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5 FAIR HOUSING COUNCIL OF ORANGE COUNTY, INC.  
 D. Elizabeth Pierson (SBN 166221)  
 6 201 South Broadway  
 Santa Ana, California 92701  
 7 Tel: (714) 569-0825  
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8 Attorneys for Plaintiffs  
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10 UNITED STATES DISTRICT COURT  
 11 CENTRAL DISTRICT OF CALIFORNIA

12 FAIR HOUSING COUNCIL OF )  
 13 ORANGE COUNTY, INC., et al., )  
 14 Plaintiffs, )  
 vs. )  
 15 JOSEPH G. BROWN; et al., )  
 16 Defendants. )  
 17

Case No: CV-02-5093 JFW (CTx)  
 [PROPOSED] CONSENT  
 DECREE AND FINAL ORDER

18 This action was brought by plaintiffs alleging, among other things, that  
 19 defendants violated the federal Fair Housing Act, 42 U.S.C. section 3613, and the  
 20 California Fair Employment and Housing Act, Government Code section 12955,  
 21 among other laws, by discriminating against families with children on the basis of  
 22 familial status in the rental of housing at Snug Harbor Trailer Park, El Nido Trailer  
 23 Park, and Anchor Trailer Park (collectively "the Parks"), owned and/or operated by  
 24 defendants, in Orange County, California.

25 Defendants have denied all material allegations made in the complaint.

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1           The parties have agreed that in order to avoid protracted and costly litigation  
2 the controversy should be resolved without a trial or adjudication on the merits and  
3 therefore have consented to entry of this decree and order. By entering into this  
4 consent decree and final order ("order"), defendants make no admission of liability  
5 or wrongdoing in connection with the allegations and claims made by plaintiffs.

6           It is hereby ordered, adjudged and decreed that:

7           1. Defendants shall make a payment of one hundred ninety thousand  
8 dollars (\$190,000) to plaintiffs in the form of a check made payable to the  
9 Attorney-Client Trust Account of Brancart & Brancart. This payment shall be  
10 made within ten (10) days of the date of delivery to defendants of a dismissal and  
11 release signed by plaintiffs. This payment shall be inclusive of any claim for  
12 attorneys' fees and costs made by plaintiffs. The federal tax identification number  
13 for Brancart & Brancart is 94-3243807.

14           2. Defendants shall make a payment of twenty thousand dollars (\$20,000)  
15 to plaintiff Pamela Swick in the form of a check made payable to her for her coach  
16 at any time within the next six months at a date to be decided upon by Ms. Swick.  
17 Ms. Swick's Social Security number is 571-98-4072. Upon receipt of that  
18 payment, Ms. Swick shall transfer title, free and clear of liens and encumbrances,  
19 to her mobile home to defendants or their designee. Defendants shall prepare the  
20 documents to effect that transfer.

21           3. Defendants, their employees, agents and all others acting on their  
22 behalf shall comply with the following terms during the duration of this order:

23           (a) Defendants will not engage in unlawful discrimination in  
24 housing;

25           (b) Defendants will permanently revise the Rules and Regulations  
26 at their subject rental premises to delete any unlawful discriminatory terms and  
27 conditions against families with children contained therein;

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1 (c) Defendants will review the Rules and Regulations in place at all  
2 other residential rental premises owned or operated by defendants or their affiliates,  
3 and will revise those Rules and Regulations to delete any unlawful discriminatory  
4 terms and conditions against families with children contained therein;

5 (d) Defendants will follow guidelines for advertising promulgated  
6 by the United States Department of Housing and Urban Development ("HUD"), 24  
7 C.F.R. § 109 (1996);

8 (e) Defendants' employees will undertake fair housing training once  
9 per year for each of the three years of the agreement, to be conducted by the Fair  
10 Housing Council, at defendants' expense for all persons involved in managing and  
11 renting spaces or dwellings to the general public at the subject rental premises or  
12 any rental premises owned or operated by defendants;

13 (f) Defendants will post a fair housing sign (HUD form 928) by or  
14 in the manager's office at any rental premises owned or operated by defendants in  
15 a prominent location where it may be seen by tenants and prospective tenants;

16 (g) Defendants will provide each tenant and prospective tenant with  
17 a copy of HUD's fair housing pamphlet, Form HUD-903.1, regarding their fair  
18 housing rights;

19 (h) Defendants will keep records reflecting the name and address of  
20 persons who inquire about renting at each rental premises and make those records  
21 reasonably available to the Fair Housing Council for monitoring during that period;

22 (i) Defendants will provide each employee with a copy of this  
23 consent decree and obtain certification that they have received and read that  
24 agreement, and furnish copies of those certificates to the Fair Housing Council;  
25 and,

26 (j) Defendants will certify to the Fair Housing Council on an annual  
27 basis that they have complied with the terms of this agreement.  
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4. This order shall be in effect for a period of three years from the date of entry and the Court shall retain jurisdiction for purposes of enforcement. This order will terminate at the end of the three-year period.

5. The parties agree to attempt to work out in good faith any disputes that arise under the terms of this order. Only after good faith mediation attempts have been exhausted will the parties request the assistance of the Court in resolving the dispute.

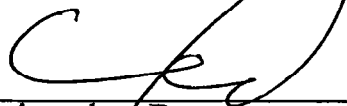
Ordered this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Hon. John F. Walter  
United States District Judge

Approved as to ~~content and~~ form:

BRANCART & BRANCART

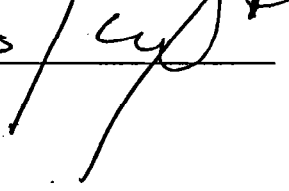
Dated: November 27, 2002.



\_\_\_\_\_  
Christopher Brancart  
Attorneys for Plaintiffs

FINER, KIM & STEARNS

Dated: November 27, 2002.

ROBERT B. PARSONS /   
Robert B. Parsons  
Attorneys for Defendants

\* FAKED SIGNATURE ATTACHED.

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Hon. John F. Walter  
United States District Judge

Approved as to ~~content and~~ form:


BRANCART & BRANCART

Dated: November \_\_, 2002.

\_\_\_\_\_  
Christopher Brancart  
Attorneys for Plaintiffs

FINER, KIM & STEARNS

Dated: November 27, 2002.

  
\_\_\_\_\_  
Robert B. Parsons  
Attorneys for Defendants

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**CERTIFICATE OF SERVICE**

I am over the age of 18 years and am not a party to the within action. My business address is 8205 Pescadero Road, Loma Mar, California 94021.

On December 2, 2002, I served a true and correct copy of the following document(s):

**[PROPOSED] CONSENT DECREE AND FINAL ORDER; JOINT APPLICATION AND STIPULATION RE DISMISSAL; [PROPOSED] ORDER**  
upon the following person(s):

Robert B. Parsons, Esq., Finer, Kim & Stearns, 3424 Carson Street, Suite 500, Torrance, CA 90503; and,

D. Elizabeth Pierson, Esq., Fair Housing Council of Orange County, Inc., 201 South Broadway, Santa Ana, CA 92701-5633

Jeffrey Wertheimer, Esq., Rutan & Tucker LLP, 611 Anton Boulevard, 14th Floor, Costa Mesa, CA 92626.

in the following manner(s):

	<b>BY HAND DELIVERY:</b> By causing such document(s) to be delivered by hand to the above person(s) at the address(es) set forth above.
X	<b>BY MAIL:</b> By placing a copy thereof enclosed in a sealed envelope, with postage thereon fully prepaid, in the United States mail at Loma Mar, California, addressed as set forth above.
	<b>BY THIRD-PARTY COMMERCIAL CARRIER (OVERNIGHT DELIVERY):</b> By delivering a copy thereof to a third-party commercial carrier, addressed as set forth above, for delivery on the next business day.
	<b>BY FACSIMILE:</b> By transmitting the above document(s) to the facsimile number(s) of the addressee(s) designated above.

I certify that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on December 2, 2002, at Loma Mar, California.

  
Cassandra Leigh Canfield