

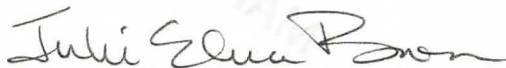
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While the issues in the Ben Levi complaint are difficult to discern, the Gautreaux plaintiffs disagree with CHA's view that the Ben Levi Complaint "substantially overlaps" Gautreaux. The Ben Levi Complaint includes a variety of issues, many of which are unrelated to any of the issues in the *Gautreaux* case. For example, Ben Levi complains that he has been denied employment under Section 3 of the Housing and Urban Development Act of 1968, that he has been wrongfully deprived of his right to rent property, that he will be denied a right to return to new housing that is built on land currently part of CHA's Taylor development, and that his rights under the Uniform Relocation Act have been violated. The complaint seeks not only declaratory and injunctive relief but also money damages, and Ben Levi seeks a jury trial.

No revitalizing order has as yet been issued by this Court regarding the Robert Taylor development (only a waiver for a small number of units to be built off-site), nor has this Court approved a plan for Taylor redevelopment on-site. Therefore, we do not believe that Ben Levi's claims regarding Taylor redevelopment, if any, are ripe for review in the *Gautreaux* context. (Yet there may be ripe claims, unrelated to *Gautreaux*, embedded in the *Ben Levi* complaint.) We would therefore be opposed at this time to Ben Levi's intervention in the *Gautreaux* case should that request be made.

As to the question of reassignment from Judge Gettleman, it is questionable, given the variety of non-*Gautreaux* issues involved, that the case meets the conditions for reassignment under the Local Rules. Specifically, it is doubtful that the two "cases are susceptible of disposition in a single proceeding." LR 40.4. Regardless of whether the case remains with Judge Gettleman or is moved to this Court, we believe that it will be necessary for the complaint to be revised before it is apparent whether any of the issues Ben Levi seeks to raise should be litigated within the *Gautreaux* case.

Respectfully submitted,



One of the Attorneys for Plaintiffs

June 24, 2004

Alexander Polikoff
Julie Elena Brown
BUSINESS AND PROFESSIONAL PEOPLE
FOR THE PUBLIC INTEREST
25 East Washington Street - #1515
Chicago, Illinois 60602
312/641-5570; fax: 312/641-5454

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

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JUN 24 2004

DOROTHY GAUTREAUX, et al.,

Plaintiffs,

v.

CHICAGO HOUSING AUTHORITY,

Defendant.

MARVIN E. ASPEN

66 C 1459

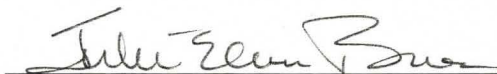
Hon. Marvin E. Aspen

NOTICE OF FILING AND CERTIFICATE OF SERVICE

To: Attached Service List

PLEASE TAKE NOTICE that on Thursday, June 24, 2004, we filed with the Honorable Marvin E. Aspen, of the U. S. District Court, 219 South Dearborn Street, Chicago, Illinois, the attached **Statement of Gautreaux Plaintiffs Respecting CHA'S Motion to Reassign and Dismiss the Complaint in *Ben Levi v. Daley, et al.*, 04 C 1169**, a copy of which is hereby served upon you.

Respectfully submitted,



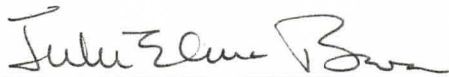
One of the Attorneys for the *Gautreaux* Plaintiffs

June 24, 2004

Alexander Polikoff
Julie Elena Brown
BUSINESS AND PROFESSIONAL PEOPLE
FOR THE PUBLIC INTEREST
25 East Washington Street - #1515
Chicago, Illinois 60602
312/641-5570; fax: 312/641-5454

CERTIFICATE OF SERVICE

Julie Elena Brown, an attorney, hereby certifies that on Thursday, June 24, 2004, she caused a copy of the foregoing Notice of Filing, together with the **Statement of Gautreaux Plaintiffs Respecting CHA'S Motion Reassign and Dismiss the Complaint in *Ben Levi v. Daley, et al.*, 04 C 1169**, to be served in the manner indicated on the attached Service List.

A handwritten signature in cursive script, reading "Julie Elena Brown", is written over a horizontal line.

Julie Elena Brown

SERVICE LIST
Ben Levi v. Daley, et al.
No. 04 C 1169

Gail Niemann, General Counsel
Chicago Housing Authority
200 West Adams - 21st Floor
Chicago, IL 60606

Thomas E. Johnson
Phillip H. Snelling
Johnson, Jones, Snelling, Gilbert & Davis
36 South Wabash Avenue - #1310
Chicago, IL 60603

Mr. Edward Feldman
Miller, Shakman & Hamilton
208 South LaSalle Street - #1100
Chicago, IL 60604

Andrew Mine
Senior Counsel
City of Chicago
Department of Law
30 North LaSalle Street - #900
Chicago, IL 60602

Mark Shure
Keating & Shure, Ltd.
150 North Wacker Drive - #1550
Chicago, IL 60606

Shahshak Ben Levi
4429 South Federal - #304
Chicago, IL 60609