

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

GREATER NEW ORLEANS FAIR
HOUSING ACTION CENTER, and
WALLACE RODRIGUE,

Plaintiffs,

and PROVIDENT REALTY ADVISORS,
INC.,

Plaintiff-

Intervenor,

VS.

ST. BERNARD PARISH and ST. BERNARD
PARISH COUNCIL,

Defendants.

PLAINTIFF GNOFHAC'S MOTION FOR CONTEMPT

Plaintiff Greater New Orleans Fair Housing Action Center (“GNOFHAC”) hereby moves to hold St. Bernard Parish and St. Bernard Parish Council (collectively, “Defendants”) in contempt for passing Ordinance SBPC #1138-09-09 on September 15, 2009. The Ordinance proposes a discriminatory ban on multi-family housing in violation of the 2008 Consent Order and the Court’s March 25, 2009 Order. The reasons for this Motion are set forth more fully in the attached Memorandum of Law in Support.

The standard for contempt is easily met in this case. The 2008 Consent Order constituted a court order that was in effect at the time that Defendants passed the 2009 multi-family housing ban. The Consent Order required that the Parish refrain from violating the Fair Housing Act and 42 U.S.C. §§ 1981, 1982, and 1983. In its Order of March 25, 2009, this Court found that the Parish and the Parish Council violated the 2008 Consent Order by enacting a moratorium on multi-family housing that is nearly identical to the 2009 multi-family housing ban. The 2009 ban on multi-

family housing was enacted with the same discriminatory intent and has the same discriminatory effect as the 2008 multi-family moratorium. The Parish and the Council have provided no new justification for the ban that differs from what they have offered in the past to justify their attempts to block multi-family housing in the Parish. All of those justifications have already been considered and rejected by the Court. It is clear that Defendants should be held in contempt.

For those reasons, and for reasons fully explained in the Memorandum of Law in Support, GNOFHAC brings this Motion and asks the Court to hold Defendants in contempt and order them to rescind Ordinance SBPC #1138-09-09 and to enjoin its enforcement until such time as it is rescinded. GNOFHAC further requests that the Court compensate it for the damages, costs, and fees incurred as a result of Defendants' most recent violation of the 2008 Consent Order and the March 25 Order.

Accordingly, GNOFHAC respectfully requests that the Court grant its Motion for Contempt. A proposed order is attached for the Court's consideration.

Dated: October 13, 2009

Respectfully submitted,

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**CERTIFICATE OF SERVICE
EASTERN DISTRICT OF LOUISIANA**

I hereby certify that a true and correct copy of the foregoing Plaintiff GNOFHAC's Motion for Contempt and accompanying documents were filed and served this 13th day of October, 2009, using the CM/ECF system, which will serve as notification of such filing on the following:

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