

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

DEC 12 2006

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

ASSOCIATION OF COMMUNITY
ORGANIZATIONS FOR REFORM
NOW (ACORN), *et al.*

Plaintiffs,

v.

FEDERAL EMERGENCY MANAGEMENT
AGENCY (FEMA)

Defendant.

Civil Case No. 06cv1521 (RJL)

SUBSTITUTION ORDER

(December 12 2006)

Having noticed in recent pleadings filed with this Court and the Court of Appeals certain misinterpretations and mischaracterizations of this Court's November 29, 2006 Order, and having discussed the same with counsel on December 11, 2006, the Court has concluded that its November 29, 2006 Order should be edited further to avoid similar future inaccuracies regarding the scope of the relief this Court's Opinion and Order of November 29, 2006 are intended to provide.

Accordingly, it is ORDERED that this Court's November 29, 2006 Order is hereby substituted by the following Order which incorporates those follow-up edits:

ORDERED that the plaintiffs' motion [#3] is **GRANTED**; and it is further

ORDERED that FEMA provide, as soon as possible, to those evacuees who were receiving Section 403 housing assistance benefits on August 31, 2006 in Texas, more detailed explanations for the denials of evacuees' eligibility for housing assistance

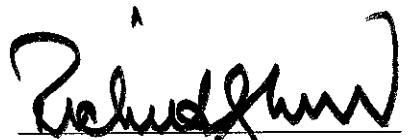
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benefits under Section 408, including the factual and statutory basis for the denial and more fulsome instructions as to how each evacuee may either cure their ineligibility problem(s) or proceed with an appeal, and it is further

ORDERED that FEMA immediately restore Section 403 short-term housing assistance benefits to all of those evacuees in Texas who, as of August 31, 2006 were receiving Section 403 housing assistance and who had been found ineligible for Section 408 benefits, until such time as they have received the more detailed explanations and have had the requisite amount of time to pursue an administrative appeal thereof, and it is further

ORDERED that FEMA pay to each of these evacuees the short-term housing assistance benefits they would have otherwise received from September 1, 2006 through November 30, 2006.

SO ORDERED.


RICHARD J. LEON
United States District Judge