

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

|   |   |                         |
|---|---|-------------------------|
| TRUSTEES OF THE SUBURBAN TEAMSTERS                | ) |                         |
| OF NORTHERN ILLINOIS PENSION FUND                 | ) |                         |
| AND WELFARE FUNDS,                                | ) |                         |
|   | ) |                         |
| Plaintiffs,                                       | ) |                         |
|   | ) | No. 08 C 2280           |
| v.  | ) |                         |
|   | ) | Judge Andersen          |
|   | ) |                         |
| MCDONALD TRANSPORT CORP.                          | ) | Magistrate Judge Denlow |
| an Illinois corporation not in good standing, and | ) |                         |
| PATRICK MCDONALD, Individually                    | ) |                         |
|   | ) |                         |
| Defendants.                                       | ) |                         |

**AFFIDAVIT IN SUPPORT OF  
ATTORNEYS' FEES**

NOW COMES the undersigned, JOHN J. TOOMEY, upon being first duly sworn,  
deposes and states as follows:

1. The undersigned is counsel of record in Case No. 08 C 2280.
2. Affiant is an attorney licensed to practice law in the State of Illinois since 1978.

Affiant is admitted to the trial Bar of the Northern District of Illinois, the Central District of Illinois and the Seventh, Eighth, Second, Eleventh Circuit Courts of Appeal, U. S. Tax Court and the United States Supreme Court.

3. The time spent in the case are as follows, were reasonably necessary in the prosecution of the case, and no paralegals were used:

|                |   |          |
|----------------|---|----------|
| April 22, 2008 | Open file; draft complaint and summons<br>and file with court | 2 hours  |
| June 4, 2008   | Return of service filed with the court                        | .5 hours |

February 16, 2009     Draft Motion for Judgment in Sum Certain     1.5 hour  
   Court appearance on Motion for Judgment  
   in Sum Certain     1.0 hour

4.     The costs expended in prosecuting the case are:

|                                    |          |
|------------------------------------|----------|
| Filing fee                         | \$350.00 |
| Service of process<br>Argus Agency | \$97.00  |
| Total                              | \$447.00 |

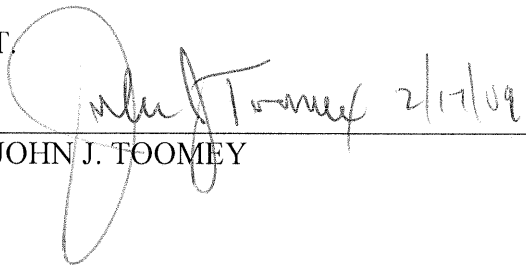
5.     Reasonable value of such services is One Hundred Eighty Five Dollars per hour:

|                    |          |
|--------------------|----------|
| \$185.00 x 5 hours | \$925.00 |
|--------------------|----------|

6.     The total in fees and costs expended are:

|                 |            |
|-----------------|------------|
| Attorneys' fees | \$925.00   |
| Costs           | \$447.00   |
| Total           | \$1,372.00 |

FURTHER AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
JOHN J. TOOMEY

JOHN J. TOOMEY  
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