## 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.	)

## <u>AFFIDAVIT</u>

RICHARD SIEBERT, upon being first duly sworn deposes and states as follows:

- 1. Affiant is employed by the Suburban Teamsters Welfare and Pension Fund ("Funds") as an auditor, is familiar with the McDonald Transport Corp. an Illinois corporation not in good standing audit ("Employer"), having examined its books and records to determine what amounts if any were due and owing the Funds, and is also familiar with the parties' agreement concerning contributions, liquidated damages and interest owed.
- 2. That an audit of Employer's books and records was performed on May 23, 2008 covering the period September, 2006 through October, 2007 and found to be owing:

Pension \$2,229.68 Welfare \$5,012.12

- 3. That Employer was given a copy of the audit and given notice of findings on April 15, 2008.
  - 4. That the audit including liquidated damages and interest totals \$7,231.80.

5. That Affiant suffers from no disability and can so testify and affirm such facts.

FURTHER AFFIANT SAYETH NOT.

RICHARD SIEBER

SUBSCRIBED AND SWORN to before me this day of February, 2009.

Notary Public Notary Public - State of Illinois
My Commission Expires Jul 20, 2011