

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Trustees of the Chicago Plastering Institute Pension
Trust, *et al.*,

Plaintiffs,

v.

Solarcrete Energy Efficient Building Systems Inc.

Defendant.

Case No. 04-cv-7820
Judge Gottschall

DECLARATION OF JOHN MANLEY

I, John Manley, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury that the following is true and correct.

1. I am employed by the Journeymen Plasterers' Protective and Benevolent Society of Chicago, Local No. 5 (the "Union") as Business Manager. I am responsible for the day-to-day operations of the Union. This declaration is based upon my personal knowledge and upon the Union's records, which are kept under my dominion and control. I am competent to testify as a witness if necessary.

2. Counsel for the Union has provided me with a copy of the Court's Memorandum Opinion and Order ("Opinion") dated September 17, 2009, which I have read.

3. Counsel has also provided me with a copy of a document identified as Exhibit 8 to its Motion for Entry of Judgment in this case, which I have reviewed and am familiar with.

4. Union members are obligated to pay to the Union a small amount in dues, also known as a "working assessment," for every hour that they work for a signatory employer. If the employee has authorized his employer in writing to withhold these dues from his paycheck, the collective-bargaining agreements between the Union and its signatory employers


obligate the employer to withhold the dues and remit them to the Union. My office maintains a copy of these dues withholding authorizations in its files.

5. I am familiar with Solarcrete Energy Efficient Building Systems, Inc. ("Solarcrete"), which is one of the Union's signatory employers and the defendant in this case.

6. Sometime after the Court issued its Opinion, my office received an inquiry from John Stoeckert, who I know to be a staff accountant with the Chicago Plastering Institute's and the Union's auditing firm, Piotrowski and Gebis. Mr. Stoeckert sent my office a list of names and asked whether the Union had dues authorizations on file for Solarcrete for any of the individuals named.

7. My staff went through the Union's dues authorizations on file and identified every name on Mr. Stoeckert's list for which we had a authorization for Solarcrete, along with the date the authorization was executed. Exhibit 8 lists those employees whom we identified and the date of the authorization.

Executed on November 16, 2009.



John Manley