

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

DOROTHY GAUTREAUX, ET AL,

Plaintiffs,

v.

CHICAGO HOUSING AUTHORITY, ET
AL.,

Defendants.

66-CV-1459

OBJECTION TO PROPOSED CLASS SETTLEMENT

NOW COME, NOTRE DAME AFFORDABLE HOUSING and CHARLENE M. MARSH ("Objectors"), by and through their attorney, James C. Vlahakis, of the SULAIMAN LAW GROUP, LTD., and in response to the Court's ORDER of 12/21/18, seek leave of court to present an objection to the proposed class settlement:

1. Objectors, as set forth in the accompanying memorandum, believe that the proposed settlement does not adequately address housing concerns for the elderly or veterans.
2. Objectors wish to be heard by the court on their concern.

Respectfully Submitted,

Counsel for Objectors

/s/ James C. Vlahakis

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Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing has been electronically filed **via CM/ECF**, which will automatically send email notification of such filing to the following known counsel of record on January 15, 2019.

By: /s/ James C. Vlahakis
James Vlahakis

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**MEMORANDUM IN SUPPORT OF OBJECTION TO PROPOSED CLASS
SETTLEMENT**

NOW COME, NOTRE DAME AFFORDABLE HOUSING and CHARLENE M. MARSH ("Objectors"), by and through their attorney, James C. Vlahakis, of the SULAIMAN LAW GROUP, LTD., and in response to the Court's ORDER of 12/21/18, submits the following Memorandum in Support of Their Objection to the Proposed Class Settlement and in support state:

Introduction

Notre Dame Affordable Housing, Inc. ("Notre Dame Affordable Housing") is registered as an Illinois 501c3 not-for-profit corporation under File No. 67621719. Notre Dame Affordable Housing's mission statement is to help veterans obtain affordable housing. Notre Dame Affordable Housing's principal officer is Plaintiff Charlene Marsh. Ms. Marsh resides in the City of Chicago and is African-American. Notre Dame Affordable Housing and Ms. Marsh ("Objectors") believe that the proposed settlement does not adequately address housing concerns for the elderly or veterans.

Objectors submit this Memorandum in conformity with FRCP 23(e)(2)(D) and 23(e)(5). As to FRCP 23(e)(2)(D), the proposed Settlement Agreement does not appear to treat elderly and/or veteran class members "equitably relative to each other." Further,

subject to FRCP 23(e)(5), Objectors have submitted their objection to preserve their rights and opt out of any relief which may cause their rights to be waived, compromised and/or settled.

As set forth in the proposed Settlement Agreement, a majority of the relief will relate to non-elderly housing. The proposed Settlement Agreement does not explain why forward moving equitable relief for the elderly African-Americans is not part of the proposed Settlement Agreement. Similarly, there is no provision in the proposed Settlement Agreement which provides for any forward moving equitable relief relative to African-American veterans.

Argument

Notre Dame Affordable Housing was the owner of certain physical structures located at 7954 S. Halsted and 808-810 W. 80th Street in Chicago, Illinois (the "subject property"). Objectors intended to rehab the Subject Properties to provide subsidized housing to homeless veterans. Further, Objectors have applied for financial relief from various governmental entities, but have been denied such relief, on information and belief, for discriminatory reasons related to the race of Ms. Marsh and the race of the proposed residents of the subject property.

Objectors believe that the final Settlement Agreement should carve out potential relief for elderly African-American veterans. Rather, as the proposed Settlement Agreement appears to broadly waive and release claims for discriminatory denials of funding for the subject property. Out of abundance of caution, Objectors want to ensure that they are free to pursue claims against one or more of the Defendants despite the broad release language set forth in the proposed Settlement Agreement.

WHEREFORE, objectors submit this Memorandum in conformity with FRCP 23(e)(2)(D) and 23(e)(5) and request that this Court allow them to opt out of the proposed

Settlement Agreement and/or otherwise rule that their claims for damages and equitable relieve are not foreclosed by the proposed Settlement Agreement.

Respectfully Submitted,

Counsel for Objectors

/s/ James C. Vlahakis

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By: /s/ James C. Vlahakis
James Vlahakis