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11 Attorneys for Plaintiffs

12
13 UNITED STATES DISTRICT COURT
14 DISTRICT OF NEVADA

15 DEON CAGLE and SILVER
16 STATE FAIR HOUSING
17 COUNCIL, INC.,

18 Plaintiffs,

19
20 vs.

21 BUSH Y. ABADIR and ANNE-
22 MARIE ABADIR, individually
and as trustees of The Bush Y.
23 Abadir and Anne-Marie Abadir
24 Revocable Trust; and DOTTIE
25 GOLDSBERRY,

26 Defendants.
27

) Case No. 3:16-cv-00229-VPC

)
) PLAINTIFFS' REQUEST FOR
) ENTRY OF CONSENT DECREE
) AND DISMISSAL

28 Pursuant to the stipulated consent decree and joint motion for dismissal –

1 each filed concurrently with this request – plaintiffs request that the Court enter the
2 consent decree and dismiss this action.

3
4 Respectfully submitted,

5 BRANCART & BRANCART

6 */s/ Christopher Brancart*

7 _____
8 Christopher Brancart
9 cbrancart@brancart.com
10 Attorney for Dion Cagle and Silver State
11 Fair Housing Council, Inc.
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CERTIFICATE OF SERVICE

Pursuant to Rule 5 of the Federal Rules of Civil Procedure, on October 19, 2016, I served by email via ECF a copy of the attached document – **PLAINTIFFS' REQUEST FOR ENTRY OF CONSENT DECREE AND DISMISSAL** – upon the following attorneys:

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/s/ Christopher Brancart

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and Silver State Fair Housing
12 Council, Inc.

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14 UNITED STATES DISTRICT COURT
15 DISTRICT OF NEVADA

16 DEON CAGLE and SILVER
17 STATE FAIR HOUSING
COUNCIL INC.,

18 Plaintiffs,

19 vs.

20 BUSH Y. ABADIR and ANNE-
21 MARIE ABADIR, individually
And as trustees of The Bush Y.
22 Abadir and Anne-Marie Abadir
Revocable Trust; and DOTTIE;
23 GOLDSBERRY,

24 Defendants.

Case No. 3:16-cv-00229- VPC

CONSENT DECREE AND FINAL ORDER

25
26 This action was brought by Plaintiffs alleging that Defendants violated the federal
27 Fair Housing Act, 42 U.S.C. § 3601 *et seq.*, among other laws, by allegedly discriminating
28 based on disability in the rental of dwellings at the Colony Inn Apartments, located in Reno,

1 Nevada. Defendants have denied that they discriminated in the rental of housing or otherwise
2 violated any laws as alleged by Plaintiffs.

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

8 It is hereby ordered, adjudged and decreed that:

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

11 A. At the management office of any rental dwelling owned or operated by any
12 Defendant, Defendants shall place and maintain a HUD fair housing poster (HUD form 928)
13 in a conspicuous location where it can be seen by residents or prospective residents;

14 B. At any rental dwelling owned or operated by any Defendant, Defendants shall
15 provide each tenant or resident at the start of his/her occupancy with a copy of the HUD fair
16 housing pamphlet (HUD form 903);

17 C. In connection with any rental dwelling owned or operated by any Defendant,
18 Defendants shall require, and pay for the reasonable cost for, each employee with
19 management responsibilities to attend a fair housing training once per year for each of the
20 next three years to be provided by Silver State Fair Housing Council or any other FHIP-
21 qualified agency. Any new employee with management responsibility must attend a fair
22 housing training within 90 days of the start of his or her employment; and,

23 D. For a period of three years, starting on the anniversary date of the entry of dismissal,
24 Defendants will send a letter to SSFHC or Nevada Legal Services certifying that Defendants
25 have complied with the equitable terms of this settlement agreement during the preceding
26 year; and,

27 E. If Plaintiffs believe that Defendants have failed to comply with equitable terms of this
28 agreement, then Plaintiffs will provide written notice to Defendants, stating their concern and

1 providing Defendant with a reasonable period of time to achieve compliance before seeking
2 enforcement in the District Court.

3 2. This order shall be in effect for a period of three years from the date of entry
4 and the Court shall retain jurisdiction for purposes of enforcement. This order will terminate
5 at the end of the three year period.

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

9
10 Ordered this 31st day of October, 2016.

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12 
13 Hon. Valerie P. Cooke
14 U.S. Magistrate Judge

15 Approved as to content and form:

16 NEVADA LEGAL SERVICES, INC.

17 

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20 Attorneys for Plaintiff Deon Cagle

21 BRANCART & BRANCART

22 /s/ Christopher Brancart

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26 Attorneys for Plaintiffs Deon Cagle
27 and Silver State Fair Housing Council, Inc.
28

1 HUTCHINSON & STEFFEN

2 /s/ Michael Wall

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/s/ Christopher Brancart