

THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

LINE CONSTRUCTION BENEFIT FUND,)	
A HEALTH AND WELFARE FUND,)	
)	
Plaintiff,)	
)	
v.)	Case No. 07C 0950
)	
ALLIED ELECTRICAL CONTRACTORS,)	Judge Pallmeyer
INC., A Tennessee Corporation,)	
)	Mag. Judge Ashman
Defendant.)	

AFFIDAVIT

ROBERT B. GREENBERG, Attorney for Plaintiff, LINE CONSTRUCTION BENEFIT FUND, A HEALTH AND WELFARE FUND, on oath and duly sworn, states:

1. That I am an Attorney licensed to practice in the State of Illinois for 44 years and a member of the Federal Bar for 44 years.

2. That since November of 1974, I have been a member of the Asher law firm, first as an Associate, and in 1981, as a Shareholder. I have specialized primarily in ERISA litigation in the federal courts at both the trial and appellate levels.

3. The Asher firm has been continuously in existence since 1951, and throughout its existence it has specialized in representing labor organizations, multi-employer employee benefit trust funds, and individual employees in all aspects of labor, employment and employee benefits law. The Asher firm has a national and well-regarded reputation in the substantive legal areas. The Asher firm represents, on a regular and ongoing basis, approximately 80 labor unions and 75 employee benefit trust funds.

4. Since 1974, I have been lead counsel in numerous ERISA trust fund actions, practicing primarily before the U.S. District Court, Northern District of Illinois.

PLAINTIFF'S EXHIBIT 2 - AFFIDAVIT AND ATTORNEY'S TIME RECORDS

5. I represent the Plaintiff, LINE CONSTRUCTION BENEFIT FUND, A HEALTH AND WELFARE FUND, and my current billing rate to Plaintiff Fund is \$205.00 per hour, with trial time being billed at a higher rate.

6. It is the policy of the Asher firm for all attorneys, the paralegal and legal research clerks, and it is my personal practice, to contemporaneously record and maintain descriptive time and expense records for all services rendered and costs incurred. Attached hereto is a true and correct compilation of the contemporaneous time and expense records related to this matter recorded by myself, and upon review, the time spent was reasonable in my opinion.

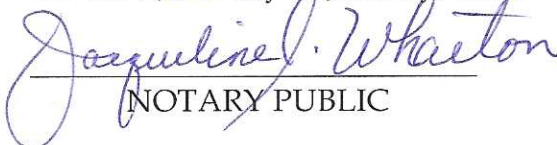
7. In addition to the hours set forth attached hereto, I have spent additional time in preparation of the recapitulation of my billing time in this matter.

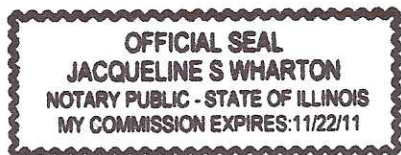
8. Court costs were paid by the Fund in the total amount of \$445.00, which is comprised of \$350.00 filing fee, and \$95.00 for service of summons.

I declare under penalty of perjury, that the foregoing is true and correct, executed on the 7th day of January, 2009.


ROBERT B. GREENBERG

Subscribed and Sworn to before
me this 7th day of January, 2009.


NOTARY PUBLIC



**PLAINTIFF'S EXHIBIT 2
AFFIDAVIT AND ATTORNEY'S TIME RECORDS**

ASHER, GITTLER, GREENFIELD & D'ALBA, LTD.

Date	Atty	Hours	Rate	Fees	Narrative
01/22/07	RBG	0.50	\$ 185.00	92.50	Allied Electrical - Conference with attorney Morris re: status of enforcement of judgment in Memphis, Tenn. and conference with Briggs re: payments.
01/29/07	RBG	0.50	\$ 185.00	92.50	Allied Electrical - Conference with attorney Shields and attorney Thorstenson.
01/31/07	RBG	0.50	\$ 185.00	92.50	Allied Electrical - Conference with Allied's attorney and local counsel - filing satisfaction.
02/02/07	RBG	0.25	\$ 185.00	46.25	Allied Electrical - Fax to attorney re: new action.
02/19/07	RBG	3.00	\$ 185.00	555.00	Allied Electrical - Preparation and filing of Fed. Ct. action.
03/20/07	RBG	0.25	\$ 185.00	46.25	Allied Electrical - Conference with Atty Thorstenson re: extension of time to answer and review re: atty's letter/fax.
04/03/07	RBG	0.50	\$ 185.00	92.50	Allied Electric - Conference with NECA and fax to Atty Shields.
04/05/07	RBG	0.50	\$ 185.00	92.50	Allied Electrical - Review re: answer and discovery program.
04/16/07	LA	0.25	\$ 185.00	46.25	Allied Electrical - Conference with Robert Greenberg, discussed case. Accessed court website, checked the docket on-line, printed copy of latest order from the
04/18/07	RBG	0.75	\$ 185.00	138.75	Allied Electrical - Preparation for planning meeting and conference with defense counsel; preparation and filing of reply to affirmative defenses.
04/19/07	CK	1.00	\$ 80.00	80.00	Allied Electric - Research on affirmative defense requirements. (AA)
04/24/07	RBG	1.00	\$ 185.00	185.00	Allied Electric - Court appearance; pre-trial hearing.
05/03/07	RBG	2.00	\$ 185.00	370.00	Allied Electrical-Preparation; Compliance Rule 26(a)1 and review documents
05/15/07	RBG	0.25	\$ 185.00	46.25	Allied Electrical- Facts Investigation and review of Allied's 26a(1) disclosures and discovery to be pursued.
07/03/07	RBG	1.00	\$ 185.00	185.00	Allied Electric - Court Appearance re: status call
07/24/07	RBG	1.50	\$ 185.00	277.50	Allied Electrical - Preparation and completion of Interrogatories and Notice of deposition.
09/04/07	RBG	0.25	\$ 185.00	46.25	Allied Electrical - Telephone conference w/ Atty Holt re: discovery
09/04/07	RBG	0.50	\$ 185.00	92.50	Allied Electrical - Telephone calls to Attys Holt and Thornton; review re: discovery; conference w/ Atty Brzozowski of Arnold and Kadjan
09/07/07	RBG	0.25	\$ 185.00	46.25	Allied Const - Telephone conference w/ defense counsel re: discovery
09/12/07	RBG	0.25	\$ 185.00	46.25	Allied Electric - Telephone conference w/ Barbara Briggs
09/21/07	RBG	0.25	\$ 185.00	46.25	Allied Electrical - Telephone call to atty re: payment and term of employee, etc.
09/25/07	RBG	0.75	\$ 185.00	138.75	Allied Construction - Preparation of Request for Production of Documents
10/03/07	RBG	1.25	\$ 185.00	231.25	Allied Electric - Court Appearance re: status call
11/16/07	RBG	0.50	\$ 185.00	92.50	Allied Power - Review re: discovery
11/20/07	RBG	0.25	\$ 185.00	46.25	Allied Electrical - Dictate fax re: updated claim
11/26/07	RBG	1.00	\$ 185.00	185.00	Allied Electrical - Court appearance re: status call
12/03/07	RBG	1.00	\$ 185.00	185.00	Allied Electrical - Court appearance re: status call
12/04/07	RBG	0.50	\$ 185.00	92.50	Allied Electrical - Dictate fax to Attorney and Briggs; review.
12/07/07	RBG	0.50	\$ 185.00	92.50	Allied Electrical - Dictate fax to Atty Holt; review re: status

ASHER, GITTLER, GREENFIELD & D'ALBA, LTD.

Date	Atty	Hours	Rate	Fees	Narrative
12/27/07	RBG	0.50	\$ 185.00	92.50	Allied Electrical - Review re: status
01/02/08	RBG	0.50	\$ 205.00	102.50	Allied Electrical - Telephone call to Atty Holt and review re: discovery
01/09/08	RBG	0.25	\$ 205.00	51.25	Allied Electrical - Telephone conference w/ atty re: discovery and settlement
01/22/08	RBG	0.25	\$ 205.00	51.25	Allied Electrical - Telephone call to Atty Holt
01/30/08	RBG	1.00	\$ 205.00	205.00	Allied Electrical - Review of file re: settlement proposal and fax to Larry Johnston
02/12/08	RBG	1.50	\$ 205.00	307.50	Allied Electrical - Court appearance re: status call; review re: response to settlement; conference w/ Barbara Briggs re: audit
02/19/08	RBG	0.25	\$ 205.00	51.25	Allied Electrical - Dictate fax confirming deposition; conference w/ Atty Holt
03/03/08	RBG	0.50	\$ 205.00	102.50	Allied Electrical - Dictate fax to Johnston; review interrogatories and request for production
03/07/08	RBG	2.00	\$ 205.00	410.00	Allied Electrical - Review and preparation for deposition
03/10/08	RBG	8.00	\$ 205.00	1,640.00	Allied Electrical - Travel and Deposition of Michael Eskridge
03/19/08	RBG	0.50	\$ 205.00	102.50	Allied Electrical - Review request for Production and Interrogatories
03/26/08	RBG	3.00	\$ 205.00	615.00	Allied Electrical - Preparation of Interrogatory Answers and response to Request for Production
03/27/08	CK	1.00	\$ 80.00	80.00	Allied Electric - Researched citation for HIPAA (EEK)
05/01/08	LA	0.25	\$ 205.00	51.25	Allied Elec. Contractor - Conference with Robert Greenberg regarding appearance in court for motion hearing tomorrow.
05/02/08	LA	1.00	\$ 205.00	205.00	Allied Elec. Contractor - Appeared in court for motion hearing.
05/02/08	RBG	3.00	\$ 205.00	615.00	Allied Electrical - Review re: Motion to Dismiss and/or for partial summary judgement; review exhibits and deposition
05/05/08	CK	2.50	\$ 80.00	200.00	Allied - Preparation of brief response and summary judgement for recovery of delinquent contributions
05/05/08	RBG	1.50	\$ 205.00	307.50	Allied Electrical - Research re: response to Motion and conference w/ Brian re: assignment
05/07/08	CK	0.50	\$ 80.00	40.00	Allied - Researched brief response to dismissal motion
05/09/08	CK	1.00	\$ 80.00	80.00	Allied Electric - Prepare response to dismissal motion for recovery of delinquent contributions
05/12/08	CK	2.50	\$ 80.00	200.00	Allied Electric - Prepare response to dismissal motion for recovery of delinquent contributions
05/13/08	CK	2.00	\$ 80.00	160.00	Allied Electric - Prepare response to dismissal motion for recovery of delinquent contributions
05/16/08	CK	0.50	\$ 80.00	40.00	Allied Electric - Prepare response to dismissal motion for recovery of delinquent contributions
05/19/08	CK	2.00	\$ 80.00	160.00	Allied Electric - Prepare response to dismissal motion for recovery of delinquent contributions

ASHER, GITTLER, GREENFIELD & D'ALBA, LTD.

Date	Atty	Hours	Rate	Fees	Narrative
05/20/08	CK	0.50	\$ 80.00	40.00	Allied Electric - Research response to dismissal motion for recovery of delinquent contributions
05/21/08	CK	2.00	\$ 80.00	160.00	Allied Electric - Prepare response to dismissal motion for recovery of delinquent contributions
05/21/08	RBG	1.50	\$ 205.00	307.50	Allied Electrical - Preparation of Motion for Summary Judgement and response and memorandum
05/22/08	CK	0.75	\$ 80.00	60.00	Allied - Preparation of brief response and summary judgement for recovery of delinquent contributions
05/23/08	CK	0.75	\$ 80.00	60.00	Allied - Preparation of brief response and summary judgement for recovery of delinquent contributions
05/23/08	RBG	3.00	\$ 205.00	615.00	Allied Electrical - Preparation and filing of Motion for Summary Judgement and Response to Defendant's Motion
07/03/08	RBG	2.00	\$ 205.00	410.00	Allied Electrical - Motion re: amended summary judgment; review defendant's response, etc. Meeting with clerk re: preparation of amended summary judgement motion.
07/11/08	RBG	1.50	\$ 205.00	307.50	Allied Electrical - Court appearance; Editing motion and memo and filing at court.
07/14/08	CK	3.50	\$ 80.00	280.00	Allied Electrical - Research re: amended summary judgement motion (BW)
07/15/08	CK	2.50	\$ 80.00	200.00	Allied - Research re: amended summary judgement (BW)
08/07/08	RBG	1.00	\$ 205.00	205.00	Allied Electric - Review defendant's response and memo; discussion w/ research clerk re: reply
08/12/08	CK	0.75	\$ 80.00	60.00	Allied Electrical - Prepared reply to Allied's Response to summary judgement motion (BW)
08/13/08	CK	1.00	\$ 80.00	80.00	Allied Electrical - Prepared reply to Allied's Response to summary judgement motion (BW)
08/14/08	CK	2.00	\$ 80.00	160.00	Allied Electrical - Prepared reply to Allied's Response to summary judgement motion (BW)
08/15/08	CK	2.00	\$ 80.00	160.00	Allied Electrical - Prepared reply to Allied's Response to summary judgement motion (BW)
08/19/08	CK	0.75	\$ 80.00	60.00	Allied Electrical - Prepared reply to Allied's Response to summary judgement motion (BW)
08/20/08	CK	0.50	\$ 80.00	40.00	Allied Electrical - Prepared reply to Allied's Response to summary judgement motion (BW)
09/15/08	RBG	0.50	\$ 205.00	102.50	Allied Electric - Review Motions for Summary Judgement for hearing on 9-17-08
09/17/08	RBG	1.00	\$ 205.00	205.00	Allied Electric - Court appearance re: ruling re: summary judgement
Totals		84.50		\$ 13,162.50	