federal Rules of Civil Procedure, respectfully move that this Court allow them to intervene in this case.

In support of their motion, the ABLA Plaintiffs state:

1. The ABLA Plaintiffs are entitled to intervene as a matter of right in this action pursuant to this Court's Orders of November 4, 1999, and September 25, 2000.
2. The ABLA Plaintiffs are entitled to intervene as a matter of right in this action pursuant to Rule 24(a)(2) of the Federal Rules of Civil Procedure, in that: (a) their motion is timely, (b) they possess an interest relating to the subject matter of this action, (c) their interest will be impaired as a practical matter by Gautreaux's disposition, and (d) they lack adequate representation of their interest by existing Gautreaux parties.
3. In the alternative, to ¶¶ 1 - 2 above, the ABLA Plaintiffs respectfully request that this Court exercise its discretion to allow their permissive intervention pursuant to Rule 24(b)(2) of the Federal Rules of Civil Procedure, in that: (a) they have claims that share a question of law or fact in common with this action; and (b) permissive intervention would not unduly delay or prejudice the adjudication of the rights of existing Gautreaux parties.

4. In further support of this motion, the ABLA Plaintiffs are simultaneously filing herewith the ABLA Plaintiffs' Memorandum in Support of Their First Amended Motion to Intervene.

WHEREFORE, the ABLA Plaintiffs respectfully request that this Court grant their motion to intervene in this case.


One of the Attorneys for the ABLA Plaintiffs

Dated: May 14, 2004

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