

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF LOUISIANA

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

Plaintiffs,

vs.

ST. BERNARD PARISH and ST. BERNARD PARISH COUNCIL,

Defendant.

* CIVIL ACTION * NO. 06-7185 * SECTION C * JUDGE BERRIGAN * MAGISTRATE JUDGE SHUSAN (DIV.1) *

JOINT STIPULATION

The parties, by and through their respective counsel, hereby stipulate and agree as follows:

- 1. St. Bernard Parish ("Defendant") hereby agrees and stipulates to the relief requested in Plaintiffs' Proposed Order in connection with Plaintiffs' Application for Preliminary Injunction and Proposed Order [R. 6 & Attach. 1, 11/03/2006]. Defendant stipulates and agrees that any agreement or stipulation by St. Bernard Parish is binding on all of its departments, including the St. Bernard Parish Council, and that the terms of this Joint Stipulation shall apply to and enjoins the St. Bernard Parish Council. Specifically, as stated in the Proposed Order, Defendant agrees and stipulates to the following:

St. Bernard Parish and the St. Bernard Parish Council are enjoined from implementing or enforcing an ordinance, passed by the Parish Council on September 19, 2006, that makes it unlawful for a homeowner to rent or allow occupancy of single-family residences without a permissive use permit to any person except the owner's blood relatives ("blood relative ordinance"), as well as any other ordinance restricting the rental of single-family residences or requiring permission to rent single-family residences enacted since Hurricane Katrina, including the ordinances passed on March 7, 2006, which placed a moratorium on the rental of single-family residences, and July 6, 2006, which prohibited

rentals of single-family residences without a conditional use permit. Defendant is hereby ordered to maintain the use and occupancy restrictions of single-family residences that existed on or before Hurricane Katrina, which allowed all homeowners to rent or allow the use or occupancy of their single-family residences to any person of their choice without a permit from the Parish.

2. Defendant further agrees and stipulates that Defendant has no objection to the filing of the First Amended Complaint [R. 3, 11/02/2006], which was filed as of right under Federal Rule of Civil Procedure 15(a).

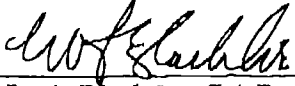

3. Plaintiffs hereby agree and stipulate that Defendant is required to respond to only the First Amended Complaint and that no response to the original complaint shall be filed and that there will not be any adverse admissions, conclusions, or other legal consequences directed to Defendant as a result of Defendant not submitting a Response to the Initial Complaint. Furthermore, Plaintiffs agree to extend the deadline by which Defendant shall respond to the First Amended Complaint so that Defendant's response is due on or before December 29, 2006.

IT IS SO APPROVED AND ORDERED.

This ____ day of _____, 2006.

Helen Ginger Berrigan
United States District Judge

STIPULATED AND AGREED TO:

<p></p> <p>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</p> <p><u>/s/Joseph Rich per tel. auth. 11/09/2006</u> Joseph D. Rich* Jonathan P. Hooks* Nicole Birch* LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW 1401 New York Avenue NW Suite 400 Washington, DC 20005 (202) 662-8600</p> <p><u>/s/John P. Relman per tel. auth. 11/09/2006</u> John P. Relman* Mary J. Hahn* RELMAN & ASSOCIATES 1225 19TH Street, NW, Suite 600 Washington, DC 20036 (202) 728-1888</p> <p><i>Counsel for Plaintiffs</i></p>	<p></p> <p>David Paysse (LA Bar No. 10362) 8201 W. Judge Perez Dr. Chalmette, LA 70043 (504) 278-4228</p> <p><i>Counsel for Defendant</i></p>
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* application for admission *pro hac vice* pending