

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF LOUISIANA**

GREATER NEW ORLEANS FAIR HOUSING ACTION CENTER, and WALLACE RODRIGUE,	*	CIVIL ACTION
	*	
	*	NO. 2:06-CV-07185
	*	
Plaintiffs,	*	SECTION C
	*	
and PROVIDENT REALTY ADVISORS, INC.,	*	JUDGE BERRIGAN
Plaintiff-	*	
Intervenor,	*	MAGISTRATE JUDGE SHUSHAN
	*	
	*	
vs.	*	
	*	
ST. BERNARD PARISH and ST. BERNARD	*	
PARISH COUNCIL,	*	
	*	
Defendants.	*	

MOTION FOR CONTEMPT

Plaintiffs Provident Realty Advisors, Inc. (“Provident”) and the Greater New Orleans Fair Housing Action Center (“GNOFHAC”) hereby move to hold St. Bernard Parish and St. Bernard Parish Council (collectively, “Defendants”) in contempt. Defendants have denied Provident’s re-subdivision applications. Without approval of its re-subdivision requests, Provident cannot obtain building permits and move forward with construction of its proposed developments. The circumstances leading up to the denial of Provident’s re-subdivision requests make evident that Defendants are continuing to block Provident’s proposed multi-family developments for racially discriminatory reasons in defiance of the 2008 Consent Order and this Court’s Order of March 25, 2009.

The bases for this Motion are set forth fully in the Memorandum of Law in Support. Defendants’ recent conduct is in clear violation of this Court’s orders and they should be held in contempt. After this Court ordered Defendants to rescind the 2008 moratorium because it was passed with a discriminatory intent and had a discriminatory effect in violation of the 2008 Consent Order and federal law, Defendants turned to the Parish re-subdivision process as another means to block

Provident's proposed developments. The Parish and Parish Council's denial of Provident's re-subdivision requests was made with the same discriminatory purpose and has the same discriminatory effect as the 2008 moratorium on construction of multi-family housing. Defendants' recent conduct is simply a continuation of their discriminatory efforts to keep potential African-American renters out of St. Bernard Parish. For those reasons, and for reasons fully explained in the Memorandum of Law in Support, Provident and GNOFHAC bring this Motion and ask the Court hold Defendants in contempt and order them to compensate Plaintiffs for the damages, costs, and fees incurred as a result of Defendants' contemptuous treatment of Provident.

Accordingly, GNOFHAC and Provident Realty respectfully request that the Court grant their Motion for Contempt. A proposed order is attached for the Court's consideration.

Dated: June 9, 2009

Respectfully submitted,

/s/ Brook Hopkins

John P. Relman
Katherine A. Gillespie
Brook Hopkins
RELMAN & DANE PLLC
1225 19th Street NW, Suite 600
Washington, DC 20036
(202) 728-1888

*Counsel for GNOFHAC and Provident
Realty Advisors, Inc.*

Dennis L. Roosien, Jr.
Robert Voelker
Munsch Hardt Kopf & Harr P.C.
3800 Lincoln Plaza
500 North Akard
Dallas, TX 75201
(214) 855-7535

Counsel for Provident Realty Advisors, Inc.

Joseph D. Rich
LAWYERS' COMMITTEE FOR
CIVIL RIGHTS UNDER LAW
1401 New York Avenue, NW, Suite 400
Washington, DC 20005
(202) 662-8600

Counsel for GNOFHAC

/s/ M. Lucia Blacksher

M. Lucia Blacksher (LA Bar No. 26605)
GREATER NEW ORLEANS FAIR
HOUSING ACTION CENTER, INC.
228 St. Charles Avenue, Suite 1035
New Orleans, LA 70130
(504) 596-2100

**CERTIFICATE OF SERVICE
EASTERN DISTRICT OF LOUISIANA**

I hereby certify that a true and correct copy of the foregoing Plaintiffs' Motion for Contempt and accompanying documents were filed and served this 9th day of June, 2009, using the CM/ECF system, which will serve as notification of such filing on the following:

Francis Brian Mulhall
Mulhall Law Firm
3900 N. Causeway Blvd.
Suite 1470
Metairie, LA 70002
Work: (504) 836-7536
franmulhall@aol.com

James A. Holmes
J. Warren Gardner
601 Poydras St. Suite 2300
New Orleans, LA 70130
Work: (504) 593-4284
jaholmes@christovich.com
jwgardner@christovich.com

Michael Gorbaty
8201 W. Judge Perez Drive
Chalmette, LA 70043
Work: (504) 278-4348
mgorbaty@sbpg.net

/s/ Brook Hopkins

Brook Hopkins