

07 C 3484  
**EXHIBIT C**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CHICAGO REGIONAL COUNCIL OF )  
CARPENTERS PENSION FUND, et al., )  
 )  
Plaintiffs, ) 07 C 3484  
v. )  
 ) Judge Norgle  
PECATONICA FLOORING, INC., an Illinois )  
corporation )  
 )  
Defendant. )

**DECLARATION OF CHRIS KOGUT**

I, Chris Kogut, hereby declare, under penalty of perjury pursuant to the laws of the United States, as follows:

1. I am an auditor in the Certified Public Accounting firm of Legacy Professionals LLC. ("Legacy"). I am familiar with the billings to the Chicago Regional Council of Carpenters Pension Fund ("Pension Fund"), the Chicago Regional Council of Carpenters Welfare Fund ("Welfare Fund"), the Chicago and Northeast Illinois Regional Council of Carpenters Apprentice and Trainee Program ("Trainee Fund"), and the Labor/Management Union Carpentry Cooperation Promotion Fund ("Labor/Management Fund") (collectively "the Trust Funds"), including fees and expenses incurred in connection with auditing the books and records of signatory companies.

2. In connection with efforts to obtain and conduct an audit of the books and records of PECATONICA FLOORING, INC. ("Defendant"), the Trust Funds incurred \$5,477.25 in fees and expenses through . These efforts were comprised of communications with the Defendant, review and analysis of the Defendant's books and records, creation and revision of a preliminary audit report, creation and revision of a final audit report and follow-up communications with the

Trust Funds and its agents. Legacy's rate for its auditors was \$67.00 per hour. A breakdown of the fees and costs to the Trust Funds in this matter are attached as Exhibit 1.

3. The final audit report prepared by Legacy based on records produced by Defendant is attached as Exhibit 2.

4. The audit fees and expenses charged to the Trust Funds in this matter are consistent with Legacy's regular charges for services to the Trust Funds on similar matters.

5. I have personal knowledge of the matters stated in this declaration and could testify competently to them.

FURTHER AFFIANT SAYETH NOT.

A handwritten signature in black ink, appearing to read "Ch. Kogut", is written over a horizontal line.

Chris Kogut

07C 3484

**EXHIBIT 1**

BLM325

Legacy Professionals LLP  
 Job Detail Inquiry  
 Client: 9425 CHGO R/ Carp PRA  
 Job...: 9R1232 Pecatonica Flooring, Inc.

Date: 12/09/08  
 Time: 10:38:12

***** No.	Employee Name	*****	MIP Date	Serv. Code	Description	Total Hours	Standard Charge	N	C
1444	C Toblesky		6/11/08	40803	Prep report/CD's	2.00	230.00		
1444	C Toblesky		5/20/08	40708	Review CD's/register	2.00	230.00		
1029	J Kenperas		5/15/08	40708	Review CD's/register	2.00	230.00		
1444	C Toblesky		8/03/08	40411	Quality Control Rev	1.00	210.00		
1444	C Toblesky		6/20/08	40708	Review CD's/register	1.50	172.50		
1787	C Wllicher		5/30/08	40708	Review CD's/register	1.50	172.50		
1444	C Toblesky		6/04/08	40412	Technical Review	1.00	115.00		
1444	C Toblesky		7/02/08	40805	Prep remarks	1.00	115.00		
1444	C Toblesky		7/02/08	40801	Prep work papers	1.00	115.00		
1444	C Toblesky		6/23/08	40708	Review CD's/register	1.00	115.00		
1444	C Toblesky		6/23/08	40805	Prep remarks	2.00	115.00		
1444	C Toblesky		6/23/08	40803	Prep report/CD's	1.00	115.00		
1444	C Toblesky		6/20/08	40803	Prep report/CD's	1.00	115.00		
1444	C Toblesky		6/13/08	40801	Prep work papers	1.00	115.00		
1444	C Toblesky		5/02/08	40805	Prep remarks	1.00	115.00		
1444	C Toblesky		6/02/08	40803	Prep report/CD's	1.00	115.00		
1444	C Toblesky		6/02/08	40801	Prep work papers	1.00	115.00		
1444	C Toblesky		5/30/08	40805	Prep remarks	1.00	115.00		
1444	C Toblesky		5/30/08	40801	Prep work papers	1.00	115.00		
1152	C Fogut		5/16/08	40801	Prep work papers	1.00	115.00		
1444	C Toblesky		8/21/08	40424	Corres. with Atty.	1.50	97.50		
1444	C Toblesky		6/20/08	40801	Prep work papers	1.50	57.50		
1444	C Toblesky		5/15/08	40319	review prev audit	1.50	57.50		
1444	C Toblesky		5/07/08	40313	Calls to employer	1.50	57.50		
						26.00	3125.00		

BUM125

Legacy Professionals LLP  
Job Detail Inquiry

Client: 9425 Chgo AC Corp PRA  
Job...: PR1232 Pecatonica Flooring, Inc.

\*\*\*\*\* Employee \*\*\*\*\*  
No. Name

WIP Date

Serv. Code Description

1152 C Kogut

11/06/07

40424 Corres. with Atty.

Total  
Hours

.50

-----  
.50

Standard  
Charge

95.00

-----  
95.00

N  
C

Date: 12/09/08  
Time: 10:38:26

BL3325

Legacy Professionals Ltd  
 Job Detail Inquiry  
 Client: 8425 Chgo RC Carp BSA  
 Job...: PR1332 Pecatomica Flooring, Inc.

Date: 12/09/08  
 Time: 10:38:33

No.	Employee Name	WEP Date	Serv. Code	Description	Total Hours	Standard Charge	N	C
1444	C Toblesky	2/29/07	40403	Report Preparation	4.00	440.00		
1444	C Toblesky	12/11/06	40403	Report Preparation	4.00	424.00		
1444	C Toblesky	11/23/06	40402	Field Work	4.00	424.00		
1444	C Toblesky	11/23/06	40403	Report Preparation	4.00	424.00		
1444	C Toblesky	11/29/06	40403	Field Work	4.00	424.00		
1444	C Toblesky	11/15/06	40403	Report Preparation	4.00	424.00		
1444	C Toblesky	11/15/06	40402	Field Work	4.00	424.00		
1444	C Toblesky	7/27/06	40402	Field Work	4.00	424.00		
1444	C Toblesky	7/03/06	40402	Field Work	4.00	424.00		
1444	C Toblesky	5/02/06	40402	Field Work	4.00	424.00		
1444	C Toblesky	5/02/06	40403	Report Preparation	2.00	212.00		
1787	C Wilcher	5/02/06	40402	Field Work	2.00	212.00		
1444	C Toblesky	2/28/07	40412	Technical Review	1.50	165.00		
1152	C Kogut	6/01/07	40403	Report Preparation	1.00	106.00		
781	J McCord	3/11/07	40411	Quality Control Rev	.50	95.00		
781	J McCord	2/26/07	40404	Report Processing	.25	16.25		
781	J McCord	3/13/07	40404	Report Processing	.25	16.25		
					51.75	5518.75		

BLM325

Legacy Professionals LLC  
Job Detail Inquiry

Date: 12/09/08  
Time: 10:38:40

Client: 9425 CHGO XC Carp PBA  
Job: P81232 Pecatonica Flooring, Inc.

\*\*\*\*\* Employee \*\*\*\*\*

No.	Employee Name	MIP Date	Serv. Code	Description	Total Hours	Standard Charge	N	C
1029	J Kemperas	3/17/05	40412	Technical Review	.50	100.50		
1444	C Tobiesky	12/19/05	40401	Audit Preparation	1.00	100.00		
1029	J Kemperas	11/28/05	40401	Audit Preparation	.25	48.75		
1795	J Kemperas	11/22/05	40401	Audit Preparation	.25	48.75		
1787	J Maddox	12/07/05	40401	Audit Preparation	.50	39.50		
781	C Wilcher	11/15/05	40401	Audit Preparation	.50	39.50		
781	J McCord	3/14/06	40404	Report Processing	.25	15.00		
781	J McCord	12/02/05	40404	Report Processing	.25	14.50		
					3.50	405.50		



TSM002  
Reviewer: J J Wisowaty  
Name: S D Koble  
Office: 01 Chicago

Legacy Professionals LLP  
Duplicate Time Sheet Report

Emp No: 1729  
Time Period Ending: 12/06/08

Date: 12/09/08  
Time: 13:52:43  
Page: 1

Client Name	Client No.	Job No.	Serv Code	Total Hours	Description	Var Rate	Sun	Mon	Tue	Wed	Thu	Fri	Sat
Total Chargeable Time													
.00													
Non-Chargeable Time													
Non-Chargeable - Chicago	1999	GB9000	90222	35.00	Receptionist	.00	.00	7.00	7.00	7.00	7.00	7.00	.00
Non-Chargeable - Chicago	1999	GB9000	90260	2.50	Vacation	.00	.00	.50	.50	.50	.50	.50	.00
Total Non-Chargeable Time													
37.50													
Total Non-Chargeable													
37.50													
Total Chargeable													
.00													
Banked Overtime													
.00													
Total Hours													
37.50													

100.00%  
 100.00%  
 100.00%

07C 3484

**EXHIBIT 2**

## Discrepancy Summary By Month

Account Number:	24025	Audit Period:	May 1, 2005 to March 31, 2006
Employer:	Pecatonica Flooring Inc	Contact:	Angela Newkirk
Address:	10564 Ridott Rd Pecatonica, IL 61063	Title:	Owner
Phone:	815-703-4963	Page:	1 of 14

Reporting Period	Discrepancy Total Hours	Discrepancy Benefit Hours	Contribution Rate	Discrepancy Amount
May 2005	0.00	33.50	11.02	\$369.17
June 2005	0.00	35.50	11.02	\$391.21
July 2005	0.00	72.00	11.02	\$793.44
August 2005	0.00	41.00	11.02	\$451.82
September 2005	0.00	41.00	11.02	\$451.82
October 2005	0.00	67.50	12.68	\$855.90
November 2005	0.00	102.25	12.68	\$1,296.53
December 2005	0.00	153.75	12.68	\$1,949.55
January 2006	0.00	101.25	12.68	\$1,283.85
February 2006	0.00	113.00	12.68	\$1,432.84
March 2006	0.00	40.00	12.68	\$507.20
	Total Hours	0.00	Benefit Hours	800.75
			Discrepancy Amount	\$9,783.33
			Liquidated Damages	\$1,956.66
			Total Amount Due	\$11,739.99

# Monthly Detail Report

Account Number: 24025      Audit Period: May 1, 2005 to March 31, 2006  
 Employer: Pecatonica Flooring Inc      Month: May 2005  
 Address: 10564 Ridott Rd      Page #: 4 of 14  
 Phone: Pecatonica, IL 61063  
 815-703-4963

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	Actual Hours Per Week				Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 7-May	W/E 14-May	W/E 21-May	W/E 28-May				
2	Pam Schock	CD1	0.00	0.00	0.00	0.00	0.00	33.50	33.50	0.00	33.50	
			Total	0.00	0.00	0.00	33.50	33.50	0.00	0.00	33.50	

Total Items Listed in this Period: 1.00

# Monthly Detail Report

Account Number: 24025      Audit Period: May 1, 2005 to March 31, 2006  
 Employer: Pecatonica Flooring Inc      Month: June 2005  
 Address: 10564 Ridott Rd      Page #: 5 of 14  
 Phone: Pecatonica, IL 61063  
 815-703-4963

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *				Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 4-Jun	W/E 11-Jun	W/E 18-Jun	W/E 25-Jun				
2	Pam Schock	CD1	0.00	0.00	8.75	9.25	8.75	8.75	35.50	35.50	0.00	35.50
			Total		8.75	9.25	8.75	8.75	35.50		0.00	35.50

Total Items Listed in this Period: 1.00

# Monthly Detail Report

Account Number: 24025      Audit Period: May 1, 2005 to March 31, 2006  
 Employer: Pecatonica Flooring Inc      Month: July 2005  
 Address: 10564 Ridott Rd      Page #: 6 of 14  
 Phone: Pecatonica, IL 61063  
 815-703-4963

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *				Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 2-Jul	W/E 9-Jul	W/E 16-Jul	W/E 23-Jul				
2	Pam Schock	CD1	0.00	0.00	8.75	8.75	8.75	34.00	11.75	72.00	0.00	72.00
<b>Total</b>			<b>0.00</b>	<b>0.00</b>	<b>8.75</b>	<b>8.75</b>	<b>8.75</b>	<b>34.00</b>	<b>11.75</b>	<b>72.00</b>	<b>0.00</b>	<b>72.00</b>

Total Items Listed in this Period: 1.00

# Monthly Detail Report

Account Number: 24025      Audit Period: May 1, 2005 to March 31, 2006  
 Employer: Pecatonica Flooring Inc      Month: August 2005  
 Address: 10564 Ridoff Rd      Page #: 7 of 14  
 Phone: Pecatonica, IL 61063  
 815-703-4963

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *				Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 6-Aug 10.25	W/E 13-Aug 10.25	W/E 20-Aug 10.25	W/E 27-Aug 10.25				
2	Pam Schock	CD1	0.00	0.00	10.25	10.25	10.25	10.25	41.00	41.00	0.00	41.00
<b>Total</b>			0.00	0.00	10.25	10.25	10.25	10.25	41.00	41.00	0.00	41.00

Total Items Listed in this Period: 1.00

# Monthly Detail Report

Account Number: 24025      Audit Period: May 1, 2005 to March 31, 2006  
 Employer: Pecatonica Flooring Inc      Month: September 2005  
 Address: 10564 Ridott Rd      Page #: 8 of 14  
 Pecatonica, IL 61063  
 Phone: 815-703-4863

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 3-Sep	W/E 10-Sep	W/E 17-Sep	W/E 24-Sep	W/E				
2	Pam Schock	CD1	0.00	0.00	10.25	10.25	10.25	10.25	10.25	41.00	41.00	0.00	41.00
<b>Total</b>			10.25	10.25	10.25	10.25	10.25	10.25	10.25	41.00	41.00	0.00	41.00

Total Items Listed in this Period: 1.00



# Monthly Detail Report

Account Number: 24025      Audit Period: May 1, 2005 to March 31, 2006  
 Employer: Pecatonica Flooring Inc      Month: October 2005  
 Address: 10564 Ridott Rd      Page #: 9 of 14  
 Phone: Pecatonica, IL 61063  
 815-703-4963

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 1-Oct	W/E 8-Oct	W/E 15-Oct	W/E 22-Oct	W/E 29-Oct				
1	Carlos Negron	CD1	0.00	0.00	0.00	0.00	0.00	0.00	12.50	12.50	0.00	12.50	0.00
2	Pam Schrock	CD1	0.00	0.00	14.75	10.00	10.00	10.00	10.00	55.00	55.00	0.00	55.00
			Total		10.25	14.75	10.00	10.00	22.50	67.50	0.00	67.50	0.00

Total Items Listed in this Period: 2.00

# Monthly Detail Report

Account Number: 24025      Audit Period: May 1, 2005 to March 31, 2006  
 Employer: Pecatonica Flooring Inc      Month: November 2005  
 Address: 10564 Ridott Rd      Page #: 10 of 14  
 Phone: Pecatonica, IL 61063  
 815-703-4963

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	Actual Hours Per Week				W/E	Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 5-Nov	W/E 12-Nov	W/E 19-Nov	W/E 26-Nov					
1	Carlos Negron	CD1	0.00	0.00	15.50	14.25	15.50	14.25		59.50	59.50	0.00	59.50
2	Pam Schock	CD1	0.00	0.00	10.00	4.25	18.50	10.00		42.75	42.75	0.00	42.75
<b>Total</b>					25.50	18.50	34.00	24.25	0.00	102.25		0.00	102.25

Total Items Listed in this Period: 2.00

# Monthly Detail Report

Account Number: 24025

Employer: Pecatonica Flooring Inc  
 Address: 10564 Ridott Rd  
 Pecatonica, IL 61063  
 Phone: 815-703-4963

Audit Period: May 1, 2005 to March 31, 2006

Month: December 2005

Page #: 11 of 14

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *				Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 3-Dec	W/E 10-Dec	W/E 17-Dec	W/E 24-Dec			
1	Carlos Negron	CD1	0.00	0.00	14.25	14.25	14.25	18.50	25.50	86.75	86.75
2	Pam Schock	CD1	0.00	0.00	10.00	10.00	27.00	10.00	10.00	67.00	67.00
			Total		24.25	24.25	41.25	28.50	35.50	153.75	153.75

Total Items Listed in this Period: 2.00

# Monthly Detail Report

Account Number: 24025      Audit Period: May 1, 2005 to March 31, 2006  
 Employer: Pecatonica Flooring Inc      Month: January 2006  
 Address: 10564 Ridott Rd      Page #: 12 of 14  
 Pecatonica, IL 61063  
 Phone: 815-703-4963

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *				Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 7-Jan	W/E 14-Jan	W/E 21-Jan	W/E 28-Jan				
1	Carlos Negron	CD1	0.00	0.00	14.25	14.25	14.25	14.25	57.00	57.00	0.00	57.00
2	Pam Schock	CD1	0.00	0.00	15.75	10.00	8.50	10.00	44.25	44.25	0.00	44.25
<b>Total</b>					30.00	24.25	22.75	24.25	101.25		0.00	101.25

Total Items Listed in this Period: 2.00

# Monthly Detail Report

Account Number: 24025      Audit Period: May 1, 2005 to March 31, 2006  
 Employer: Pecatonica Flooring Inc      Month: February 2006  
 Address: 10564 Ridott Rd      Page #: 13 of 14  
 Phone: Pecatonica, IL 61063  
 815-703-4983

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *				Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 4-Feb	W/E 11-Feb	W/E 18-Feb	W/E 25-Feb				
1	Carlos Negrón	CD1	0.00	0.00	14.25	14.25	14.25	14.25	57.00	57.00	0.00	57.00
2	Pam Schock	CD1	0.00	0.00	10.00	17.50	18.50	10.00	56.00	56.00	0.00	56.00
				Total	24.25	31.75	32.75	24.25	113.00	0.00	0.00	113.00

Total Items Listed in this Period: 2.00

# Monthly Detail Report

Account Number: 24025      Audit Period: May 1, 2005 to March 31, 2006  
 Employer: Pecatonica Flooring Inc      Month: March 2006  
 Address: 10564 Ridolfi Rd      Page #: 14 of 14  
 Phone: Pecatonica, IL 61063

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *				Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 4-Mar	W/E 11-Mar	W/E 18-Mar	W/E 25-Mar				
2	Pam Schock	CD1	0.00	0.00	10.00	10.00	10.00	10.00	40.00	40.00	0.00	40.00
<b>Total</b>			<b>0.00</b>	<b>0.00</b>	<b>10.00</b>	<b>10.00</b>	<b>10.00</b>	<b>10.00</b>	<b>40.00</b>	<b>40.00</b>	<b>0.00</b>	<b>40.00</b>

Total Items Listed in this Period: 1.00

07C 3484

**EXHIBIT D**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CHICAGO REGIONAL COUNCIL OF	)	
CARPENTERS PENSION FUND, et al.,	)	
	)	
Plaintiffs,	)	07 C 3484
v.	)	
	)	Judge Norgle
PECATONICA FLOORING, INC., an Illinois	)	
corporation	)	Magistrate Nolan
	)	
Defendant.	)	

**DECLARATION OF KEVIN P. MCJESSY**

I, Kevin P. McJessy, hereby declare, under penalty of perjury pursuant to the laws of the United States, as follows:

1. I am one of the attorneys representing the Chicago Regional Council of Carpenters Pension Fund (“Pension Fund”), the Chicago Regional Council of Carpenters Welfare Fund (“Welfare Fund”), the Chicago and Northeast Illinois Regional Council of Carpenter Apprentice and Trainee Program (“Trainee Fund”), and the Labor/Management Union Carpentry Cooperation Promotion Fund (“Labor/Management Fund”) (collectively “the Trust Funds”) in the above-captioned lawsuit (“Lawsuit”) against PECATONICA FLOORING, INC. (“Defendant”).

2. I have been licensed to practice law in the State of Illinois and the United States District Court for the Northern District of Illinois since 1995. I am an attorney with McJessy, Ching & Thompson, LLC (“MC&T”).

3. As part of my practice, I handle claims under ERISA. I personally represented the Trust Funds in this Lawsuit. I have represented the Trust Funds in this Lawsuit since its inception.



4. The Trust Funds have incurred \$4,488.37 in fees and expenses to compel Defendant to comply with its obligations under the terms of the Collective Bargaining Agreement and applicable trust agreements. A redacted copy of the billing statement from MC&T from the inception of this lawsuit to the present, redacted to protect privileged communications, is attached as Exhibit 1.

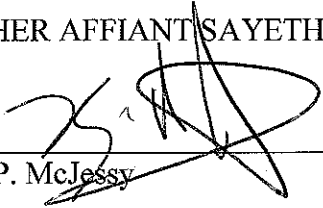
a) **Fees.** The Trust Funds have collectively incurred fees totaling \$3,680.00 for 23 hours of attorney services. The hourly rate for attorneys at MC&T for ERISA litigation for the Trust Funds is \$160 per hour. The Trust Funds have collectively incurred fees totaling \$150.00 for 2.5 hours of paralegal time. The hourly rate for paralegals at MC&T for ERISA litigation for the Trust Funds is \$60 per hour. The Trust Funds incurred these fees in connection with efforts to obtain Defendant's compliance with the terms of the Collective Bargaining Agreement and Trust Agreements.

b) **Costs.** The Trust Funds incurred \$658.37 in expenses for court costs, process servers, couriers, postage and photocopies charges.

5. The attorneys' fees, paralegal fees and costs charged to the Trust Funds in this matter are consistent with MC&T's regular charges for services to the Trust Funds on similar matters.

6. I have personal knowledge of the matters stated in this affidavit and could testify competently to them.

FURTHER AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
Kevin P. McJessy

07C 3484  
**EXHIBIT 1**

Date Entry #	Received From/Paid To Explanation	Chq# Rec#	----- General -----		Fees	Bld  ----- Trust Activity -----		Balance
			Repts	Disbs		Inv#	Acc	
1000	Chicago Regional Council of Carpenters							
0090-PECA	Chicago Regional Council of Carpenters v. Pec							Resp Lawyer: KM
Jun 8/2007 21364	Billing on Invoice 1903					1903		
Jun 20/2007 21619	Lawyer: SK 0.30 Hrs X 60.00 Prepared summons of Pecatonica Flooring; prepared summons of Angela Newkirk; prepared civil cover sheet; prepared appearance of K. McJessy.				18.00	1935		
Jun 20/2007 21623	Lawyer: KM 2.00 Hrs X 160.00 Reviewed file materials from client; prepared complaint against defendant.				320.00	1935		
Jun 21/2007 21635	United States District Court Filing Fee -	2112		350.00		1935		
Jun 21/2007 21639	Lawyer: KM 0.30 Hrs X 160.00 Filed complaint with clerk of court.				48.00	1935		
Jun 30/2007 21766	Expense Recovery Photocopy Recovery	00107		8.28		1935		
Jul 13/2007 22028	Billing on Invoice 1935 FEES 386.00 DISBS 358.28			0.00		1935		
Jul 20/2007 22114	Stern Process & Investigation, LI Process Server recovery -	2141		55.00		1945		
Jul 23/2007 22169	Lawyer: SK 0.20 Hrs X 60.00 Filed return of service upon Pecatonica Flooring via the court's CM/ECF filing system.				12.00	1945		
Jul 30/2007 22284	Chicago Regional Council of Carpe PMT -	00412	744.28					
Aug 8/2007 22484	Lawyer: ATT 1.50 Hrs X 160.00 Prepared motion for default with declarations of Rosemeyer, Egan and McJessy.				240.00	1971		
Aug 8/2007 23630	Lawyer: KM 0.30 Hrs X 160.00 Confer with J. Sopata re: issues related to preparation of motion for default judgment.				48.00	1971		
Aug 9/2007 23674	Lawyer: KM 0.10 Hrs X 160.00 Prepared correspondence to K. Newell re: [REDACTED]				16.00	1971		
Aug 29/2007 23168	Billing on Invoice 1945 FEES 12.00 DISBS 55.00			0.00		1945		
Sep 14/2007 23366	Chicago Regional Council of Carpe PMT -	00424	67.00					
Oct 1/2007 24326	Billing on Invoice 1971 FEES 304.00			0.00		1971		
Oct 9/2007 25031	Lawyer: KM 0.10 Hrs X 160.00 Reviewed court order re: set status hearing.				16.00	2088		
Oct 19/2007 24638	Chicago Regional Council of Carpe PMT -	00442	304.00					
Oct 30/2007 25333	Lawyer: KM 1.20 Hrs X 160.00 Appeared in court before Judge Norgle for hearing on status.				192.00	2088		
Nov 6/2007 26399	Lawyer: KM 1.90 Hrs X 160.00 Confer with C. Kogut re: declaration in support of motion for default judgment; revised declaration for audit fees; reviewed and revised declaration of J. Rosemeyer on audit; reviewed file documents to prepare affidavits; revised motion for default; revised declaration of K. McJessy; prepared correspondence to J. Rosemeyer re: forwarding declaration for review and execution; prepared correspondence to C. Kogut re: forwarding declaration for execution and advising that billing records will be needed; reviewed correspondence from C. Kogut re: response to declaration.				304.00	2149		
Nov 7/2007 24916	Lawyer: KM 0.40 Hrs X 160.00 Reviewed correspondence from J. Rosemeyer re: [REDACTED] [REDACTED] reviewed C. Kogut declaration; final review and edits to motion and draft order.				64.00	2149		
Nov 7/2007 24933	Lawyer: SK 0.50 Hrs X 60.00 Prepared notice of motion for				30.00	2149		

Date	Entry #	Received From/Paid To Explanation	Chq# Rec#	General		Fees	Bld		Trust Activity		Balance
				Repts	Disbs		Inv#	Acc	Repts	Disbs	
		default judgment; filed motion and notice for default judgment electronically with court; prepared correspondence to Judge Norgle forwarding courtesy copy of same.									
Nov	9/2007 26133	Lawyer: KM 1.90 Hrs X 160.00 Appeared before Judge Norgle for status hearing and for motion for entry of default judgment; prepared correspondence to defendant re: forwarding order and demanding compliance with the order; prepared correspondence to J. Rosemeyer and James Egan & Associates re: [REDACTED]				304.00	2149				
Nov	9/2007 26242	Expense Recovery Postage Recovery	00117		5.62		2149				
Nov	13/2007 25493	Billing on Invoice 2088 FEES 208.00			0.00		2088				
Nov	14/2007 25560	Lawyer: KM 0.10 Hrs X 160.00 Reviewed docket entry from Judge Norgle.				16.00	2149				
Nov	16/2007 25606	UPS Courier - UPS - recovery	2288		15.78		2149				
Nov	16/2007 25611	Arrow Messenger Service Courier Recovery -	2290		12.44		2149				
Nov	30/2007 26258	Expense Recovery Photocopy Recovery	00118		6.96		2149				
Dec	3/2007 25763	Chicago Regional Council of Carpe PMT -	00460	208.00							
Dec	11/2007 25907	Lawyer: SK 0.10 Hrs X 60.00 Prepared email correspondence to Stern Process forwarding K. McJessy 11/9/07 letter forwarding Judge Norgle's default order.				6.00	2240				
Dec	17/2007 27485	Lawyer: ATT 1.00 Hrs X 160.00 Drafted rule to show cause; reviewed file materials as necessary to prepare motion.				160.00	2240				
Dec	19/2007 26014	Lawyer: SK 0.10 Hrs X 60.00 Prepared notice of motion.				6.00	2240				
Dec	28/2007 26620	Billing on Invoice 2149 FEES 718.00 DISBS 40.80			0.00		2149				
Dec	28/2007 26741	Stern Process & Investigation, LI Process Server recovery - Newkirk with letter and order	2340		80.00		2240				
Jan	9/2008 27001	Lawyer: KM 0.30 Hrs X 160.00 Reviewed and revised motion for rule to show cause for noncompliance with court order.				48.00	2247				
Jan	9/2008 27008	Lawyer: SK 0.40 Hrs X 60.00 Filed motion for rule to show cause electronically with court's CM/ECF system; prepared correspondence to Judge Norgle forwarding courtesy copy of same.				24.00	2247				
Jan	9/2008 27812	Expense Recovery Postage Recovery	00122		1.50		2247				
Jan	18/2008 27159	Lawyer: SK 0.20 Hrs X 60.00 Prepared correspondence to J. Norgle forwarding proposed order.				12.00	2247				
Jan	18/2008 27167	Lawyer: KM 1.50 Hrs X 160.00 Appeared in court for hearing on motion for rule to show cause; prepared draft order for rule to show cause.				240.00	2247				
Jan	25/2008 27304	Chicago Regional Council of Carpe PMT -	00489	758.80							
Jan	29/2008 27380	Lawyer: SK 0.20 Hrs X 60.00 Confer with Steward and Associates process servers re: service of order upon A. Newkirk; prepared email correspondence to Amanda at Steward and Assoc. forwarding Judge Norgle 012908 order for service.				12.00	2247				
Jan	29/2008 28373	Lawyer: KM 0.20 Hrs X 160.00 Arrangements for service of order for rule to show cause.				32.00	2247				
Jan	31/2008 27676	Billing on Invoice 2240 FEES 172.00 DISBS			0.00		2240				

Client Ledger  
ALL DATES

Date	Received From/Paid To	Chq#	General		Fees	Bld		Trust Activity			
			Entry #	Explanation		Rec#	Rcpts	Disbs	Inv#	Acc	Rcpts
Jan 31/2008	80.00 Expense Recovery										
27773	Photocopy Recovery	00121		2.40			2247				
Feb 1/2008	Chicago Messenger										
27723	Courier - Chicago Messenger	2385		14.15			2340				
Feb 8/2008	Lawyer: SK 0.10 Hrs X 60.00										
27915	Confer with Stewart Process in Pecatonica, IL re: status of service of order upon Angela Newkirk.				6.00		2340				
Feb 11/2008	Lawyer: SK 0.10 Hrs X 60.00										
27916	Confer with Amanda of Stewart Process re: status of service of order upon A. Newkirk -- process server believes Newkirk is avoiding service -- advised that order needs to be served by 2/13/08.				6.00		2340				
Feb 15/2008	Chicago Regional Council of Carpe										
28017	PMT -	00504	252.00								
Feb 15/2008	Lawyer: KM 1.20 Hrs X 160.00										
29403	Appeared in court before Judge Norgle for continued hearing on rule to show cause.				192.00		2340				
Feb 19/2008	Lawyer: KM 0.50 Hrs X 160.00										
29421	Reviewed court order from ECF; preparation of letter to A. Newkirk, Pecatonica re: notice of sanctions, forwarding court order and demanding compliance with 11/28/07 order.				80.00		2340				
Feb 20/2008	Lawyer: KM 0.10 Hrs X 160.00										
28088	Further edits to letter to A. Newkirk re: compliance with Court order.				16.00		2340				
Feb 20/2008	Expense Recovery										
28625	Postage Recovery	00123		5.64			2340				
Feb 21/2008	Stewart and Associates										
28166	Process Server recovery - service of court order	2404		50.00			2340				
Feb 27/2008	Billing on Invoice 2247										
28419	FEES 368.00 DISBS 3.90			0.00			2247				
Mar 21/2008	Chicago Regional Council of Carpe										
29000	PMT -	00528	371.90								
Mar 28/2008	Lawyer: KM 1.00 Hrs X 160.00										
29678	Appeared for hearing on continued motion for rule to show cause before Judge Norgle; prepared correspondence to A. Newkirk re: forwarding order and advising of potential arrest if continue failing to comply.				160.00		2340				
Apr 2/2008	Expense Recovery										
30086	Postage Recovery	00125		5.66			2383				
Apr 11/2008	Lawyer: SK 0.30 Hrs X 60.00										
29688	Confer with Amanda of Stewart & Assoc. re: service of letters and orders upon A. Newkirk; prepared correspondence to Stewart & Assoc. forwarding 4/11/08 letter and order as well as letters and orders from 11/9/07 thru 4/2/08 for service upon A. Newkirk.				18.00		2383				
Apr 11/2008	Expense Recovery										
30080	Postage Recovery	00125		0.75			2383				
Apr 11/2008	Lawyer: KM 1.60 Hrs X 160.00										
30392	Appeared before Judge Norgle re: continued hearing on motion for rule to show cause and sanctions for defendant's non-compliance with Court order; reviewed docket entry of Judge Norgle; prepared correspondence to A. Newkirk re: forwarding court order and informing of consequences of ignoring it.				256.00		2383				
Apr 17/2008	Billing on Invoice 2340										
29794	FEES 460.00 DISBS 69.79			0.00			2340				
Apr 24/2008	Stewart and Associates										
29996	Process Server recovery - A. Newkirk, letter and orders	2494		35.00			2383				
Apr 25/2008	Lawyer: KM 1.20 Hrs X 160.00										
30824	Appeared before Judge Norgle re: continued hearing on motion for rule to show cause				192.00		2383				

Date Entry #	Received From/Paid To Explanation	Chq# Rec#	General		Fees	Bld Inv#	Trust Activity		Balance
			Repts	Disbs			Repts	Disbs	
	and defendant's compliance with Court orders; reviewed docket entry re: writ of body attachment issued.								
Apr 28/2008 30830	Lawyer: KM 0.90 Hrs X 160.00 Reviewed correspondence from A. Newkirk re: submission to audit; reviewed audit referral materials re: issues related to audit; prepared correspondence to A. Newkirk and C. Toblesky re: forwarding information on court order of 4/25 and follow up on audit; prepared correspondence to N. Lagalo re: forwarding correspondence; reviewed docket entry re: writ of body attachment to issue.				144.00	2383			
Apr 30/2008 30104	Expense Recovery Photocopy Recovery	00126		3.84		2383			
Apr 30/2008 30862	Lawyer: KM 0.10 Hrs X 160.00 Reviewed correspondence from C. Toblesky re: attempt to make audit arrangements.				16.00	2383			
May 5/2008 32668	Lawyer: KM 0.20 Hrs X 160.00 Reviewed correspondence from A. Newkirk re: submission to audit and possible counsel; telephone call to J. Stevens re: inquiry on representation of A. Newkirk or Pecatonica.				32.00	2549			
May 12/2008 30286	Chicago Regional Council of Carpe PMT -	00549	529.79						
May 29/2008 30969	Billing on Invoice 2383 FEES 626.00 DISBS 45.25			0.00		2383			
Jun 17/2008 31579	Chicago Regional Council of Carpe PMT -	00571	671.25						
Jun 22/2008 31713	Lawyer: KM 0.10 Hrs X 160.00 Reviewed file materials; prepared correspondence to C. Toblesky re: inquiry on status of the audit.				16.00	2549			
Jun 23/2008 32446	Lawyer: KM 0.10 Hrs X 160.00 Prepared correspondence to C. Toblesky re: request status on audit.				16.00	2549			
Jun 25/2008 32462	Lawyer: KM 0.10 Hrs X 160.00 Reviewed correspondence from C. Toblesky re: reviewing additional records from Pecatonica.				16.00	2549			
Jul 14/2008 33654	Lawyer: KM 0.10 Hrs X 160.00 Prepared correspondence to C. Toblesky re: follow up on status of audit.				16.00	2611			
Jul 15/2008 32694	Billing on Invoice 2549 FEES 80.00			0.00		2549			
Jul 16/2008 32791	Lawyer: KM 0.10 Hrs X 160.00 Reviewed correspondence from C. Toblesky re: status of audit.				16.00	2611			
Jul 28/2008 32905	Chicago Regional Council of Carpe PMT -	00584	80.00						
Aug 14/2008 34164	Lawyer: KM 0.10 Hrs X 160.00 Prepared correspondence to C. Toblesky re: status of audit report; reviewed correspondence from C. Toblesky re: report finished and should be produced within the week.				16.00	2678			
Aug 20/2008 33669	Billing on Invoice 2611 FEES 32.00			0.00		2611			
Aug 21/2008 33634	Lawyer: KM 0.50 Hrs X 160.00 Telephone call from N. Lagalo re: [REDACTED] reviewed audit report; prepared correspondence to Pecatonica re: demand on audit; confer with J. Stevens re: not been engaged to represent Pecatonica or Newkirk at this time, direct communications directly.				80.00	2678			
Aug 21/2008 34059	Expense Recovery Postage Recovery	00134		1.51		2678			
Aug 22/2008 33811	Lawyer: KM 0.60 Hrs X 160.00 Reviewed correspondence from N. Lagalo re: [REDACTED]				96.00	2678			

Client Ledger  
ALL DATES

Date Entry #	Received From/Paid To Explanation	Chq# Rec#	General		Fees	Bld Inv#	Trust Activity		Balance
			Rcpts	Disbs			Rcpts	Disbs	
Aug 25/2008 33850	[REDACTED] reviewed information from C. Kogut re: information related to audit fees for the completing the audit of Pecatonica; prepared follow up demand letter to A. Newkirk. Lawyer: KM 0.40 Hrs X 160.00 Reviewed correspondence from N. Lagalo re: [REDACTED]				64.00	2678			
Aug 31/2008 34036	[REDACTED] prepared correspondence to A. Newkirk re: total amount due on audit, including LDs, interest, audit fees and attorneys' fees. Expense Recovery Photocopy Recovery	00133		3.84		2678			
Sep 3/2008 33932	Chicago Regional Council of Carpe PMT -	00596	32.00						
Sep 15/2008 34408	Billing on Invoice 2678 FEES 256.00 DISBS 5.35			0.00		2678			
Oct 17/2008 35085	Billing on Invoice 2768			0.00		2768			
Oct 20/2008 35120	Chicago Regional Council of Carpe PMT -	00625	261.35						
Dec 1/2008 36102	Lawyer: KM 0.10 Hrs X 160.00 Exchange correspondence with N. Lagalo re: [REDACTED]				16.00				
Dec 3/2008 36113	Lawyer: KM 1.20 Hrs X 160.00 Prepared motion for entry of final judgment; prepared declaration of C. Kogut in support of motion for entry of final judgment; reviewed file documents as necessary to prepare motion.				192.00				

TOTALS PERIOD END DATE	UNBILLED				= TOTAL	BILLED			+ TAX - RECEIPTS	BALANCES	
	CHE	+ RECOV	+ FEES			DISBS	+ FEES			= A/R	TRUST
	0.00	0.00	208.00		208.00	658.37	3622.00	0.00	4280.37	0.00	0.00
	0.00	0.00	208.00		208.00	658.37	3622.00	0.00	4280.37	0.00	0.00

FIRM TOTAL PERIOD END DATE	UNBILLED				= TOTAL	BILLED			+ TAX - RECEIPTS	BALANCES	
	CHE	+ RECOV	+ FEES			DISBS	+ FEES			= A/R	TRUST
	0.00	0.00	208.00		208.00	658.37	3622.00	0.00	4280.37	0.00	0.00
	0.00	0.00	208.00		208.00	658.37	3622.00	0.00	4280.37	0.00	0.00

REPORT SELECTIONS - Client Ledger

Layout Template	Default
Advanced Search Filter	None
Requested by	ADMIN
Finished	Thursday, December 04, 2008 at 12:31:51 PM
Ver	9.31a
Matters	0090-PECA
Clients	All
Major Clients	All
Client Intro Lawyer	All
Responsible Lawyer	All
Assigned Lawyer	All
Type of Law	All
Select From	Active, Inactive, Archived Matters
Matters Sort by	Default
New Page for Each Lawyer	No
New Page for Each Matter	No
No Activity Date	Dec 31/2199
Firm Totals Only	No
Totals Only	No
Entries Shown - Billed Only	No
Entries Shown - Disbursements	Yes
Entries Shown - Receipts	Yes
Entries Shown - Time or Fees	Yes
Entries Shown - Trust	Yes
Incl. Matters with Retainer Bal	No
Incl. Matters with Neg Unbld Disb	No
Trust Account	All
Working Lawyer	All
Include Corrected Entries	No
Show Check # on Paid Payables	No
Show Client Address	No
Consolidate Payments	No
Show Trust Summary by Account	No
Show Interest	No
Interest Up To	Dec 4/2008
Show Invoices that Payments Were Applied to	No

07C3484

**EXHIBIT E**



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CHICAGO REGIONAL COUNCIL OF CARPENTERS PENSION FUND, et al.,	)	
	)	
Plaintiffs,	)	07 C 3484
v.	)	
	)	Judge Norgle
PECATONICA FLOORING, INC., an Illinois corporation	)	
	)	Magistrate Nolan
Defendant.	)	

**ORDER**

Pursuant to Federal Rules of Civil Procedure 54, 55 and 58, a judgment by default is hereby entered in favor of the Chicago Regional Council of Carpenters Pension Fund *et al.* (“Trust Funds”) and against defendant PECATONICA FLOORING, INC. (“Defendant”) in the amount of \$24,346.31 consisting of:

- A. \$9,783.33 in unpaid contributions pursuant to the audit;
- B. \$5,477.25 for auditor’s fees of incurred by the Trust Funds to complete the audit of Defendant’s books and records;
- C. \$4,597.36 in “double interest” under ERISA on the amount that is due; and
- D. \$4,487.37 in reasonable attorneys’ fees and costs the Trust Funds incurred in this action pursuant to 29 U.S.C. § 1132(g)(1) and/or § 1132(g)(2)(D);

Plaintiff Trust Funds are also awarded reasonable attorney’ fees and costs incurred by the Trust Funds in enforcing this order, and such other relief as this Court deems appropriate.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge Charles Norgle