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

DOROTHY GAUTREAUX, et al.,)	
Plaintiffs,		
v.) 66 C 1459	
CHICAGO HOUSING AUTHORITY,	Hon. Marvin E. Aspen	
Defendant.	MARKING 18 200 ED	
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GAUTREAUX PLAINTIFFS' RESPONSE TO CAC MOTION FOR CLARIFICATION		

The Central Advisory Council has moved to clarify the Court's Order of July 14, 2005, respecting public housing units in the North Kenwood-Oakland Revitalizing Area. Pursuant to the Court's Order of July 27, 2005, plaintiffs submit this Response.

CAC's motion (Motion for Clarification, July 25, 2005, paragraph 9) asks the Court to clarify whether its July 14 Order approves use of a site-based waiting list only for Phase 1 of the Lake Park Crescent development or whether it extends to additional units to be constructed in Phase 2 of Lake Park Crescent and in the nearby Jazz on the Boulevard development.

Plaintiffs understand the Court's July 14 Order to apply only to Phase 1 of the Lake Park Crescent development. This Phase was specifically referenced in the Court's July 14 Order: "the current number of units at Lake Park Crescent affected by this motion appears to be no more than fifteen." The public housing units to be constructed in Phase 2 of Lake Park Crescent and at Jazz on the Boulevard are not

discussed in the Order, and oral comments to the Court on July 7 focused on the current problem of vacancies in Lake Park Crescent, Phase 1.

A broader application of the site-based waiting list approach is unnecessary at this time. Planning for Phase 2 of the rental development at Lake Park Crescent has not yet begun; completion of these units may be some years away. (Phase 2 is to include 32 CHA units, only about half of the number in Phase 1.) Construction of several public housing units at Jazz on the Boulevard is nearing completion, and the developer has reported strong interest by applicants earning between 50-60% of the AMI and is currently projecting that the units will be filled in a timely manner. Because the Court has no indication that the 50+% units in Jazz on the Boulevard or in the (future) Phase 2 of Lake Park Crescent vard will not be timely occupied by CHA families, plaintiffs believe it was not the Court's intention to authorized a site-based waiting list for those units.

For these reasons, plaintiffs understand the Court's July 14 Order authorizing a waiting list at Lake Park Crescent to apply only to Phase 1 of that development.

Respectfully submitted,

One of the Attorneys for Plaintiffs

August 18, 2005

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

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NOTICE OF FILING and **CERTIFICATE OF SERVICE**

To: Attached Service List

MARVINE ASPEN PLEASE TAKE NOTICE that we have today filed with the Honorable Mar Aspen, in Room 2568 of the U.S. District Court, 219 South Dearborn Street, Chicago Illinois, the attached Gautreaux Plaintiffs' Response to CAC Motion for Clarification, a copy of which is hereby served upon you.

Respectfully submitted,

One of the Attorneys for the Plaintiffs

August 18, 2005

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

Alexander Polikoff, an attorney, hereby certifies that on August 18, 2005, he caused a copy of the foregoing Notice, together with the **Gautreaux Plaintiffs' Response to CAC Motion for Clarification**, to be served by fax and mail as indicated on the attached Service List.

Alexander Polikoff

Service List

Gail Niemann, General Counsel Chicago Housing Authority 200 West Adams Street – 21st Floor Chicago, IL 60606 By Fax: 312/726-6053

Original by Mail

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

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Mr. Edward Feldman Miller, Shakman & Hamilton 180 North LaSalle Street - #3600 Chicago, IL 60601 By Fax: 312/263-3270

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Mr. Robert Whitfield 10 South LaSalle Street - #1301 Chicago, IL 60603

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