

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

NATIONAL FAIR HOUSING ALLIANCE,
et al.,

Plaintiffs,

v.

BEN CARSON, *et al.*,

Defendants.

Civ. Action No. 1:18-cv-1076-BAH

**PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION AND FOR
EXPEDITED SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 65 and Local Civil Rule 65.1, Plaintiffs hereby move the Court for a preliminary injunction ordering Defendants to (1) rescind their May 23, 2018 Notices that withdrew the Assessment Tool for Local Governments and instructed local jurisdictions not to comply with the requirements of the Affirmatively Furthering Fair Housing (AFFH) Rule; (2) reinstate the Assessment Tool for Local Governments; and (3) take all other necessary steps to ensure prompt implementation of the AFFH Rule.

In addition, pursuant to Federal Rule of Civil Procedure 56, Plaintiffs hereby move for expedited summary judgment on the grounds that there is no genuine issue of disputed material fact and that they are entitled to judgment as a matter of law. Plaintiffs respectfully request expedited consideration of this portion of the combined Motion.

In support of this combined Motion, Plaintiffs submit the accompanying (1) memorandum of law; (2) declarations of National Fair Housing Alliance's (NFHA) President and Chief Executive Officer Lisa Rice, NFHA's Vice President for Housing Policy and Special

Projects Deborah Goldberg, the Texas Low Income Housing Information Service's Co-Director John Henneberger, Texas Appleseed's Director of the Disaster Recovery and Fair Housing Project Madison Sloan, the National Law Center on Homelessness & Poverty's Deputy Director Janet Hostetler, Professor Justin Steil of the Massachusetts Institute of Technology's Department of Urban Studies & Planning, the Greater New Orleans Fair Housing Action Center's Director of Policy & Communications Maxwell Ciardullo, the Public Interest Law Center of Philadelphia's Staff Attorney Daniel Urevick-Ackelsberg, and the Mid-America Regional Council's Director of Research Services Franklin A. Lenk; and (3) a proposed order.

Dated: May 29, 2018

Respectfully Submitted,

/s/ Sasha Samberg-Champion
Sasha Samberg-Champion (DC Bar No. 981553)
Sara Pratt (DC bar admission pending, admitted *pro hac vice*)
Michael G. Allen (DC Bar No. 409068)
RELMAN, DANE & COLFAX PLLC
1225 19th Street, NW, Suite 600
Washington, DC 20036
(202) 728-1888
ssamberg-champion@relmanlaw.com
spratt@relmanlaw.com
mallen@relmanlaw.com

Jon Greenbaum (DC Bar No. 489887)
Joseph D. Rich (DC Bar No. 463885)
Thomas Silverstein (DC Bar No. 1552406)
LAWYERS' COMMITTEE FOR CIVIL
RIGHTS UNDER LAW
1401 New York Ave., NW
Washington, DC 20005
(202) 662-8331
jrich@lawyerscommittee.org

Philip Tegeler (DC Bar No. 1002526)
Megan Haberle (DC bar admission pending)
POVERTY & RACE RESEARCH ACTION
COUNCIL

740 15th Street NW, Suite 300
Washington, DC 20005
(202) 360-3906
ptegeler@prrac.org

Rachel Goodman
Sandra Park
AMERICAN CIVIL LIBERTIES UNION
125 Broad St., 18th Floor
New York, NY 10004
(212) 549-2500
rgoodman@aclu.org
spark@aclu.org

Arthur B. Spitzer (DC Bar No. 235960)
AMERICAN CIVIL LIBERTIES UNION
OF THE DISTRICT OF COLUMBIA
915 15th Street, NW - 2nd floor
Washington, DC 20005-2302
Tel. 202-457-0800
Fax 202-457-0805
aspitzer@acludc.org

Ajmel Quereshi (DC Bar No. 1012205)
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
1444 I Street NW
Washington, DC 20005
(202) 682-1300
aquereshi@naacpldf.org

Sherrilyn A. Ifill (NY Bar No. 2221422)
Samuel Spital (NY Bar No. 4334595)
NAACP LEGAL DEFENSE &
EDUCATIONAL FUND, INC.
40 Rector Street, 5th Floor
New York, NY 10006
(212) 965-2200

Allison M. Zieve (DC Bar No. 424786)
PUBLIC CITIZEN LITIGATION GROUP
1600 20th Street NW
Washington, DC 20009
(202) 588-1000

Attorneys for all Plaintiffs

Morgan Williams (*pro hac vice* application forthcoming)
NATIONAL FAIR HOUSING ALLIANCE
1101 Vermont Ave. NW, Suite 710
Washington, DC 20005
(202) 898-1661
mwilliams@nationalfairhousing.org

Attorney for Plaintiff National Fair Housing Alliance

Madison Sloan (admitted *pro hac vice*)
TEXAS APPLESEED
1609 Shoal Creek Bld. # 201
Austin, TX 78701
(512) 473-2800
msloan@texasappleseed.net

Attorney for Plaintiff Texas Appleseed