

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF LOUISIANA

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

DEFENDANTS' NOTICE TO COURT

Defendants, St. Bernard Parish and St. Bernard Parish Council, hereby provide notice to the Court that the St. Bernard Parish Council introduced an ordinance at its October 20, 2009 meeting to rescind Ordinance SBPG #1138-09-09, which calls for an election to be held on November 14, 2009, to consider an amendment to the Home Rule Charter regarding the development of any multi-family development unit complex greater than six (6) units within the boundaries of St. Bernard Parish. A vote on the recently introduced ordinance to rescind the prior ordinance will be taken at the next regularly scheduled council meeting on November 3, 2009. This is the earliest the council can vote on this rescinding ordinance. The undersigned counsel anticipates the council will vote to rescind Ordinance #1138-09-09. Therefore, the defendants requests the Court to delay any decision on the Plaintiffs' Motion for Contempt until after the council vote on November 3, 2009 because the issue may be moot at that time.

Respectfully submitted:

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Attorney for St. Bernard Parish and St. Bernard
Parish Council

CERTIFICATE

I hereby certify that on October 21, 2009, I electronically filed with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to all counsel of record.

s/Michael A. Gorbaty
Michael A. Gorbaty