

UNITED STATES OF AMERICA
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF HEARINGS AND APPEALS

The Secretary, U.S. Department of Housing and
Urban Development, Charging Party, on behalf of
MARCIE II, GROSSBERG AND GARY F. GROSSBERG

Complainants,

v.

FAIRFAX MANOR GROUP, LLC D/B/A FAIRFAX
MANOR TOWNHOMES, SAM KRAKER, CANNON,
AUSTIN & CANNON, INC., AND NELSON CANNON,

Respondents.

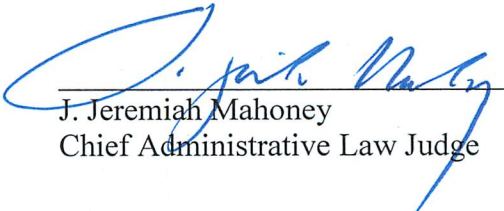
HUDOHA No. 17-JM-0195-FH-010
FHEO No. 04-13-0828-8

September 13, 2017

**NOTICE OF ELECTION TO PROCEED
IN UNITED STATES FEDERAL DISTRICT COURT**

A charge of discrimination was issued in the above-entitled matter on August 31, 2017. On September 12, 2017, Respondents; Fairfax Manor Group, LLC d/b/a Fairfax Manor Townhomes, Sam Kraker, Cannon, Austin & Cannon, Inc., and Nelson Cannon made a timely election to have the claims asserted in that charge decided in a civil action.

Therefore, take notice that this matter, docketed as HUDOHA No. 17-JM-0195-FH-010, FHEO No. 04-13-0828-8, is terminated in order that the Secretary may proceed with a civil action pursuant to 42 U.S.C. § 3612(o).


J. Jeremiah Mahoney
Chief Administrative Law Judge

UNITED STATES OF AMERICA
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF ADMINISTRATIVE LAW JUDGES

Secretary, United States Department of
Housing and Urban Development, on behalf of
Marcie H. Grossberg and Gary F. Grossberg,

Charging Party,

v.

Fairfax Manor Group, LLC d/b/a Fairfax Manor
Townhomes, Sam Kraker, Cannon, Austin &
Cannon, Inc., and Nelson Cannon,

Respondents.

ALJ No. _____

FILED No. 04-13-0838-8

NOTICE OF ELECTION TO PROCEED IN U.S. FEDERAL DISTRICT COURT

COMES NOW, the Respondents, Fairfax Manor Group, LLC d/b/a Fairfax Manor Townhomes, Sam Kraker, Cannon, Austin & Cannon, Inc., and Nelson Cannon, by and through undersigned counsel, and hereby give notice of their election to proceed with this matter in the Federal District Court for the Western District of Tennessee pursuant to 42 U.S.C. § 3612(a).

Respectfully submitted,

EVANS | PETREE, PC

s/Clay Culpepper

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Counsel for Respondents

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been sent, via

Certified U.S. Mail, Return Receipt Requested, postage prepaid to:

Docket Clerk @
VIA EMAIL: ali.ali@hud.gov
VIA FAX: (202) 619-7304
VIA U.S. MAIL
Office of Administrative Law Judges
U.S. Department of Housing and Urban Development
451 7th St., SW, Rm B-133
Washington, DC 20410

COMPLAINANTS

Gary Grossberg
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Memphis, TN 38119

Marcie Grossberg
5851 Ardwick Dr., Apt. 3
Memphis, TN 38119

RESPONDENTS

Cannon, Austin & Cannon, Inc.
c/o Henry Cannon, Registered Agent
6685 Poplar Avenue, Suite 200
Germantown, TN 38138

Nelson Cannon
Cannon, Austin & Cannon, Inc.—Managing Agent
6685 Poplar Avenue, Suite 200
Germantown, TN 38138

Fairfax Manor Group, LLC
c/o W. James Ellis, registered agent
1550 Kennesaw Ave.
Knoxville, TN 37919

Samuel Kraker
Fairfax Manor Property Manager
1875 Camberly Circle
Memphis, TN 38119

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✱ Elizabeth A. Singer
Director, U.S. Attorneys' Fair Housing Program
Housing & Civil Enforcement Section
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Ave., NW – NWB
Washington, DC 20530

This the 12th day of September, 2017.

s/Clay Culpepper
Clay Culpepper



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FACSIMILE COVER SHEET

To:	Docket Clerk	Fax:	202-619-7304
From:	L. Clayton Culpepper III	Date:	September 12, 2017
Sender's Fax:	901.374.7536		
Sender's Phone:	901.521.4562		
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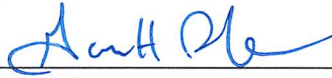
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **NOTICE OF ELECTION TO PROCEED IN UNITED STATES FEDERAL DISTRICT COURT**, issued by J. Jeremiah Mahoney, Chief Administrative Law Judge, in HUDOHA 17-JM-0195-FH-010 were sent to the following parties on this 13th day of September, 2017, in the manner indicated:


For Cynthia Matos, Docket Clerk

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