

CA - General

10/9/74

Affidavit of Daniel A. Searing

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CA 000923V

FILED

OCT 9 1974

DAVID D. FURMAN, J.S.C.

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Discrimination in Housing, Inc.  
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SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION - MIDDLESEX COUNTY  
DOCKET No. C-4122-73

URBAN LEAGUE OF GREATER  
NEW BRUNSWICK, et al.

Plaintiffs,

v.

THE MAYOR AND COUNCIL OF  
THE BOROUGH OF CARTERET,  
et al.

Defendants

CITY OF WASHINGTON

DISTRICT OF COLUMBIA

Civil Action

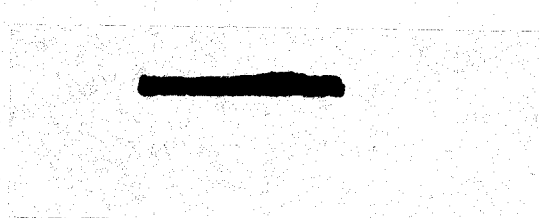
AFFIDAVIT

DAVID D. FURMAN  
CLERK

ss.

AFFIDAVIT OF DANIEL A. SEARING

Daniel A. Searing, of full age, being duly sworn  
according to law, deposes and says:



1. I am the Staff Attorney with the National Committee Against Discrimination in Housing, Inc. (NCDH) with primary responsibility for the above-captioned case. Martin E. Sloane is the General Counsel of NCDH.

2. I am a member of the bar of the State of Maryland. Mr. Sloane is a member of the bar of the State of New York.

3. NCDH is a 24-year old civil rights organization engaged in monitoring government enforcement of fair housing laws, research, public information, technical assistance, and legal services on behalf of open housing and open communities.

4. NCDH pioneered research into the linkage between access to housing and employment opportunities in the suburbs. Such research has led to our involvement in several exclusionary zoning cases in which the primary aim is to assist low and moderate income plaintiffs gain access to suburban jurisdictions.

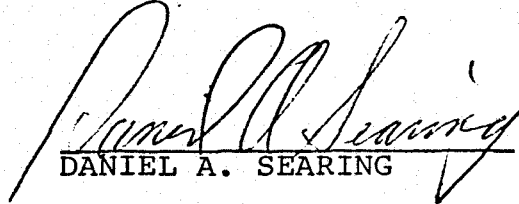
5. Such cases include Southern Alameda Spanish Speaking Org. (SASSO) v. City of Union City, Cal., 314 F. Supp. 1188 (N.D. Cal. 1970); and Dailey v. City of Lawton, Okla., 296 F. Supp. 266 (W. D. Okla. 1969), aff'd 425 F.2d 1037 (10th Cir. 1970).

6. More recently NCDH filed two cases in Ohio. One, Cornelius v. City of Parma; United States v. City of Parma, Ohio, 374 F. Supp. 730 (N.D. Ohio, 1974) (appeal pending) is a consolidated case challenging the Cleveland, Ohio, suburb

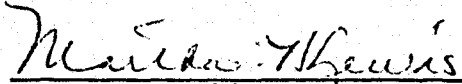
of Parma with discriminatory exclusion of lower income minority residents of Cleveland through the adoption of ordinances requiring referendum approval before the provision of subsidized housing, and through the prohibition of the construction of housing higher than 35 feet. The second, Skilken v. City of Toledo, Civil No. 740202 (N.D. Ohio, Aug. 28, 1974) involved a challenge to the blocking of construction of "turnkey" public housing units on three sites in white areas of the city of Toledo. The court found the action of city officials illegal as being racially discriminatory. An order is being prepared.

7. NCDH participated as amicus in Mahaley v. Cuyahoga Metropolitan Housing Authority, 355 F. Supp. 1245 (N.D. Ohio, 1973). This litigation was brought on behalf of all tenants of and applicants for low rent public housing against (among others) CMHA and five predominantly white Cleveland suburbs challenging the constitutionality of the cooperation agreement requirement of Federal law; and will participate as amicus in Upper St. Clair Township v. The Commonwealth of Pennsylvania, Docket Number 125, Supreme Court of Pennsylvania, Middle District, (1974), in which the state is challenging the exclusionary zoning policies and practices of a township which has applied for state grant funds for recreational site improvements.

8. The present case had been a cooperative effort between local attorneys and NCDH since its inception. NCDH's legal and research staff have devoted substantial time and money in assisting local attorneys with the preparation of the case. We now wish to be admitted pro hac vice in order to participate in the courtroom phase of this litigation.

  
DANIEL A. SEARING

Subscribed and sworn to  
before me this 3rd day  
of October, 1974.

  
Notary Public

SEAL

MY COMMISSION EXPIRES OCTOBER 31, 1978

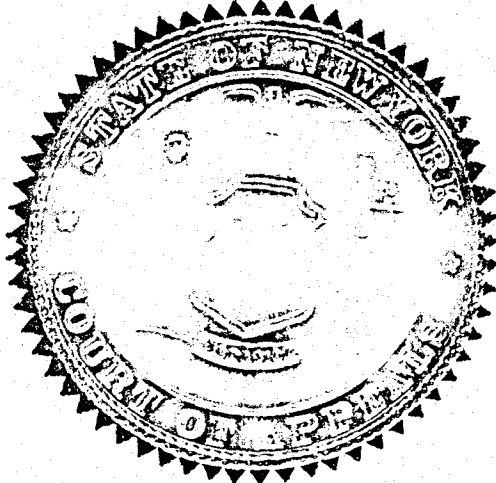
# Court of Appeals

STATE OF NEW YORK  
CLERK'S OFFICE

I, JAMES M. FLAVIN, Clerk of the Court of Appeals of the State of New York, DO HEREBY CERTIFY, that

MARTIN EVERETT SLOANE

was admitted to practice law in all of the courts of the State of New York at the Appellate Division of the Supreme Court, held at New York, N.Y., ~~xx~~ on March 23, 1959 and that his name has been entered and now appears in the "Official Register of Attorneys and Counselors at Law in the State of New York," on file in this office, which is declared by statute to be a public record and presumptive evidence that the individuals therein named are duly entitled to practice law as attorneys and counselors in all the courts of record of this State.



In Witness Whereof, I have hereunto set my hand and affixed the seal of said Court at the City of Albany in the State of New York this 20th day of September, A.D. 19 74

*James M. Flavin*  
Clerk

I, CHARLES D. BREITEL, Chief Judge of the Court of Appeals, of the State of New York, DO HEREBY CERTIFY, that the foregoing attestation of JAMES M. FLAVIN, Clerk of said Court, is in due form, and that such certificate is entitled to full faith and credit.

Dated at Albany, N. Y. September 27, 1974

*Charles D. Breitell*  
Chief Judge

# State of Maryland

## Court of Appeals



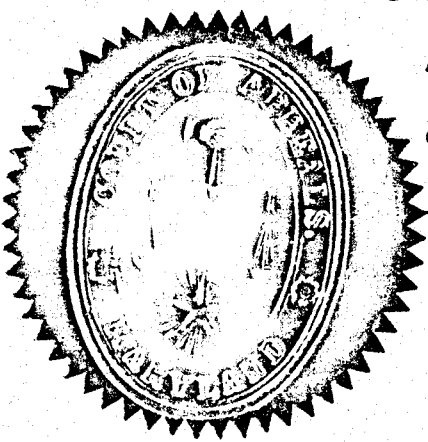
STATE OF MARYLAND, ss:

This is to certify that on the 11th day of December,  
A.D., 1970,

DANIEL ARTHUR SEARING

having first taken and subscribed the oath prescribed by the Constitution and Laws of this State, was admitted as an Attorney of said Court, is now in good standing, and as such is entitled to practice the Law in any of the Courts of said State, subject to the Rules of Court.

In Testimony Whereof, I have hereunto set my hand as Clerk, and affixed the Seal of said Court of Appeals of Maryland, this 17th day of September A.D., 1974



*James H. [Signature]*  
Clerk of the Court of Appeals of Maryland