

STATE OF ILLINOIS)
)
COUNTY OF COOK) SS

AFFIDAVIT OF LISA A. HAUSTEN

Lisa A. Husten, being first duly sworn upon oath, deposes and states that she is an attorney licensed to practice in the State of Illinois and the United States Court of Appeals for the Seventh Circuit, and that she has knowledge of the following facts, and would be competent to testify thereto if called as a witness:

1. This is a case of first impression and national importance involving construction of the newly enacted Quid Pro Quo and Hostile Environment Harassment and Liability for Discriminatory Housing Practices Under the Fair Housing Act regulation by the U.S. Department of Housing and Urban Development involving the vicariously liability of landlords for tenant-on-tenant sexual orientation harassment. The National Fair Housing Alliance and the American Association of Retired Persons have filed amicus briefs in support of plaintiff's position.
2. Affiant was not retained until June 26, 2017 to represent the defendants-appellees in this appeal and affiant has needed time to review the issues involved, the record, the brief of plaintiff, and the two briefs of the *amicus curiae* in support of plaintiff in order to be in a position to properly respond on behalf of defendants-appellees.
3. As a result of being retained a few weeks before the original due date, this is affiant's second request for an extension of time. Affiant was unable to complete the brief for defendants-appellants by August 18, 2017, for the following reasons:

- a. Affiant was working on a reply brief before this Court that was filed on July 27, 2017 in the case of CNH Industrial America v. Jones Lang LaSalle Americas, Case No. 16-3800;
- b. Oral argument is set in the above-case for September 13, 2017 and will require time to properly prepare as it involves issues of first impression on jurisdiction and involves complicated issues on the merits;
- c. Affiant was on vacation out of the country from July 1, 2017 through July 8, 2017;
- d. While affiant was on vacation, affiant contracted a potent virus necessitating affiant to seek emergency care upon her return, including bronchial dilation, steroids and a course of antibiotics. Affiant spent close to two weeks recovering.
- e. None of Affiant's partners have been able to assist due to their own current workload.
- f. Melinda S. Kollross was assisting in the preparation of a Post-Trial Motion in *Dillon v. Sturtevant, et al*, Case No. 02-L-729, which was filed in the Circuit Court for the Twentieth Judicial Circuit, St. Clair County, Illinois on August 9, 2017. She was also preparing a Respondent's Brief in *Cadichon v. Facelle*, Bronx County Clerk's Index No. 16878/03, which was filed in the New York Appellate Division, First Department, on August 9, 2017. Ms. Kollross then had to turn her attention to preparing an appellee brief in the case of *Swift v. David J. Schleicher, M.D.*, No. 2-17-0218, which is due to be filed with the Illinois Appellate Court, Second District on August 28, 2017.

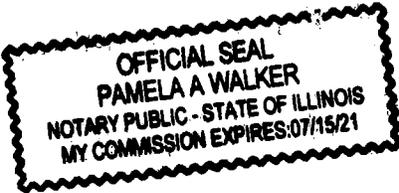
- g. Don R. Sampen had primary responsibility for filing a reply brief that, following an extension of time, was filed July 20, 2017, in the case of *Maad Construction, Inc. v. Cavallino Risk Management, Inc.*, No. 2016-11374, in the New York Supreme Court Appellate Division, Second Department. He also had primary responsibility for filing a summary judgment reply brief and Daubert reply brief that were filed on July 7, 2017, in the case of *Corwin v. Connecticut Valley Arms, Inc.*, No. 1:13-cv-04579, in the United States District Court for the Northern District of Illinois. He also had primary responsibility for preparing and filing a motion for leave to appeal on July 21, 2017, in the case of *Estate of Henri Adier v. Wells Fargo Home Mortgage*, No. MRS-L-001839-15, in the Superior Court of New Jersey, Appellate Division. In addition, he has been assisting with preparation of a reply brief due on July 27, 2017, in the case of *CNH Industrial America LLC v. Jones Lang LaSalle Americas, Inc.*, No. 16-3800, in the United States Court of Appeals for the Seventh Circuit.
- h. Paul V. Esposito was currently working on an appellee's brief in *Sivels v. Koke Mills Medical Associates*, No. 4-17-0242, which was filed in the Illinois Appellate Court, Fourth District, on August 4, 2017. He was out of the office on vacation during the period July 15 through July 30, 2017.
4. Affiant further states that this motion for an extension of time is made in the interests of justice and not for the purposes of delay.
5. Affiant therefore respectfully requests an extension of time for filing a brief on behalf of said defendants-appellees in the instant case, to and including September 27, 2017.

FURTHER AFFIANT SAYETH NOT.

By: 
Lisa A. Hausten

Subscribed and sworn to before me
this 10th day of August, 2017


Notary Public



CERTIFICATE OF SERVICE

I hereby certify that on August 10, 2017, the foregoing was electronically filed with the Clerk for the United States Court of Appeals for the Seventh Circuit, using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

s/Lisa A. Husten _____