

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CHICAGO LAWYERS' COMMITTEE FOR
CIVIL RIGHTS UNDER LAW, INC.,

Plaintiff,

v.

CRAIGSLIST, INC.,

Defendant.

Judge Amy J. St. Eve

Magistrate Judge Jeffrey Cole

Case No. 06 C 0657

MOTION FOR LEAVE TO FILE AMICUS BRIEF

Plaintiff Chicago Lawyers' Committee for Civil Rights Under Law, Inc. (CLC), and the National Fair Housing Alliance (NFHA) seek leave for NFHA to file the attached *amicus curiae* brief (NFHA brief) in this matter.

1. NFHA is a consortium of private, non-profit fair housing organizations, state and local civil rights groups, and individuals founded in 1988 to oppose housing discrimination and ensure equal housing opportunity for all people. NFHA, in conjunction with its members, undertakes fair housing enforcement initiatives throughout the country by providing leadership, education and outreach, membership services, public policy initiatives, and advocacy. Consistent with its mission to eradicate discrimination in housing, NFHA has submitted numerous *amicus curiae* briefs in litigation involving fair housing issues all across the country.

2. The NFHA brief will not duplicate of either party's brief. Instead, the NFHA brief provides a unique perspective. *See Nat'l Org. for Women, Inc. v. Scheidler*, 223 F.3d 615, 617 (7th Cir. 2000) (explaining that leave to file an amicus curiae brief is appropriate "when the amicus has a unique perspective, or information, that can assist the court of appeals beyond what the parties are able to do."). NFHA's brief will not overtax this Court's resources.

3. CLC is a public interest law consortium of Chicago law firms whose varied projects in addition to fair housing, include equal employment, combating bias violence, and community economic development. Defendant craigslist is a website which hosts classified advertisements, including housing rentals. NFHA, however, is a national organization, the *only* national organization in fact, dedicated solely to ending discrimination in housing. NFHA's specialization and its more than twenty years of experience in furthering and enforcing the Fair Housing Act (FHA) has allowed it to amass information and insight that exceeds the knowledge of either party on the history, purposes, and goals of the FHA, in addition to how the FHA is operationalized across the country on a day-to-day basis. In recognition of the value added by NFHA's specialization and expertise, almost every federal appeals court, including the Seventh Circuit, has allowed NFHA to file *amicus curiae* briefs even when one of the parties is a fair housing or similar organization.¹

¹ *See 2922 Sherman Ave. Tenants' Ass'n v. Dist. of Columbia*, 2006 WL 954582 (D.C. Cir. 2006) (granting leave to NFHA to submit brief in support of tenant organization bringing a fair housing claim); *Thomas v. Anchorage Equal Rights Comm'n*, 220 F.3d 1134, 1136 (9th Cir. 2000) (granting NFHA leave to file a brief as amicus curiae in housing discrimination case when defendants included a municipal agency charged with combating discrimination); *White v. Lee*, 227 F.3d 1214, 1219 (9th Cir. 2000) (granting leave for NFHA to file amicus curiae brief in fair housing case when defendants included HUD officials); *Fair Hous. Council of Suburban Philadelphia v. Main Line Times*, 141 F.3d 439, 440 (3d Cir. 1998) (granting NFHA leave to file a brief as amicus curiae in fair housing case when plaintiff was a fair housing organization); *Salute v. Stratford Greens Garden Apartments*, 136 F.3d 293, 295 (2d Cir. 1998) (granting NFHA leave to file an amicus curiae brief in fair housing case in which plaintiffs included Long Island Housing Services); *Bryant Woods Inn, Inc. v. Howard County, Md.*, 124 F.3d 597 (4th Cir. 1997) (granting leave for NFHA to file amicus curiae brief in fair housing case when plaintiff was a home for disabled persons); *Oxford House-C v. City of St. Louis*, 77 F.3d 249 (8th Cir. 1996) (granting leave for NFHA to file amicus curiae brief in fair housing case when plaintiff was a home for disabled persons); *City of Chicago v. Matchmaker Real Estate Sales Ctr., Inc.*, 982 F.2d 1086, 1088 (7th Cir. 1992) (granting NFHA leave to file an

4. Whether craigslist has the ability to post, or can allow the posting of, discriminatory housing advertisements with impunity is a matter of great importance to NFHA because of the far-reaching effect of such an activity. As an organization that works nationally through a variety of channels to combat discrimination in housing, NFHA can offer this Court an experience and knowledge base that differs from the perspective of the parties.

5. For all of these reasons, Plaintiff Chicago Lawyers' Committee for Civil Rights Under Law, Inc., and the National Fair Housing Alliance respectfully request leave for NFHA to file the attached *amicus curiae* brief.

Dated: May 22, 2006

Respectfully submitted,

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amicus curiae brief in housing discrimination case in which plaintiffs included a fair housing organization); *Baumgardner v. Sec'y, U.S. Dep't of Hous. & Urban Dev. on Behalf of Holley*, 960 F.2d 572, 574 (6th Cir. 1992) (granting leave for NFHA to file amicus curiae brief in fair housing case when plaintiff was HUD).