

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF LOUISIANA  
BATON ROUGE DIVISION

UNITED STATES OF AMERICA, by	)	
RAMSEY CLARK, Attorney General,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO.
v.	)	
	)	
KNIPPERS and DAY REAL ESTATE, INC.;	)	<u>C O M P L A I N T</u>
TOWN AND COUNTRY HOMES, INC., K & D	)	
ENTERPRISES, INC.; MYER-YARBROUGH	)	
REALTY, INC.; MYER DEVELOPMENT	)	
CORPORATION; GULLY AGENCY, INC.;	)	
I. W. KNIPPERS; WILLIAM E. DAY, JR.;	)	
C. STEVENS MYER; DURWARD GULLY;	)	
KENNETH C. OWENS;	)	
	)	
Defendants.	)	
	)	

The United States of America, by Ramsey Clark,  
Attorney General, alleges:

1. This is an action brought by the Attorney General in the name of the United States to enjoin a pattern or practice of resistance to the full enjoyment of rights granted by Title VIII of the Civil Rights Act of 1968 (82 Stat. 81), Public Law 90-284.

2. This Court has jurisdiction under Section 813 of Title VIII of the Civil Rights Act of 1968 and under 28 U.S.C. 1345.

3. Defendant Knippers and Day Real Estate, Inc. is incorporated under the laws of the State of Louisiana, and does business in Baton Rouge, Louisiana.

4. Defendant Town and Country Homes, Inc. is incorporated under the laws of the State of Louisiana, and does business in Baton Rouge, Louisiana.

5. Defendant K & D Enterprises, Inc. is incorporated under the laws of the State of Louisiana, and does business in Baton Rouge, Louisiana.

6. Defendant Myer Development Corporation is incorporated under the laws of the State of Louisiana, and does business in Baton Rouge, Louisiana.

7. Defendant Myer-Yarbrough Realty, Inc. is incorporated under the laws of the State of Louisiana, and does business in Baton Rouge, Louisiana.

8. Defendant Gully Agency, Inc. is incorporated under the laws of the State of Louisiana, and does business in Baton Rouge, Louisiana.

9. Defendant I. W. Knippers is President of Knippers and Day Real Estate, Inc., Town and Country Homes, Inc. and K & D Enterprises, Inc. He resides in Baton Rouge, Louisiana.

10. Defendant William E. Day, Jr. is Vice-President of Knippers and Day Real Estate, Inc., K & D Enterprises, Inc., and Secretary-Treasurer of Town and Country Homes, Inc. He resides in Baton Rouge, Louisiana.

11. Defendant C. Stevens Myer is President of Myer Development Corporation and President-Treasurer of Myer-Yarbrough Realty, Inc. He resides in Baton Rouge, Louisiana.

12. Defendant Durward Gully is President, and a Director of Gully Agency, Inc. He resides in Baton Rouge, Louisiana.

13. Defendant Kenneth C. Owens is Vice President and a Director of Gully Agency, Inc. He resides in Baton Rouge, Louisiana.

14. Defendants I. W. Knippers, William E. Day, Jr., Knippers and Day Real Estate, Inc., Town and Country Homes, Inc. and K & D Enterprises, Inc. have constructed and sold dwellings in a subdivision known as Sherwood Forest Place, located in Baton Rouge, Louisiana.

15. Sherwood Forest Place is a subdivision located on a site that had been surveyed and approved by the Federal Housing Administration for the development of single family dwellings. A substantial number of the dwellings in Sherwood Forest Place have been inspected and approved by the Veterans Administration. Advertisements for the sale of dwellings in Sherwood Forest Place have represented that loans guaranteed by the Veterans Administration were available. A substantial number of the dwellings in Sherwood Forest Place were sold with loans guaranteed by the credit of the Federal Government. The loan agreements were entered into after November 20, 1962, and payment on the loans had not been made in full prior to April 11, 1968.



16. Dwellings in Sherwood Forest Place are covered by Sections 803(a)(1)(B) and (C) of Title VIII of the Civil Rights Act of 1968.

17. Defendants C. Stevens Myer, Myer Development Corporation, and Myer-Yarbrough Realty, Inc. have constructed and sold dwellings in a subdivision known as Drusilla Place, located in Baton Rouge, Louisiana.

18. A substantial number of the dwellings constructed and sold in Drusilla Place have been inspected and approved by the Veterans Administration. Advertisements for the sale of dwellings in Drusilla Place have represented that loans insured by the Federal Housing Administration or guaranteed by the Veterans Administration were available. A substantial number of the dwellings in Drusilla Place were sold with loans guaranteed by the credit of the Federal Government. The loan agreements were entered into after November 20, 1962, and payment on the loans had not been made in full prior to April 11, 1968.

19. Dwellings in Drusilla Place are covered by Sections 803(a)(1)(B) and (C) of Title VIII of the Civil Rights Act of 1968.

20. Defendants Durward Gully, Kenneth C. Owens, and Gully Agency, Inc., have constructed and sold dwellings in a subdivision known as Jefferson Terrace, located in Baton Rouge, Louisiana.

21. Jefferson Terrace is a subdivision located on a site that had been surveyed and approved by the Federal Housing Administration for the development of single family dwellings. A substantial number of the dwellings in Jefferson Terrace have been inspected and approved by the Veterans Administration or the Federal Housing Administration. Advertisements for the sale of dwellings in Jefferson Terrace have represented that loans insured by the Federal Housing Administration or guaranteed by the Veterans Administration were available. A substantial number of the dwellings in Jefferson Terrace were sold with loans insured or guaranteed by the credit of the Federal Government. The loan agreements were entered into after November 20, 1962, and payment on the loans had not been made in full prior to April 11, 1968.

22. Dwellings in Jefferson Terrace are covered by Sections 803(a)(1)(B) and (C) of Title VIII of the Civil Rights Act of 1968.

23. Sherwood Forest Place, Drusilla Place, and Jefferson Terrace are located in areas of Baton Rouge, Louisiana, occupied almost exclusively by white persons, and dwellings thus far sold by the defendants in these subdivisions have been sold only to white persons.

24. The defendants have engaged in a pattern or practice of racial discrimination in the sale of

dwellings in the subdivisions in Baton Rouge, Louisiana, that are named in this complaint.

25. The pattern or practice of racial discrimination alleged in the foregoing paragraph has been implemented, among other ways, as follows:

A. Defendants I. W. Knippers, William E. Day, Jr., Knippers and Day Real Estate, Inc., Town and Country Homes, Inc. and K & D Enterprises, Inc. have refused to sell or offer to sell dwellings in Sherwood Forest Place to Negroes, because of their race.

B. Defendants C. Stevens Myer, Myer Development Corporation and Myer-Yarbrough Realty, Inc. have represented to Negroes, because of their race, that dwellings in Drusilla Place were not available for sale when such dwellings were in fact available.

C. Defendants Durward Gully, Kenneth C. Owens and Gully Agency, Inc. have discriminated against Negroes because of their race with respect to the terms or conditions of sale of dwellings in Jefferson Terrace.

D. Defendants have made dwellings available to white persons in the subdivisions named in this complaint on terms and conditions not made available to Negroes with comparable financial qualifications.

26. The policies and practices of defendants described in the preceding paragraphs of this complaint constitute a pattern or practice of resistance to the full enjoyment by Negroes of their right to obtain



housing without discrimination based on race in violation of Sections 804 and 813 of Title VIII of the 1968 Civil Rights Act.

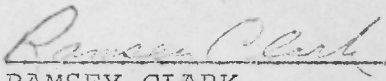
27. Unless restrained by order of this Court the defendants will continue to engage in the pattern or practice of resistance to the full enjoyment by Negroes of their right to obtain housing without discrimination on the basis of race.

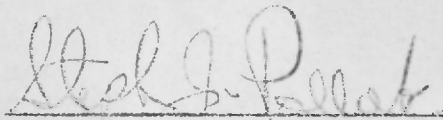
WHEREFORE, the United States prays that this Court enjoin the defendants, their officers, agents, employees, and successors, together with all persons in active concert or participation with them who receive actual notice of the order from:

- (1) Failing or refusing to sell dwellings, or to negotiate for the sale of dwellings, on the basis of race.
- (2) Discriminating on the basis of race in the terms, conditions, or privileges of sale of dwellings.
- (3) Representing to any person, because of race, that a dwelling or group of dwellings is not available for sale or rental, when such dwellings or dwellings are in fact available.

- (4) Failing or refusing to take reasonable and adequate steps to correct the effects of defendants' policy and practice of discriminating against Negroes on the basis of their race in the sale of dwellings.

Plaintiff further prays for such other and further relief as the interests of justice may require, together with the costs and disbursements of this action.

  
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