

# EXHIBIT C

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

JAMES T. SULLIVAN, etc.,	)	
	)	No. 07 C 2200
Plaintiff,	)	
	)	Judge Pallmeyer
v.	)	
	)	Magistrate Judge Valdez
A M MECHANICAL, INC.,	)	
	)	
	)	
Defendant.	)	
	)	

**AFFIDAVIT CONCERNING ATTORNEYS’ FEES AND COSTS**

DOUGLAS A. LINDSAY states that if he were called to testify in the captioned case he would testify as follows:

1. I am an adult and competent.
2. The information contained in this Affidavit is based on my personal knowledge and the business records of LEWIS, OVERBECK & FURMAN, LLP (Firm).
3. During the course of this litigation, Douglas A. Lindsay, a Partner in Firm, rendered 9.1 hours of legal services to Plaintiff at a rate of \$275.00 per hour, and 8.2 hours at a rate of \$300.00 per hour, for a total of \$4,962.50.
4. During the course of this litigation, James R. Gannon, a Partner in Firm, rendered 1.4 hours of legal services to Plaintiff, at a rate of \$300.00 per hour, and 1.8 hours at a rate of \$275.00 per hour, for a total of \$915.00.
5. During the course of this litigation, Lisa M. Simioni, a former Associate in Firm, rendered 30.4 hours of legal services to Plaintiff at a rate of \$170.00 per hour, and 30.3 hours at a rate of \$185.00, for a total of \$10,773.50.

6. During the course of this litigation, Brian T. Bedinghaus, an Associate in Firm, rendered 5.0 hours of legal services to Plaintiff, at a rate of \$170.00 per hour, for a total of \$850.00.

7. During the course of this litigation, Albert B. Davis, a paralegal in the Firm, rendered 0.4 hours of legal services to Plaintiff, at a rate of \$70.00 per hour, for a total of \$28.00.

8. During the course of this litigation, Robert C. Parizek, a paralegal in the Firm, rendered 2.7 hours of legal services to Plaintiff, at a rate of \$75.00 per hour, for a total of \$202.50.

9. The legal professionals' fees incurred by Plaintiff in this matter total \$17,731.50.

10. Plaintiff has also incurred \$350.00 in court filing fees, \$170.00 for service of process fees, \$120.00 for computerized docketing charges, \$5.20 in postage fees, \$17.50 in facsimile charges, \$10.50 in binging charges, \$212.16 in photocopy charges, and \$17.76 in computerized legal research charges for total costs of \$903.12.

11. The total amount due Plaintiff for legal fees and costs is \$18,634.62.

12. Attached hereto as Attachment C-1 are true and correct copies of itemized time records and expense records made and kept in the ordinary course of Firm's business.

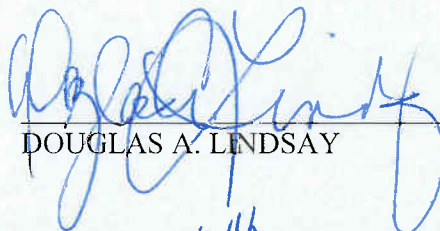
13. I have over thirty-two years of ERISA and LMRA litigation experience. I have been admitted to practice by the following courts: Illinois Supreme Court (1976); United States District Court for the Northern District of Illinois (General Bar, 1976; Trial Bar, 1982); United States District Court for the Eastern District of Wisconsin (1985); United States District Court for the Northern District of Indiana (1990); United States District Court for the Central District of Illinois (1994); United States Court of Appeals for the 7<sup>th</sup> Circuit (1982); the United States Supreme Court (1999).

14. James R. Gannon has over 50 years of litigation experience and has been admitted to practice by the following courts: Michigan Supreme Court (1958); All Federal District Courts in the State of Michigan (1958); United States Court of Appeals for the 6<sup>th</sup> Circuit (1962); Supreme Court of Illinois (1967); United States District Court for the Northern District of Illinois (1967); United States District Court for the Central District of Illinois (1968); United States District Court for the Southern District of Illinois (1968); United States Court of Appeals for the 7<sup>th</sup> Circuit (1969); United States Supreme Court (1974); and the United States District Court for the Northern District of Indiana (1976).

15. Lisa M. Simioni has been admitted to practice by the following courts: Illinois Supreme Court (2003); United States District Court for the Northern District of Illinois (2003).

16. Brian T. Bedinghaus has been admitted to practice by the following courts: Illinois Supreme Court (2005); United States District Court for the Northern District of Illinois (2007); United States District Court for the Northern District of Indiana (2008).

17. In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the forgoing is true and correct.

  
DOUGLAS A. LINDSAY

Executed this 14<sup>th</sup> day of November, 2008.

Of Counsel:  
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