### 08 CV 283 Exhibit C

#### UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

CHICAGO REGIONAL COUNCIL OF	)
CARPENTERS PENSION FUND, et al.	)
	) Case No. 08 C 283
Plaintiffs,	)
v.	) Judge St. Eve
	)
ROSS MIDWEST, INC. and C. GREGORY	) Magistrate Ashman
INGOLD,	)
	)
Defendants	)

#### **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 Ross Midwest, Inc. and C. Gregory Ingold ("Defendants").
- 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 \$11,001.01 in fees and expenses to compel Defendants to comply with their 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 C-1.
- a) Fees. The Trust Funds have collectively incurred fees totaling \$9,451.50 for 59.1 hours of attorney services. The hourly rate for attorneys at MC&T is \$160 per hour. The Trust Funds have collectively incurred fees totaling \$426.00 for 7.1 hours of paralegal time. The hourly rate for paralegals at MC&T 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 \$1,123.51 in expenses for court costs, process servers, research, Illinois Secretary of State search, photocopy, UPS, Messenger and postage 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

# 08 CV 283 Exhibit C-1

Date Entry	Received From/Paid To # Explanation	Chq# Rec#	ALL   Gener Ropts	DATES al  Disbs	Fees	Bld   Inv# Acc	Rcpts	Activity Disbs	Balance
<b>0087-ross</b> Apr 19/200				0.00		1845	Resp I	awyer: KM	
2016 May 15/200 2061 Jun 8/200 21361	Lawyer: ATT 1.00 Hrs X 160.00     Drafting audit demand letter including case file review and comprehending background and need for demand.  Billing on Invoice 1903			0.00	160.00	1903 1903 1903			
Jun 22/200 21681 Jul 13/200 22025	7 Chicago Regional Council of Carper DMT Billing on Invoice 1935	00399	160,00	0.00		1935			
Aug 29/200 2316 Oct 1/200 24323	Billing on Invoice 1945 Billing on Invoice 1971			0.00		1945 1971			
Nov. 137208 25490 Nov. 14/2007 26398	Billing on invoice 2088 Lawyer: KM 3.20 Hrs X 160.00			0.00	512.00	208 <b>6</b>			
	concerning status of Midwest and demand for audit; reviewed correspondence from N. Lagalo								
	re: ; confer with N. Lagalo								
Dec 14/2007	referral file; prepared complaint. Lawyer: ATT 0.30 Hrs X 160.00				48,00	+2240			
Dec 28/2007				0.00		2149			
Jan 8/2008 Jan 8/2008 Jan 8/2008 Jan 8/2008 28148	Lawyer: ATT 1.40 Hrs X 160.00 Review of file for purposes of determining if signatory company has complied with audit request; drafted complaint against signatory company. Lawyer: KM 0.30 Hrs X 160.00			The second secon	224 00 48.00	2247	And the second of the second o		The second secon
Jan 11/2008	<pre>audit referral file to ensure accurate information in complaint.</pre>								
27050 27050 Jan 11/2008	Reviewed and revised complaint; confer with N. Lagalo re:  reviewed file materials as necessary to revise complaint.					2247			
27809 Jan 11/2008 28409	Lawyer: SK 0.90 Hrs X 60.00	00122		1.82	54.00	2247			
Jan 18/2008 28269	correspondence to Stern Process forwarding complaint and summonses for service; prepared correspondence to K. Newell forwarding Lawyer: KM 0.10 Hrs X 275.00 Reviewed order of Judge St. Eve				27.50	2247			
Jan 25/2008 27313 Jan 31/2008	PMT Billing on Invoice 2240	00489	512.00	0.00		2240			
27674 Jan 31/2008 27772 Feb 13/2008 27950	Expense Recovery Photocopy Recovery RWS Investigations Ltd.	0012L 2397		0.00 4.68		2247 2340			
Feb 13/2008	Lawyer: SK 0.50 Hrs X 60.00								

		W		DATES		<b>77.7.1</b>		Man t.		
Date Entry #	Received From/Paid To Explanation	Chq# Rec#	Rcpts	Disbs	Tees	Inv# P		Repts	Activity Disbs	Balance
27959	Reviewed materials received from Stern Process rev Service attempts of summons and				30,00	2340				
	complaint upon defendants; confer with RWS Investigations re: service of same; prepared									
Feb 13/2008	correspondence to B. Stachnik forwarding summonses and complaints for service. Expense Recovery									
28629 Feb 15/2008 27983	Postage Recovery	00123 2398		1.82 350.00		2340 2340				
Feb 15/2008 28026 Feb 19/2008 28064	PMT - Lawyer: SK 0 10 Hrs X 60.00 Confer with RWS Investigations	00504	48.00		6.00	2340				
Feb 20/2008 28081	re: status of service of complaint.  Lawyer: SK 0.10 Hrs X 60.00 Call from D. Stachnik of RWS Investigations re: questions on service of summons and				6.00	2340				
Feb 20/2008 29428	complaint. Lawyer: KM I 20 Hrs X 160:00 Appeared in court before Judge				192.00	2340				
Feb 21/2008 28183	St. Eve re: status hearing; reviewed ECF court order; Stern Process & Investigation, LLC Process Server recovery - non	2410		55.00		2340				
Feb 27/2008	service Billing on Invoice 2247 FEES 433,50 DISBS 6.50			0.00		2247				
Mar 4/2008 28669	Lawyer: SK 0.30 Hrs X 60.00 Filed affidavits of service of Ross Midwest and G. Ingold	grejesus 21 III. Sji S.	<b>达</b> 加提出的 <b>设置</b> 。但是	militalinininintilikurasumu	18.00	2340	e natarkija juga	· Carlein Auf - specji (liki munii) (gle	immunicilam nepšlini apriljai iza	A regist flashen i Dhe ja n-heady e Shilyi p
	electronically with court's CM/ECF filing system. Lawyer, KM 0:80 Hrs X 160:00 Appeared before Judge St. Eve				128.00	2340				
Mar 21/2008 29009	rer status hearing on service G f complaint: Chicago Regional Council of Carper PMT -	00528	440.00							
Apr 17/2008 29791	Eilling on Invoice 2340 FEES 380.00 DISBS 506.82 Lawyer: KM 1.60 Hrs X 160.00			0.00		2340				
30454	Review and preparation of declarations of K. McJessy, J. Rosemeyer and J. Egan in				256.00	2383				
	support of motion for default judgment on an audit; review and preparation of motion in support of default judgment									
	against Ross Midwest; prepared correspondence to D. Rice re: forwarding declaration of J.									
	Egan for execution; prepared correspondence to J. Rosemeyer re:								d. e	COLUMN TO CITY OF THE
30074 Apr 30/2008	Expense Recovery	0125 0126		2.62 3.96		2383 2383				
Apr 30/2008 30856	Lawyer: KM 0.10 Hrs X 160.00 Reviewed correspondence from J. Rosemeyer re:				16.00	2383				
30917	Lawyer: SK 0.50 Hrs X 60.00 Prepared correspondence to D.				30.00	2383				
:	Rice forwarding declaration for J. Egan in support of motion for default judgment; confer with D. Rice re: same;									
	prepared correspondence to J.  Rosemeyer prepared		·							
. ]	otice of motion; prepared correspondence to Judge St. Sve forwarding courtesy copy of motion; confer with Judge	-								
	St. Eve's chambers re: striking 5/1/08 status date in light of motion for default.				in					namana nama ng palin p Gallaciti sa k.
	awyer: KM 0:10 Hrs X 160.00 Reviewed order of Judge St. Eve				16.00	2549				

Date Entry #	Received From/Paid To Explanation	Chq# Rec#	General	DATES 1  Disbs	Fees	Bld ! Inv# Acc	Trust Ac Ropts	tivity Disbs	Balance
	re: reset hearing.		(for incorporation to the idea of the control of th						
May 12/2008 30297	Chicago Regional Council of Carper	00549	886.82			samerais ett (1916) (Sinister)			ennas misoraans Estas
May 19/2008 30505	Reviewed Judge St. Eve's				12.90	2549			
	advisory notice re: submitting proposed orders; prepared email			aran berek lan Si Marin Barren					
	correspondence to Judge St. Eve forwarding proposed default							Approximately of the control of the	
May 19/2008	judgment order. Lawyer: KM 1.30 Hrs X 160.00		(CC) Signification and Jackson Alexandria		208.00	2549	an in the section of the same	t-pillegi helist (matabrapana	ground Helefoldogum Norskongunsegt.
32037	Appeared in court before Judge St. Eve re: hearing on motion		•		200.00	2J45			
·	for default judgment; reviewed docket entry from Judge St.							**	
	Eve; prepared order for default for electronic filing with Judge St. Eve.								
May 29/2008 30967	Billing on Invoice 2383 FEES 302.00 DISBS			0_00	Maria de la composición del composición de la composición del composición de la composición de la composición del composición de la composición de la composición del compos	2383			
Jun 2/2008	6.58 2 3 3 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4								
31289	Prepared correspondence to G. Ingold forwarding default				12.00	2549		-	
Jun 13/2008	order.		ing a succession of the second supplies		iner materi			n in a de a compaña a	
31505 Jun 17/2008	Courier - UPS - recovery - Chicago Regional Council of Carpe	2536		18,83		2549			
31592 Jul 1572008	Billing on Invoice 2549	00571	308.58						
32692	FEES 248.00 DISBS			0.00		2549			
Jul 15/2008 32721	Lawyer: KM 1.10 Hrs X 160.00 Appeared in court before Judge				176.00	2611			
jul 28/2008	St. Eve for status hearing. Chicago Regional Council of Carper:	ስስፍያለ	266.83						
32920 Aug 1/2008 33286	Lawyer: ATT 0.80 Hrs X 160.00 Drafted motion for rule to show	<b>4777</b>		grig (St.p.) y randerfor revenue had 1955 of febbook	128.00	2678	ssi in indularimenta remenerite i her marerialism marke	pryygotycog tytotaan nijetyci 900 camutra	· ·
Aug 1/2008	cause with draft order. Lawyer: KM 0.80 Hrs X 160.00	TACABITETATA							
34116	Prepared motion for rule to show cause against G. Ingold				128.00	2678			
	for failing to comply with court order; prepared draft								
	order; reviewed file documents as necessary to prepare motion								
Aug 4/2008	and order: Lawyer: SK 0.80 Hrs X 60.00								
	Reviewed and revised motion for rule to show cause; prepared				48.00	2678		•	
	notice of motion; filed notice and motion for rule to show								
	cause electronically with court; prepared amended notice								
	of motion; prepared correspondence to Judge St. Eve forwarding courtesy copy								
	of same; prepared amended notice of motion.								
Aug 7/2008	Lawyer: SK 0.20 Hrs X 60.00 Revised order for rule to show				12,00	2678			
	cause; prepared email correspondence to Judge St.								
Aug 7/2008	Eve forwarding same. Lawyer: KM 0.90 Hrs X 160.00								
+	Appeared in court for hearing on motion for rule to show				144.00	2678	•		
	cause before Judge St. Eve, motion granted; reviewed							1	
	docket entry from Judge St. Eve, order entered.	genthema distribution of	S CONTRACTOR OF THE PROPERTY O		gga, ja maatatele teletoja ja		gaganisa gagan merekan barandanan mere	urndaðummumhlakkillátti í	
33395	Lawyer; SK 0.20 Hrs X 60.00 Prepared email correspondence to Judicial Attorney Services				12,00	2678			
	forwarding K. McJessy 081208 letter and 2 court orders for								
	service: Lawyer: KM 0.50 Hrs X 160.00								
34148	Telephone call from J. Libby re:				80.00	2678	100		
•									
	materials concerning same;			·			**************************************		
	prepared correspondence to J. Libby re:			•		*			
	reviewed correspondence from N. Lagalo re:		· ·						
Aug 20/2008	Billing on Involce 2611								

### McJessy, Ching & Thompson, LLC Client Ledger ALL DATES |----- General ------|

Date Entry	Received From/Paid To Explanation	Chq# Rec#	General  Rcpts Disbs	Fees	Bld Inv#		Trust Act Repts	civity Disbs	Balance	
3366 Aug 21/200	FEES 176,00		0.00		2611					AME -
3369				18.00	2678					
	of service of court orders; filed affidavit of service of				-				e.	
	K. McJessy 8/7/08 letter with rule to show cause orders							٠.		
Aug 22/2008 3371 Aug 31/2008	Process Server recovery - Letter and orders to Ingold	2613			2678					
34035 Sep 3/2008	Photocopy Recovery Chicago Regional Council of Carpe		3.96		2678					INC. INC.
Sep 5/2008	Lawyer: KM 0.20 Hrs X 160.00	00596	12 <b>475-00</b>	32.00	2768	SAURĖLIEJOS KRA				iii) -
34081	Telephone call from G. Ingold re: hearing set for 9/8, intent to appear and issues	. •		32.00	2700		٠.			
	related to making arrangements for audit.			The state of the s	enteres seen maar a back d.S. al	COL. S.C. LEGIS I PROPERTY DESIGNATION	IGH NACLASAR NACH COOMA NAGORH MARCHALINIA	NG Ind 16421489219 I von Zie Menorikke	A. COMMITTEE STEELING STEELING STEELING	1100
Sep. 8/2008 34216	Appeared in court for status			192.00	2768					
	hearing and continued hearing on rule to show cause; confer with G. Ingold re: audit									
	arrangements and production of records.									
Sep 15/2008 34384	Reviewed file materials re:			32.00	2768					
	contact information for G. Ingold; prepared correspondence to M. Ragona		<del>"</del> .							
	and N. Lagalo re:								*	
							* **		•	
Sep 15/2008 3/406	FEES 570.00 DISBS 61.96				2678					
Sep 19/2008 34510 Oct 17/2008	US Messenger & Logistics Courier 8/5/08 Billing on Invoice 2768	2639	14.13		2768	Karkunkan sepantahan Karkunkan sepantahan		KLUR IMAT IPATAT I MIJAH MATINCA. KURUNTAN INA TRANSITI MIJAH MATINCA.		ti.
95082	FEES 256.00 DISBS		0.00		2768					
Oct 17/2008 35676				32.00	2840					
	Egan & Associates re: unable to complete audit because of lack of contact by G. Ingold, file									
	being returned to the Trust Funds got reassignment.				, perhabacian nel la 2001					===
Oct 20/2008 35131	Chicago Regional Council of Carper	00625	631.96							5
Oct 22/2008 . 35720	Lawyer: KM 0.30 Hrs X 160.00 Reviewed file materials per tickler of hearing set for			48.00	2840					
	10/23; prepared correspondence to G. Ingold re: insisting on		•			·				
	compliance with Judge St. Eve's court order, follow up				-				-	
	on hearing set for 10/23/08 and reassignment of audit; prepared correspondence to N.		•							
	Lagalo re:								-	
Get 23/2008 35743	Lawyer: KM 1.40 Hrs X 160.00 Reviewed correspondence from N.			224.00	2840					
	Tagalo re:									
	Judge St. Eve re: status hearing on defendant's									
	compliance with terms of the court order compelling audit; prepared correspondence to C.									Kermen-
	Toblesky and N. Lagalo re:									
	prepared correspondence to G,									
	Ingold ret forwarding C. Toblesky's contact information; reviewed				agsoridaxolis ofto standous					
	correspondence from J.  Kemperas, Legacy, re: have									
	made efforts to contact G. Ingold; left message, will									
	follow up; prepared correspondence to G, Ingold									

	Date Entry #	Received From/Paid To Explanation	Chq# Rec#	Genera	DATES 1  Disbs	Fees	Bld Inv#		- Trust Ac Rcpts	tivity Disbs	Balance
	Oct 29/2008	rs: forwarding court order directing him to appear Lawyer: KM 0.40 Hrs X 160.00									
	35255	Reviewed correspondence from B. Yackley re: efforts to contact				64.00	2840		*		
	٠	G. Ingold and his failure to return calls to schedule audit; prepared correspondence						٠.			
		to G. Ingold re: forwarding court order, correspondence									
		compliance with Court order;									
		Ingold re: forwarding court order and notice that he must					-				
		Chicago Regional Council of Carpel		270_13							
		Lawyer: KM 0.10 Hrs X 160:00 Reviewed correspondence from K.			1976FIEEE SEPPER ANN WALLAND	16.00	2841				,
	Nov 18/2008	fees for audit efforts.  Lawyer: KM 0.20 Hrs X 160-00	Mil Militaria								
	35573	Telephone call with B. Yackley re: follow up on whether he				32.00	2841				
		Greg Ingold; telephone call to G. Ingold re: will ask for									
	Nov. 10/2009	sanctions if he fails to appear for court hearing.									
		Appeared in court before Judge St. Eve for status hearing on				352.00	2841		-		
		court set rule to show cause									
		rule to show cause and arrangements to forward same									
		correspondence to G. Ingold									
		process server and outlining action to be taken by Trust									
		Lawyer: SK 0.50 Hrs X 60.00				30200	2841				
2000		order re: rule to show cause;									
Separations		messenger forwarding hard copy of order; prepared email									
		Attorney Services forwarding									
ì	Fov 21/2008	court order. Billing on Invoice 2840					2040				
Contraction of the Contraction o	lov 30/2008	Expense Recovery	00139		0.60		2841				
Ī	36111	Prepared correspondence to B.	**************************************	2000-00-00-00-00-00-00-00-00-00-00-00-00	E M. San Blood I substitute Operation of Superior Const.	12.00	2888				
	i	documents received from G. Ingold.			-						THE TAX OF THE STATE OF THE STA
Eurosc	37151	Brief review of 3 bankers boxes				48.00	2888				
Section 2		Midwest; prepared . correspondence to B. Yackley									
mineral particular		nis review without retaining a 🦠 👚									
A Marine		deficiencies in the record									
Ų	37173	Reviewed correspondence from B.				48.00	2888				
	ı	update on status of audit at									
	ā t	and responded to correspondence from B. Yackley re: summarizing									
	ŗ	proposal to prepare follow up					•				
prepared correspondence to G. Inpold res forwarding court codes and notice that he meet codes are supported by the codes and the codes are supported by the codes and the codes are supported by the codes are suppor											
D	ec 5/2008 t	JS Messenger & Logistics	2707		15.71		2888				
D			an and my opposited SESS	semelesekides							

Date Entry #	Received From/Paid To Explanation	Chq# Rec#	ALL D   General Rcpts		Fees	Bld Inv#	-	Trust A Ropts	ctivity Disbs	Balance
37180	Prepared correspondence to G. Ingold re: forwarding request by auditor for additional records.		•		16.00	2888				
Dec 11/2008 36202 Dec 11/2008					12.00	2888				
37099 Dec 11/2008 57225	Postage Recovery Lawyer RM 1.50 Hrs X 160.00 Confer with G. Ingold re: Whether he intends to appear in gourt this morning, in	00142		0.42	240.00	2888 2888				
	Washington, additional documents that must be produced; appeared before Judge Si. Eve for rule to show cause hearing re: hearing									
Dec 15/2008 36210	continued to January 5th due to absence of G. Ingold. Judicial Attorney Services Process Server recovery - McJessy letter and order	2714		58.00	HARTE CHEAL THE HARTE	2888				A CHEMICA PARTICIPATOR AND
Dec 22/2008 36933 Dec 23/2008 36944	Chicago Regional Council of Carpei PMT - Billing on Invoice 2841 FEES 430.00 DISBS	00652	368.00	0.00		2841				
Jan 5/2009 37851	0.60 Lawyer: KM 2.10 Hrs X 160.00 Appeared in court for hearing on motion for rule to show cause before Audge St. Eve;				336,00	2952				
	confer with G. Ingold re; contact information and arrangements to complete andi; reviewed audit request									
The second secon	from B. Yackley; prepared correspondence to G. Ingold re: forwarding auditor's follow up request for records; prepared correspondence to N.									
	Lagalo and J. Libby re:									
Jan 8/2009 38090	of Dudge St. Eve and diaried court date. Lawyer: KM 0.10 Hrs X 160.00 Prepared correspondence to G. Ingold re: second follow up on				16.00	2952				
Jan 9/2009 37326	prior correspondence detailing documents requested by auditor. US Messenger & Logistics Courier	2733		11.80		2952				
Jan 9/2009 37397 Jan 12/2009 37484	Billing on Invoice 2888 FEES 376.00 DISBS 74.13 Chicago Regional Council of Carpe PMT=	00659		0.00		2888				
Jan 28/2009 37658 Jan 30/2009 38091	Chicago Regional Council of Carpe: PMT - Lawyer: KM 1 30 Hrs X 160 00 Reviewed file materials re:	00666	450.13		208.00	2952				
	status of audit and communications with G. Ingold, defendant; follow up with B. Yackley (auditor) re: status of audit, no new documents									
	produced in response to audit request; prepared correspondence to G. Ingold re: imperative that documents									
Jan 31/2009	requested by auditor be produced immediately in light of upcoming 2/9/09 status hearing before Judge St. Eve. Expense Recovery									
37706 Feb 9/2009 38595	Postage Recovery Lawyer: KM 1.40 Hrs X 160.00 Appeared in court before Judge St. Eve re: hearing on status of production of records and	00143		1.20	224,00	2952 3002				
	or production of lectors and completion of audit; telephone call with B. Yackley, auditor re: status of production of records, no additional									
	documents received from defendant; telephone call to G. Ingold re: appearance at hearing.									

	Date	Received From/Paid To	Chq#	Genera		Food	Bld   Inv# 3		Trust A	ctivity Disbs	Balance	
	Entry #	Explanation  Expense Recovery	Rec#	Repts	Disbs	Fees	111V# 1	ACC	RCDCS	DISDS	Ватапсе	
	Feb 10/2009 38338	Postage Recovery	00145	ann i se de company de la company de company	9.62		3002	: PENERAL EDALOGUERRA (FIN			SEE ELISTERE HEREITE EN	
	Peb 10/2009 38601	Eawyer: KM 0.20 Hrs X 160.00 Reviewed ECF court order of				32.00	3002					
		Judge St. Eve on rule to show										
		cause hearing; diarled court dares; prepared correspondence										
		to G. Ingold re: forwarding Judge St. Eve's order and							rich and Mark Property of The Property of the Control of the Contr			
		noting that failure to comply							ja ja rekolunda koleja naj Lija najer de svanjak na Lija najer de svanjak na			
		could result in writ of attachment;										
	Feb 12/2009	UPS	2762	w 101.00.100 111.00 111.00 111.00 111.00 111.00 111.00 111.00 111.00 111.00 111.00 111.00 111.00 111.00 111.00	23.72	Militia del III III de como como como se de	3002					
	37797 Feb 17/2009	Courier - UPS - recovery - Billing on Invoice 2952	. 2102						STOREST THE GROOM			
	38142	FEES 560.00 DISBS			0.00		2952					
	Feb 17/2009	Lawyer: KM 0.20 Hrs X 160.00		ar bandi lahar Siribar Sirah bandi ali b	S CONTRACTOR STATE AND	20.00	2002	CTOCKET DAGE ENTERED MAKEURETE			AMERICAN SERVICE STATE OF STREET	
	38702	Reviewed ECF court order of Judge St. Eve re: resetting				32.00	3002					
		hearing date; correspondence to G. Ingold returned in mail,										
	•	problems with G. Ingold's										
		address; prepared email correspondence to G. Ingold										
		re: seeking to confirm address										
		to mail court orders and other materials.	waariiwa aanad habbabbabbabbabbabbabbabbabbabbabbabbabb			TEATRA NEW ESSENCIA CONTRACTOR	BIOGRAPHICA MANAGEMENT	er sentra an antanza mandaran (181)	enciaci ili nerrescratentre i Sanceri efret	EZETNETELEN IET NEKUNAKI AZAMULNO MANDANA	ME INTERNATION ME NEW PARTY.	
_	Feb 19/2009 38237	UPS Courier - UPS - recovery -	2770		9.81		3002					_
	Feb 24/2009	Expense Recovery	00145		5.66	ann a -man-production opposite of the	3002					
	38325 · Feb 24/2009	Postage Recovery Lawyer: KM 0.20 Hrs X 160.00	00145									
	36788	Prepared correspondence to G. Ingold re: forwarding court				32.00	3002					
		order from Judge St. Eve via					(16 (16 2) 15 (16 ) (17 (16 ) 16 (16 )					
	Mar 11/2009	cortified mail. Lawyer: KM 0.10 Hrs X 160.00							KUBSH HOLI YAKU HATI (KU MEHLU)		ASSECÇÕES AD PURES MINOR	
	39460	Prepared correspondence to G. Ingold re: follow up for his				16.00	3115				÷	
•		current address as I need to										
	Mar 12/2009	forward important documents. Billing on invoice 3002										
	38883	FEES 320.00 DISBS			0.00		3002					
	Mar 12/2009	Lawyer: KM 2.10 Hrs X 160.00			SKILKIAN KIRI KELIN (Jaha) pagua	226 22	73115	ngi kuruh dan daga mengeni	einere zunenn külten ib	egi termilin tehah sehajaran menan t	hangi da fife alati kita kita kitalikin ke itu zi	
	39480	Telephone call with G. Ingold re: will not be in court but	*			336.00	3115					
		will be available for meeting on Monday, March 16, 2009;										-
		appeared in court before Judge			-							
		St. Eve re: hearing on rule to show cause and for status;	,									
		reviewed ECF court order of				•						
		Judge St. Eve re: next court date; prepared correspondence										
		to B. Yackley, Legacy Professionals, and G. Ingold										
		re: seeking to confirm	•									
		availability for meeting on 3/16, forwarding B. Yackley's										
		prior record request and Judge St. Eve's order dated today.			•	-				+		
	Mar 13/2009 (	Chicago Regional Council of Carper	nncon									
	3 <b>8993</b> Mar 13/2009	PMT Lawyer: KM 1.20 Hrs X 160.00	MADORELLE		ilitigravitg ta goldanom acctalit	SPACE OF A STREET	TERFICIONO	- Hitchmicanatalism	imilieliikkiinimeelistii		TOTAL METEROLOGICAL STATES	
	39597	Prepared correspondence to B. Yackley and G. Ingold re:				192.00	3115					
		confirmation of G. Ingold's		•								
		intent to deliver additional records on 3/16/09 and										
		forwarding to G. Ingold auditor's most recent record					*					
		requests. Telephone call from							•			
		B. Yackley re: follow up on emails exchanged between									•	
		parties, no audit on 3/16, but will receive documents;								•		
		reviewed correspondence from										
		G. Ingold re: acknowledging receipt and further										
	•	confirmation of intent to deliver documents. Prepared										
		correspondence to G. Ingold		•							-	
		re: direction to bring whatever records he has even										
		if some are missing. Reviewed										
		correspondence from B. Yackley to G. Ingold re: confirming										
		availability for 3/16/09. Exchanged numerous brief		•				•				
				•								

Client Ledger ALL DATES

Bld !------ Trust Activity --Received From/Paid To Chq# General -----Date Balance Disbs Inv# Acc Explanation Fees Entry # emails with G. Ingold and B. Yackley regarding 3/16/09 meeting and no need for KPM attendance. Lawyer: KM 1.70 Hrs X 160.00 Mar 16/2009 Reviewed correspondence from B. Yackley re: results of his meeting with G. Ingold, 39505 promised list of documents; prepared correspondence to B. Yackley re: missing bank statements and checks, and information needed to issue. subpoena; prepared correspondence to N. Lagalo reviewed follow up correspondence from B. Yackley re: additional records promised today were not delivered; reviewed excel spreadsheets of missing records and account information obtained as part of the audit; prepared correspondence to G. Ingold re: forwarding follow up demand for records and request for affidavit on all missing records; prepared correspondence to N. Lagalo correspondence to B. Yackley re: likely audit results, current operating status of signatory and related company and potential for not bringing audit current. Reviewed correspondence from G. Ingold re: forgot the information promised but will scan and email. Lawyer: KM 0.10 Hrs X 0.00 Mar 17/2009 3115 Reviewed correspondence from B. 0.00 39517 Yackley re: will call tomorrow 3/18 to follow up on various outstanding issues raised in KPM email of 3/17/09. [NO CHARGE 1 Lawyer: KM 0.40 Hrs X 160.00 Mar 18/2009 Reviewed correspondence from B. 39524 Yackley re: will call to follow up on audit issues. Telephone call with B. Yackley re: discussed issues raised in
3/16/09 correspondence.
Reviewed correspondence from
B. Yackley re: assessment made
after consultation with J. Kemperas on how to proceed with the audit. Mar 19/2009 Lawyer: KM 0.30 Hrs X 160.00 48.00 Reviewed and responded to 39062 correspondence from B. Yackley re: status of audit, completion by 3/23/09 and follow up on whether missing bank records should be pursued by audit. Telephone call from B. Yackley re: follow up on status of audit, he will call J. Libby for audit end date and bank accounts appear to still be open. Lawyer: KM 0.30 Hrs X 160.00 Mar 23/2009 Reviewed correspondence from B. 39091 Yackley re: follow up on production of records and results of call with J. Libby. Telephone call with B. Yackley re: Trust Funds have instructed him to complete the entire audit including obtaining

		en 11	ALL	DATES		77.4	Mars at 3 at		
Date Entry #	Received From/Paid To Explanation	Chq# Rec#	Rcpts	Disbs	Fees	Inv# Acc	Rcpts	Disbs	Balance
Apr 2/2009	missing bank records, will be sending out list of final missing documents. Chicago Regional Council of Carper								
39276 Apr 8/2009 39772 Apr 16/2009	PMT - Billing on Invoice 3115 FEES 976.00 Lawyer: KM 1.10 Hrs X 160.00	00696	368.81	0.00		\$115			
40081	Appeared for hearing before Judge St. Eve re: status of audit and likely completion date. Reviewed ECF court order of Judge St. Eve re: setting new hearing date: Diaried court date.				176.00	3228			
May: 8/2009 40255 May 8/2009	Chicago Regional Council of Carpet PM1 Billing on Invoice 3228		976.00	0.00		3228			
40332 May 11/2009 40422	FEES 176.00  Tawyer: SK D.60 Hrs X 60.00  Confer with K, Modessy re: addresses to use for document subpoenas to Fifth Third Bank, Bank One/Chase, First Choice Bank and American National				36,00				
	Bank. Prepared document subpoenas to Fifth Third Bank, Chase, First Choice Bank and American National Bank.								
May 11/2009	Prepared correspondence to G. Ingold forwarding document subpoenas. Expense Recovery								
40703 May 11/2009 40853	Postage Recovery Lawyer: KM 0.60 Hrs X 160.00 Prepared subpoena riders to Chase bank, Fifth Third Bank, First Choice Bank and American National Bank to obtain	00152		0.61	96, 00	3267 3267			
May 14/2009 40885	documents to complete audit Reviewed summary of record requests from auditor to prepare subpoena riders. Lawyer: KM 1.20 Hrs X 160.00 Appeared in court before Judge				192.00	3267			
40003	St. Eve re: status of audit completion. Reviewed ECF court order of Judge St. Eve re: new court date. Diaried court date.								
40505	Lawyer: SK 0.30 Hrs X 60.00 Reviewed subpoena returned undellyered directed to American National Bank. Prepared second subpoena to American National Bank with alternative address. Prepared correspondence to G. Ingold forwarding copy of subpoena. Expense Recovery				18, 00.55	3267	And the second s		The second secon
40688 May 26/2009 40571	Chicago Regional Council of Carper-	00152 00721	176,00	5.98		3267			
40589	Prepared email correspondence to B. Yackley forwarding documents received from FifthThird Bank pursuant to subpoena.	•			12.00	3267			
May 26/2009 40600 May 28/2009 40654	Lawyer: KM 0.20 Hrs X 160.00 Brief review of documents produced by Fifth Third Bank pursuant to a subpoena. Lawyer: SK 0.20 Hrs X 60.00 Call from JPMorgan Chase re:				32.00 12.00	3267 3267 3267			
	subpoenas directed to Chase and American National Bank need to be corrected to "JPMorgan Chase Bank, NA". Prepared revised subpoenas to JPMorgan Chase for Chase account and American National account. Prepared								
May 29/2009 40657, Jun 8/2009 41595	correspondence to L. Green, JPMorgan Chase, forwarding revised subpoenas. Expense Recovery Photocopy Recovery Lawyer: KM 0.10 Hrs X 160.00 Reviewed correspondence from B. Yackley re: follow up on bank	00151		3,12	16.00	3287			

Date Entry #	Received From/Paid To Explanation	Chq# Rec#	General  Rcpts Disbs	Fees	Bld    Inv# Acc Ropts Disbs Balance
	statements received from S. Keating on 5/26/09 from Fifth Third Bank and inquiry on status of remaining bank statements.				
Jun 12/2009 41190 Jun 17/2009			0.00		
41250	Reviewed documents produced by JP Morgan Chase in response to subpoenas issued.			112.00	3287
Jun 25/2009 41759	Appeared in court for status hearing before Judge St. Eve re: status of completion of the audit. Reviewed documents produced by First Choice Bank.			256.00	
Jul 1/2009	Forwarded documents to B. Yackley, auditor Reviewed ECF court order of Judge St. Eve re: setting status hearing in 6 weeks. Lawyer: KM 0.20 Hrs X 160.00			32.00	The second of th
41522	Confer with B. Yackley re: results of audit, likelihood on completion of preliminary audit and discovery of payments made to cash to pay			32.00	3313
Jul. 7/2009 41580. Jul. 9/2009	day laborers. Lawyer KM 0.10 Hrs X 160.00 Reviewed correspondence from B. Yackley re: report on Ross Should be complete by 7/8/09. Billing on Invoice 3287			16,00	
41815 Jul 9/2009 41897	Telephone call with B, Yackley re: preparation of audit report, one bank's missing			15.00	
Jul 23/2009 42522	documents.  Lawyer: KM 0.10 Hrs X 160.00 Reviewed correspondence from B. Yackley re: audit is complete, should be reviewed and sent to the Trust Funds within the next	NATA KATABATAN DAN KAT	ologi, Shan Annassana Na Filinin na bhill Shanab an China China	16.00	
Jul 24/2009 42356 Jul 27/2009 42536	week. Chicago Regional Council of Carpel PMT Lawyer: KM 0.10 Hrs X 160.00 Reviewed ECF court order of Judge St. Eve re: rescheduling	00749		16.00	
Aug 3/2009 43292	hearing for 8/3/09. Lawyer: RM 1.40 Hrs X 160.00 Appeared before Judge St. Eve for hearing on status of the audit and demand on defendants: Reviewed court order of Judge St. Eve. Diary docket entry for next status			224.00	
Aug 4/2009 43319	hearing. Lawyer: KM 2.10 Hrs X 160.00 Reviewed auditors findings for Ross Midwest and analyzed reports. Prepared			336.00	листи при при при при при при при при при пр
	correspondence to B. Yackley re: need for total audit fees in the Ross Midwest audit. Prepared correspondence to N. Lagalo re:				
	Prepared correspondence to G. Ingold re: forwarding court order				
	giving notice of next hearing date. Prepared correspondence to G. Ingold re: forwarding audit report and making demand on audit for payment or for production of any records that show audit is in error.				
42813	Billing on Invoice 3319 Billing on Invoice 3319 FEES 96.00 Lawyer: RM 0.30 Hrs X 160.00				3319
43336	Reviewed correspondence from B. Yackley re: Chris Kogut will be calling with information on audit fees. Reviewed			48.00	3428
	correspondence from N. Lagalo re:				

Date	Received From/Paid To	. Chq#	ALL D	ateš		B1d 1	Trust A		
	# Explanation	Rec#	Rcpts	Disbs	Fees	Inv# Acc	Rcpts	Disbs	Balance
	Telephone call with C. Kogut re: audit fees. Completed deniat letter to G.						er Ver		
Aug 19/200 4340					16.00	3428			
Aug 21/200	Yackley re: receipt of 3 boxes of original documents and asking if I want those documents produced.								
4303 Aug 21/200	7 PMT -	00759	96.00						
4354					288.00	3428 			
	required under recent Seventh Circuit authority for an								
	auditor's declaration to prove fess. Started drafting motion for entry of final judgment based on addit findings. Prepared affidavit of C. Kogut								
	re: support for auditors' fees. Prepared correspondence to C.								
Aug 27/2009	Kogut forwarding draft declaration, Lawyer: KM 0.30 Hrs X 160.00							esusenació	
43476	Reviewed correspondence from C. Kogut re: forwarding completed			-	48.00	3428			
	declaration and supporting time records. Reviewed supporting time records from								
Aug 27/2009 43545					20 00	3428			
	re: changes to affidavit in support of default motion confirming auditors' fees and related issues.								
Aug 28/2009 43477				3:	36.00	3428			
	Kogut re: audit fees. Prepared declaration of K.								
	McJessy re: support of claim for attorneys' fees. Prepared declaration of J. Libby re:					-			
	declaration in support of motion for entry of final								
	judgment. Revised motion for entry of final judgment. Reviewed file documents as								
	necessary to complete declarations and finish motion. Telephone call with								
	N. Lagalo re:								
	Telephone call with B. Yackley re: audit report		÷					. •	
	for Geneva account. Prepared correspondence to J. Libby re:								
	Reviewed correspondence from				•				
	N. Lagalo re:								
Aug 31/2009 43171	Expense Recovery Photocopy Recovery	00162		3.48		3428			
Aug 31/2009 43186	Expense Recovery Postage Recovery	00163	Paullabau nacur cod (Cibia)	4.95		3428			
Aug 31/2009 48206	Lawyer: SK 0.40 Hrs X 60.00 Prepared notice of motion. Filed motion for final judgment and notice				4,00	3428	orio de la composición del composición de la com		
	electronically with court.  Prepared correspondence to  Judge St. Eve forwarding								
Aug 31/2009	courtesy copy of motion for final judgment. Lawyer: KM 0.90 Hrs X 160.00								
43495	Final review and edits to motion for entry of judgment.			14	4.00	3428			·
•	Prepared draft order for final judgment. Assembled exhibits to motion and exhibits to		•						

Dobo	Received From/Paid To	~~#		DATES		70 T of 1		3 - L i - i L	
Date Entry #_	Explanation	Chq# Rec#	Gene: Rcpts	Disbs	Fees	Inv# Acc	Trust Rcpts	Disbs	Balance
	declarations attached to the								
	motion. Reviewed MC&T billing statements to ensure all	٠.					•		
	privileged entries have been redacted. [DISCOUNTED FROM	•					*		•
Aug 31/2009	1.5 HOURS] Expense Recovery	mangan wa mana man	skimovituusista ja 1806-iki			COMMISSI BERCOTESIAN	######################################		
43500 Sep 1/2009	Westlaw Lawyer: KM 1.30 Hrs X 160.00	00164		158.89		3428			Termination with the second
43764	Confer with G. Ingold re:				208.00	3533			
•	dispute over audit findings. Appeared in court for status								
	hearing. Prepared correspondence to J. Libby re:	4			,				
4.5	Reviewed ECF court					*.			
	order of Judge St. Eve setting hearing date. Diaried court			٠	*				
	date. Reviewed materials from secretary of state regarding					•	100		* * * * * * * * * * * * * * * * * * *
Sep 272009	status of Ross Midwest.				ži (vilosoms s šodyseninė i figus in	gradi automos de anaminos cos cos		Kalentras septembro santy es	
6776	Reviewed correspondence from J.				16.00	3533			
	Griffolymieer 1997	20, 18							
Sep 3/2009	Lawyer: SK 0.20 Hrs X 60.00	Alcodosco i menerato						Children is the switch of the	
44158	Prepared correspondence to G. Ingold_re: arrangements for				12.00	3533	<u> </u>		
	meeting with J. Libby and K. McJessy on 9/21/09.								
Sep 8/2009 43910	Lawyer: KM 0.20 Hrs X 160.00 Reviewed documents from the				32,00	3533			The Apple of the Control of the Cont
	Illinois Secretary of State								
	re corporate history of Ross Midwest:								
	Lawyer: KM 0.10 Hrs X 160.00 Reviewed and responded to				16.00	3533			
	correspondence from B. Yackley re: meeting to discuss audit of		•		-				
Sep. 15/2009	Ross Midwest. Lawyer: KM 0.10 Hrs X 160.00				ci etherin kuni ethe sahar messa Gunnar menangan bassar dasar				
44015	Reviewed correspondence from B. Yackley re: confirm				16.00	3533			
	availability to meet on 9/18/09 to review audit		of the farm of the control of the co						
	findings.								
43698	Expense Recovery Postage Recovery	00169		0.44		3533	- arangana atras basanya		
44045	Lawyer: KM 1.80 Hrs X 160.00 Meeting with B. Yackley to				288.00	3533		1000 (101,111,111,111,111)	
	prepare for 9/21 meeting with Greg Ingold at Trust Fund								
	office re: review of documents produced to auditors during the						Parish to 1979 and		
	audit and basis for auditor's conclusions. Reviewed					contine in lettered plan it. Laberga Bergeran, Scholar			
	correspondence from B. Yackley							Balan bakan dan barin da Laba Kabapaten dan basa Kabapaten dan basa	
	documents as a follow up to	Color Caracilla (Caracilla Caracilla Caracilla Caracilla Caracilla Caracilla Caracilla Caracilla Caracilla Car Caracilla Caracilla C							
	our meeting earlier this morning. Reviewed additional								
Kabule Michiga	documents produced by B. Yackley. Reviewed file	DESIGNATION OF THE RESIDENCE OF THE RESI							
	materials to prepare for 9/21/09 meeting with G. Ingold								
	at Trust Fund offices. Lawyer: KM 1.60 Hrs X 160.00								
43400	Prepared for meeting with J. Libby, N. Lagalo and G.				256.00	3533	* *		
	Ingold. Partial travel to Frust Funds' office for								
1	meeting with G. Ingold,								
	received late notice from G. Ingold that he has cancelled							٠	
Sep 22/2009 1	meeting and is leaving town. Billing on Invoice 3428								
	TEES 1496.00 DISBS 227.32			0.00		3428			
Sep 24/2009 [		2940		16.47		3533			
Sep 24/2009 0	Capital One Services Lilinois Secretary of State -	2941		102.50		3533			
	lienc + awyer: KM 0.20 Hrs X 160.00				many cher l'elégorie Le lou escribloche				
43720 E	Prepared correspondence to G.				32.00	•	4		
	ngold re: final follow up on mounts owed and failure to								
ı	appear at the settlement meeting on 9/14/09.								
	illing on Invoice 3533							na epinka persa para bira	

McJessy, Ching & Thompson, LLC

Client Ledger

ALL DATES Bld [ Trust Activity Received From/Paid To Chq# Date General ---Entry # Explanation Ropts Disbs Inv# Acc Rcpts Disbs Rec# 44281 FEES 3533 844.00 DISBS 119.41 Oct 22/2009 Chicago Regional Council of Carper 44371 PMT -1723.32 Oct 23/2009 US Messenger & Logistics 44401 Courier Lawyer: KM 2.10 Hrs X 160.00 3/2009 44533 Appeared in court before Judge 336.00 St. Eve re: hearing on status. Revised motion for default judgment to be refiled. Reviewed correspondence to G. Ingold to be attached as exhibits to revised motion for default. UNBILLED BILLED BALANCES RECEIPTS TRUST TOTALS CHE RECOV FEES = TOTAL DISBS FEES + TAX = A/RPERIOD 15.71 0.00 368.00 383.71 1107.80 9509.50 0.00 9653.89 963.41 0.00 END DATE 15.71 0.00 383.71 1107.80 9509.50 0.00 9653.89 963.41 0.00 BALANCES UNBILLED BILLED + TAX TRUST CHE FEES - TOTAL DISBS + FEES RECEIPTS = A/RFIRM TOTAL: RECOV 15.71 0.00 368.00 383,71 1107.80 9509.50 0.00 9653.89 963.41 0.00 PERIOD 15.71 383.71 1107.80 9509.50 0.00 9653.89 963.41 0.00 0.00 368.00 END DATE REPORT SELECTIONS - Client Ledger Layout Template Default Advanced Search Filter None ADMIN Requested by Tuesday, November 03, 2009 at 01:31:08 PM Finished 9.31d Ver Matters 0087-ross Clients A11 Major Clients All Client Intro Lawyer All Responsible Lawyer All A11 Assigned Lawyer Type of Law A11 Select From Active, Inactive, Archived Matters Matters Sort by Default New Page for Each Lawyer No New Page for Each Matter No Dec 31/2199 No Activity Date No Firm Totals Only Totals Only Νо Entries Shown - Billed Only No Entries Shown - Disbursements Yes Entries Shown - Receipts Entries Shown - Time or Fees Yes Yes Entries Shown - Trust Yes Incl. Matters with Retainer Bal Nο Incl. Matters with Neg Unbld Disb Trust Account No A11 All Working Lawyer Include Corrected Entries No Show Check # on Paid Payables No Show Client Address No No Consolidate Payments Show Trust Summary by Account No No Show Interest 3/2009 Interest Up To Nov Show Invoices that Payments Were Applied to

## 08 CV 283 Exhibit D

1

1.

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

CHICAGO REGIONAL COUNCIL OF CARPENTERS PENSION FUND, et al.	)	
•	)	Case No. 08 C 283
Plaintiffs,	)	
v.	)	Judge St. Eve
	))	
ROSS MIDWEST, INC. and C. GREGORY INGOLD,	)	Magistrate Ashman
	)	
Defendants	)	

#### ORDER

Pursuant to Federal Rule of Civil Procedure 55, a judgment by default is hereby entered in favor of the Chicago Regional Council of Carpenters Pension Fund et al. ("Trust Funds") and against defendants ROSS MIDWEST, INC. and C. GREGORY INGOLD ("Defendants"). Defendants are hereby ordered:

- A. to provide the Trust Funds or their designated auditors, James Egan & Associates, Ltd., complete access to Defendants' books records within twenty-one (21) days so that the Trust Funds may conduct an audit of Defendants' fringe benefit contributions;
- to pay any and all amounts the Trust Funds may discover to be due pursuant to the audit; B.
- C. to pay auditor's fees incurred by the Trust Funds to complete the audit of Defendants' books and records;
- D. to pay interest on the amount that is due pursuant to 29 U.S.C. § 1132(g)(2)(B);
- E. to pay interest or liquidated damages on the amount that is due pursuant to 29 U.S.C. § 1132(g)(2)(C), whichever is greater;
- to pay reasonable attorneys' fees and costs the Trust Funds incurred in this action pursuant to F. 29 U.S.C. § 1132(g)(1) and/or § 1132(g)(2)(D) and incurred by the Trust Funds to obtain full compliance with this Order and to collect any amounts owed to the Trust Funds; and
- G. to award the Trust Funds such other and further relief as the Court deems just and equitable.

Plaintiffs shall serve a copy of this Order on Defendants.

June 2, 2008

Date

my f. St. E

## 08 CV 283 Exhibit E



Kevin McJessy (Licensed Illinois) Angela Ching (Licensed California) Kim Thompson (Licensed Illinois, California)

August 5, 2009

Kevin P. McJessy 3759 N. Ravenswood, Suite 231 Chicago, Illinois 60613 (773) 880-1260 MAIN (773) 880-1261 DIRECT (773) 880-1265 FAX mcjessy@MCandT.com

#### VIA UPS OVERNIGHT

C. Gregory Ingold, President Ross Midwest, Inc. 2001 Kaneville Road Geneva, Illinois 60134

RE: Chicago Regional Council of Carpenters Pension Fund et al. v. Ross Midwest, Inc., an Illinois corporation, and C. Gregory Ingold, individually, 08 C 283

Dear Mr. Ingold:

I am enclosing the audit report prepared by Legacy Professionals, LLP ("Legacy") based on the records produced by you to Legacy as part of the audit of Ross Midwest, Inc. in the above-referenced matter.

The total amount due is \$298,328.42, which is comprised of unpaid fringe benefit contributions of \$202,502.95, liquidated damages of \$40,500.59, interest of \$40,037.06, auditors' fees of \$7,149.25 and attorneys' fees and costs of \$8,138.57.

We intend to file a motion for entry of a final judgment based on the audit by August 20, 2009. Therefore, if you have any objection to the audit findings, please provide me with any objections in writing with supporting documents on or before August 20<sup>th</sup>. If you are able to pay all or any portion of the amount due, please contact me immediately to discuss such arrangements.

I am directing this letter and the enclosed audit report to you directly because you are not represented by counsel in this matter. Should you retain an attorney in this matter, please provide his or her contact information to me and I will direct all future communications accordingly.

Sincerely,

McJessy, Ching & Thompson, LLC

KPM:smk

Enclosure

## 08 CV 283 Exhibit F

#### UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

	REGIONAL COUNCIL OF	)			
CARPENTE	RS PENSION FUND, et al.	)			
	Disintiffs	) Case No. 08 C 283			
v.	Plaintiffs,	) Judge St. Eve			
ROSS MIDV INGOLD,	VEST, INC. and C. GREGORY	)			
	Defendants	)			
	<u>ORD</u>	<u>ER</u>			
Pursu	ant to Federal Rules of Civil Procedu	are 54, 55 and 58, a final judgment is hereby			
entered in fav Funds") and	vor of the Chicago Regional Council	of Carpenters Pension Fund <i>et al.</i> ("Trust Find Company of Company INGOLD")			
A.	\$202,502.95 in unpaid contributions pursuant to the audit;				
В.	\$7,149.50 for auditor's fees of incurred by the Trust Funds to complete the audit of Defendants' books and records;				
C.	\$40,037.06 in interest pursuant to 29 U.S.C. § 1132(g)(2)(B);				
D.	\$40,500.59 in liquidated damages pursuant to 29 U.S.C. § 1132(g)(2)(C);				
E.	\$11,001.01 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); and				
F.	reasonable attorney' fees and costs order.	s incurred by the Trust Funds in enforcing this			
Date	Judge	e St. Eve			

# 08 CV 283 Exhibit G



Kevin McJessy (Licensed Illinois) Angela Ching (Licensed California) Kim Thompson (Licensed Illinois, California) Sheila M. Keating 3759 N. Ravenswood, Ste. 231 Chicago, Illinois 60613 (773) 880-1260 MAIN (773) 880-1265 FAX keating@MCandT.com

#### VIA EMAIL and U.S. MAIL

September 3, 2009

C. Gregory Ingold, President Ross Midwest, Inc. 2301 4th Avenue, Apt. 606 Seattle, WA 98121

RE: Chicago Regional Council of Carpenters Pension Fund, et al. v. Ross Midwest, Inc. and C. Gregory Ingold., Case No. 08 C 283

Dear Mr. Ingold:

This will confirm that John Libby has agreed to meet with you to discuss possible settlement of the above matter. This meeting has been scheduled for September 21, 2009 at 10:30 a.m. at the Trust Funds' offices located at 12 East Erie, Chicago, Illinois.

Please feel free to contact me if you have any questions.

Sincerely,

McJessy, Ching & Thompson, LLC

She'll Kooting

Sheila M. Keating

Paralegal

## 08 CV 283 Exhibit H

From:

Kevin McJessy

To:

Greg Ingold (ingold2001@aol.com)

Cc:

"Nathan Lagalo"

Subject: Date: CRCC v. Ross Midwest and Greg Ingold Thursday, October 01, 2009 12:17:00 PM

#### Greg,

On the morning of September 21, 2009, you cancelled the meeting that we had agreed upon for that morning. We had planned for the parties to sit down face-to-face and discuss any specific objections that you had to the audit report in this matter. I have not heard from you since.

We have another status hearing coming up in this matter and I intend to re-notice our motion since you have not given me any reason not to proceed.

My August 4<sup>th</sup> letter advised you that the total amount due at that time was \$298,328.42, comprised of unpaid fringe benefit contributions of \$202,502.95, liquidated damages of \$40,500.59, interest of \$40,037.06, auditors' fees of \$7,149.25 and attorneys' fees and costs of \$8,138.57. Obviously the attorneys fees have increased somewhat since this date.

However, I am notifying you once again that we intend to file a motion for entry of a final judgment based on the audit. Therefore, if you have any objection to the audit findings, please provide me with any objections in writing with supporting documents on or before October 5th.

I am directing this email to you directly because you are not represented by counsel in this matter. Should you retain an attorney in this matter, please provide his or her contact information to me and I will direct all future communications accordingly.

I will also send a copy of this email to you at your address at 2001 Kaneville Rd, Geneva, IL 60134.

Regards,

Kevin McJessy

McJessy, Ching & Thompson, Llc 3759 N. Ravenswood, Suite 231 Chicago, Illinois 60613 (773) 880-1260 (MAIN) (773) 880-1261 (DIRECT) (773) 880-1265 (FACSIMILE) MCJESSY@MCANDT.COM WWW.MCANDT.COM

PRIVILEGED & CONFIDENTIAL: This message may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient (or authorized to act on behalf of the intended recipient) of this message, you may not disclose, forward, distribute, copy, or use this message or its contents. If you have received this communication in error, please notify us immediately by return e-

mail and delete the original message from your e-mail system. Thank you.

TAX ADVICE WAIVER: Nothing in this email is intended to provide any advice with respect to either federal or state taxation matters. In accordance with United States Treasury Regulations, you are hereby advised that this communication (including any attachments) is not intended to be used, and cannot be used, as advice on any federal or state taxation matters and is not intended to be used, and cannot be used, for purposes of (i) avoiding penalties imposed under the United States Internal Revenue Code or (ii) promoting, marketing or recommending to another person any tax-related matter.

# 08 CV 283 Exhibit I

Kevin McJessy (Licensed Illinois) Angela Ching (Licensed California) Kim Thompson (Licensed Illinois, California) Kevin P. McJessy 3759 N. Ravenswood, Ste. 231 Chicago, Illinois 60613 (773) 880-1260 MAIN (773) 880-1265 FAX mcjessy@MCandT.com

#### VIA U.S. MAIL and EMAIL

October 14, 2009

C. Gregory Ingold, President Ross Midwest, Inc. 2001 Kaneville Road Geneva, Illinois 60134

RE: Chicago Regional Council of Carpenters Pension Fund, et al. v. Ross Midwest, Inc. and C. Gregory Ingold., Case No. 08 C 283

Dear Mr. Ingold:

I am enclosing Judge St. Eve's order of October 13, 2009 scheduling a status hearing in the above matter for November 3, 2009 at 8:30 a.m. in Courtroom 1241.

I have not heard from you since the prior status hearing on September 1, 2009 except for your cancellation of our meeting on September 21, 2009. I have tried to reach you by email and I have left voice mail messages for you to not avail. Accordingly, you are hereby advised that we will re-notice the Chicago Regional Council Fringe Benefit Funds' motion for entry of final judgment for November 3, 2009.

Sincerely,

McJessy, Ching & Thompson, LLC

Kevin P. McJessy

KPM/smk Enclosure

### UNITED STATES DISTRICT COURT FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 3.2.3 Eastern Division

Chicago Regional Council Carpenters Pension Fund, et al.		
	Plaintiff,	
<b>v.</b>		Case No.: 1:08-cv-00283
		Honorable Amy J. St. Eve
Ross Midwest, Inc., et al.		
	Defendant.	

#### NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Tuesday, October 13, 2009:

MINUTE entry before the Honorable Amy J. St. Eve: Status hearing set for 10/13/09 is stricken and reset to 11/3/2009 at 08:30 AM. Mailed notice(kef,)

**ATTENTION:** This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

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