

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS'  
EASTERN DIVISION

46,823  
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R.P.  
1096611

HENRY HORNER MOTHERS GUILD, )  
**MAURINE WOODSON**, BRENDA SANDERS, )  
OSCAR and RUBIE PLEDGER, FANNIE )  
PIPES, SHIRLEY COPELAND, CAROL )  
HENDERSON, DORETHA CONNER, )  
LORETTA HOLMES, and VAUGHAN )  
MILTON, Individually and On Behalf )  
of All Other Persons Similarly )  
Situated, )

No. 91 C 3316

Judge Zagel

Plaintiffs, )

v. )

THE CHICAGO HOUSING AUTHORITY )  
(CHA), an Illinois Municipal )  
Corporation; VINCENT LANE, In )  
His Official Capacity as Chairman, )  
Board of Commissioners and )  
Managing Director of CHA; THE )  
UNITED STATES DEPARTMENT OF )  
HOUSING AND URBAN DEVELOPMENT )  
(HUD); and JACK F. KEMP, In His )  
Official Capacity as Secretary of )  
HUD, )

Defendants. )

FILE  
1991

**FEDERAL DEFENDANTS' ANSWER**

The Secretary of Housing and Urban Development, and the United States Department of Housing and Urban Development ("federal defendants"), by FRED FOREMAN, United States Attorney for the Northern District of Illinois, answer plaintiffs' Complaint as follows:

First Affirmative Defense

Plaintiffs lack standing for the claims brought in this action against federal defendants.

Second Affirmative Defense

Plaintiffs fail to state a claim against federal defendants for which relief can be granted.

In response to the numbered paragraphs in the Complaint,

federal defendants answer as follows:

1. The first sentence of this paragraph contains plaintiffs' characterization of this lawsuit to which no answer is required; but, insofar as an answer may be deemed required, it is denied. Federal defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in the second sentence of this paragraph. Federal defendants deny the third sentence of this paragraph except to admit that the United States Treasury subsidizes the Chicago Housing Authority.

2. Federal defendants deny this paragraph except to admit that there are approximately 850 vacant units, approximately 48% of the total number of rental units at Henry Horner Developments.

3. This paragraph contains plaintiffs' characterization of this lawsuit to which no answer is required; but, insofar as an answer is deemed required, it is denied.

4. This paragraph contains conclusions of law to which no answer is required; but insofar as an answer may be deemed required, it is denied.

5. Defendants lack knowledge and information sufficient to form a belief as to the truth of the allegations in this paragraph.

6. The federal defendants admit the allegations in the first sentence of paragraph six. Defendants lack knowledge and information sufficient to form a belief as to the truth of the allegations in (a) through (g).

7. Federal defendants admit the allegations in paragraph 7.

8.. The first sentence of this paragraph contains plaintiffs'

characterization of this lawsuit and conclusions of law to which no answer is required; but insofar as an answer is deemed required, it is denied. Federal defendants lack sufficient knowledge or information to form a belief as to the truth of the allegations in the second through fifth sentences of this paragraph. The last sentence of this paragraph is plaintiffs' characterization of this lawsuit to which no answer is required; but insofar as an answer may be deemed required, it is denied.

9-10. Federal defendants admit the allegations contained in paragraphs 9-10.

11. Federal defendants deny the allegations in paragraph 11 but admit that HUD is an executive department of the federal government with functions relating to public housing programs.

12. Federal defendants deny the allegations in paragraph 12 but admit that Jack Kemp is Secretary of HUD.

13-15. Paragraphs 13, 14, and 15 constitute plaintiffs' **conclusions of** law and characterizations of the statutes to which no answer is required. Federal defendants state that the cited statutes speak for themselves.

16. The first sentence of this paragraph **is** admitted. The second sentence constitutes a conclusion of law to which no answer is required. Federal defendants state that the cited statutes speak for themselves.

17-20. Federal defendants admit that the language -in paragraphs 17, 18, 19 and 20 is accurately quoted, but that the ACC **speaks for** itself.

21. This paragraph constitutes a conclusion of law to which no answer is required.

22. Federal defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph.

23. Federal defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph.

24. The federal defendants admit the allegations in paragraph 24.

25. Federal defendants lack knowledge and information sufficient to form a belief as to the truth of the allegations in paragraph 25 and its subparts (a) through (j).

26. Federal defendants lack knowledge and information sufficient to form a belief 'as to the truth of the allegations asserted. These allegations constitute conclusions of law to which no answer is required.

27. Federal defendants lack knowledge and information sufficient to form a belief as to the truth of the allegations asserted. These allegations constitute conclusions of law to which no answer is required.

28. Federal defendants lack knowledge and information sufficient to form a belief as to the truth of the allegations asserted. These allegations constitute conclusions of law to which no answer is required.

29. Federal defendants lack knowledge and information

sufficient to form a belief as to the truth of the allegations asserted. These allegations constitute conclusions of law to which no answer is required.

30. Federal defendants lack knowledge and information sufficient to form a belief as to the truth of the allegations asserted. These allegations constitute conclusions of law to which no answer is required.

31. Federal defendants lack knowledge and information sufficient to form a belief as to the truth of the allegations asserted. These allegations constitute conclusions of law to which no answer is required.

32. Federal defendants lack knowledge and information sufficient to form a belief as to the truth of the allegations asserted. These allegations constitute conclusions of law to which no answer is required.

33. Federal defendants deny that all waiting list individuals are eligible for housing at Henry Horner Developments, but admit that there are approximately 35,000 applicants currently on the CHA waiting list.

34. Federal defendants lack knowledge and information sufficient to form a belief as to the truth of the allegations asserted.

35. Federal defendants lack knowledge and information sufficient to form a belief as to the truth of the allegations asserted.

36. Federal defendants lack knowledge and information

sufficient to form a belief as to the truth of the allegations asserted.

37. The first sentence constitutes conclusions of law, to which no answer is required. Federal defendants lack knowledge and information sufficient to form a belief as to the truth of the allegations in the remainder of the paragraph, and to which no answer is required.

38. This paragraph constitutes a characterization of this lawsuit to which no answer is required.

39. Federal defendants deny the allegations in paragraph 39, subparts (a) through (d).

40. Federal defendants deny the allegations in paragraph 40.

41. Federal defendants lack knowledge and information sufficient to form a belief as to the truth of the allegations in the first sentence. The second sentence is denied.

42. Federal defendants deny the allegations in paragraph 42.

43-44.. Paragraphs 43 and 44 constitute plaintiffs' conclusions of law to which no answer is required.

45. Federal defendants deny the allegations in paragraphs 45 through 50.

51-53. Paragraphs 51 through 53 constitute plaintiffs' conclusions of law to which no answer is required.

Federal defendants request that the judgment sought be denied, that the action be dismissed, and that **the federal** defendants be

awarded their costs, fees, and such other relief as may be deemed appropriate.

Respectfully submitted,

FRED FOREMAN  
United States Attorney

By:

LINDA A. WAWZENSKI  
Assistant United States Attorney  
219 South Dearborn Street  
Chicago, Illinois 60604  
(312) 353-1994

**AFFIDAVIT OF MAILING**

STATE OF ILLINOIS)  
                          )SS  
COUNTY OF COOK )

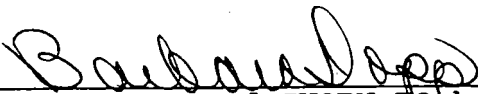
BARBARA L. DOPP, being first duly sworn on oath, deposes and says that she is employed in the Office of the United States Attorney for the Northern District of Illinois; that on the 29th day of July, 1991, she placed a copy of:

**FEDERAL DEFENDANTS' ANSWER**

in a government franked envelope addressed to each of the following named individuals, and caused each envelope to be deposited in the United States mail located in the Everett McKinley Dirksen Building, Chicago, Illinois, on said date at the hour of about 5:00 p.m.

William P. Wilen  
Legal Assistance Foundation  
343 S. Dearborn St., Ste. 700  
Chicago, Illinois 60604

James J. Casey  
Keck, Mahin & Cate  
8300 Sears Tower  
233 S. Wacker Drive  
Chicago, Illinois 60606

  
\_\_\_\_\_  
SUBSCRIBED and SWORN TO before me  
this 29th day of July, 1991

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_