

EXHIBIT C

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

JAMES T. SULLIVAN, etc.,)	
)	No. 08 C 3285
Plaintiff,)	
)	Judge Kendall
v.)	
)	Magistrate Judge Denlow
ERICKSON MECHANICAL, INC.,)	
)	
)	
Defendant.)	

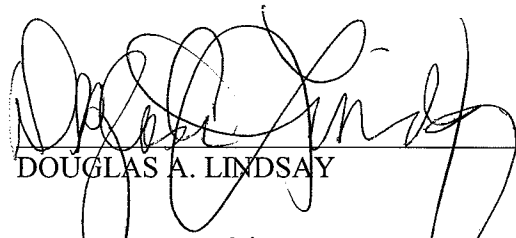
AFFIDAVIT CONCERNING ATTORNEYS' FEES AND COSTS

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

1. I am an adult and competent.
2. The information contained in this Affidavit is based on my personal knowledge and the business records of LEWIS, OVERBECK & FURMAN, LLP (Firm).
3. During the course of this litigation, Douglas A. Lindsay, a partner in Firm, rendered 4.4 hours of legal services to Plaintiff at a rate of \$300.00 per hour for a total of \$1,320.00.
4. During the course of this litigation, Brian T. Bedinghaus, an associate in Firm, rendered 16.4 hours of legal services to Plaintiff, at a rate of \$170.00 per hour, for a total of \$2,788.00.
5. During the course of this litigation, Albert B. Davis, a paralegal in the Firm, rendered 0.2 hours of legal services to Plaintiff, at a rate of \$70.00 per hour, for a total of \$14.00.
6. During the course of this litigation, Robert C. Parizek, a paralegal in the Firm, rendered 2.3 hours of legal services to Plaintiff, at a rate of \$85.00 per hour, for a total of

\$195.50.

7. The legal professionals' fees incurred by Plaintiff in this matter total \$4,317.50.
8. Plaintiff has also incurred \$350.00 in court filing fees, \$109.00 for service of process fees, \$60.00 for computerized docketing charges, \$19.20 in postage fees, \$3.50 in binding charges, \$0.40 in computerized legal research charges, and \$96.96 in photocopy charges for total costs of \$639.06.
9. The total amount due Plaintiff for legal fees and costs is \$4,956.56.
10. Attached hereto as Attachment C-1 are true and correct copies of itemized time records and expense records made and kept in the ordinary course of Firm's business.
11. In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the forgoing is true and correct.



DOUGLAS A. LINDSAY

Executed this 5 day of January, 2009.

Lewis, Overbeck & Furman, LLP
20 N. Clark St.
Suite 3200
Chicago, IL 60602
(312)580-1200

EXHIBIT C-1

Lewis, Overbeck & Furman, LLP

Time And Expense Details

Report ID: OT2025 - 25464

Monday, January 05, 2009

Date [06/03/2008 - 12/31/2008]

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Client	Client Reporting Name	Matter	Matter Reporting Name	Billing Timekeeper
65100	Plumbers 130 Litigation	01119	4741 Erickson Mechanical	Lindsay, Douglas A.

Unbilled Time									
Date	Timekeeper	Hours Worked	Hours To Bill	Rate	Amount	Task	Activity	Narrative	
12/1/2008	DAL	0.10	0.10	300.00	\$30.00			Conference with Brian T. Bedinghaus regarding case handling	
12/1/2008	BTB	0.50	0.50	170.00	\$85.00			Reviewed file for status; conference with Douglas A. Lindsay; email to auditor; phone call from auditor; memo to file	
12/2/2008	DAL	0.10	0.10	300.00	\$30.00			Conference with Funds' Field Representative regarding case status	
12/5/2008	BTB	0.10	0.10	170.00	\$17.00			Email from auditor	
12/8/2008	DAL	0.30	0.30	300.00	\$90.00			Receive and review audit report; conference with Brian T. Bedinghaus regarding case handling	
12/8/2008	BTB	0.20	0.20	170.00	\$34.00			Received and reviewed audit report; conference with Douglas A. Lindsay	
12/10/2008	BTB	1.20	1.20	170.00	\$204.00			Preparation for and attended court appearance	
12/10/2008	DAL	0.20	0.20	300.00	\$60.00			E-notices from court; conference with Brian T. Bedinghaus regarding case status	
12/12/2008	BTB	0.70	0.70	170.00	\$119.00			Letter to defendant regarding audit report; conference with Douglas A. Lindsay	
12/16/2008	BTB	1.10	1.10	170.00	\$187.00			Voicemail from defendant; reviewed file; phone call to defendant; memo to file; conference with Funds' Field Representative	
12/19/2008	BTB	0.10	0.10	170.00	\$17.00			Reviewed file and updated monthly status report	
Totals		4.60	4.60		\$873.00				

Billed Time									
Date	Timekeeper	Hours Worked	Hours On Bill	Rate	Amount	Task	Activity	Narrative	
6/3/2008	DAL	0.20	0.20	300.00	\$60.00			Telephone conference with Contractor's representative; conference with Funds' Field Representative	
6/4/2008	DAL	0.10	0.10	300.00	\$30.00			Telephone conference with Funds' Field Representative regarding audit/lawsuit	
6/5/2008	DAL	0.30	0.30	300.00	\$90.00			Review file; telephone conference with Funds' auditor; memo to file; conference with Brian T. Bedinghaus regarding preparation of lawsuit papers	
6/5/2008	BTB	1.40	1.40	170.00	\$238.00			Conference with Douglas A. Lindsay regarding case assignment; reviewed file; prepared lawsuit papers	
6/6/2008	BTB	0.50	0.50	170.00	\$85.00			Revised complaint; conference with Douglas A. Lindsay; arranged for filing lawsuit papers	
6/6/2008	DAL	0.90	0.90	300.00	\$270.00			Review and revise draft lawsuit papers and conference with Brian T. Bedinghaus regarding finalizing; e-file lawsuit papers	
6/9/2008	DAL	0.70	0.70	300.00	\$210.00			Email from court clerk; email to all concerned; telephone conference with Funds' Field Representative; statutory notice letters to Secretary of Labor and Secretary of Treasury	
6/9/2008	BTB	0.10	0.10	170.00	\$17.00			E-notices from District Court	
6/9/2008	RCP	1.30	1.30	85.00	\$110.50			Worked on service of process; organized file	
6/17/2008	DAL	0.10	0.10	300.00	\$30.00			E-notice from court	
6/17/2008	RCP	1.00	1.00	85.00	\$85.00			Paid vendor invoice; E-Filed summons	

Lewis, Overbeck & Furman, LLP

Time And Expense Details

Report ID: OT2025 - 25464
 Monday, January 05, 2009

Date [06/03/2008 - 12/31/2008]

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Billed Time							
Date	Timekeeper	Hours Worked	Hours On Bill	Rate	Amount	Task	Activity Narrative
7/3/2008	BTB	0.10	0.10	170.00	\$17.00		Reviewed file for status; email to Douglas A. Lindsay
7/7/2008	BTB	0.90	0.90	170.00	\$153.00		Reviewed file; prepared motion for default judgment and notice of motion; updated monthly status report
7/8/2008	BTB	1.40	1.40	170.00	\$238.00		Preparation of motion papers; arranged for service and delivery of copy to judge; e-filed motion; submitted proposed order to judge
7/8/2008	ABD	0.20	0.20	70.00	\$14.00		Vello bind pleadings for Brian T. Bedinghaus (Plaintiff's Motion for Default Judgment)
7/9/2008	DAL	0.10	0.10	300.00	\$30.00		E-notices from court
7/11/2008	BTB	0.10	0.10	170.00	\$17.00		Reviewed file for status
7/22/2008	BTB	1.50	1.50	170.00	\$255.00		Conference with Douglas A. Lindsay; reviewed file; phone call from defendant; memo to file; completed list of audit documents; email to defendant; phone call to auditor; memo to file; email from defendant
7/23/2008	BTB	1.10	1.10	170.00	\$187.00		Reviewed file; attended court appearance; voicemail from defendant; email to defendant
7/24/2008	BTB	1.10	1.10	170.00	\$187.00		Emails from auditor; phone call from Funds' Field Representative; conference with Douglas A. Lindsay; email to auditor
7/24/2008	DAL	0.50	0.50	300.00	\$150.00		Email from Funds' auditor; conference with Brian T. Bedinghaus regarding case handling; email to Brian T. Bedinghaus; email from Funds' auditor; email from Brian T. Bedinghaus
7/25/2008	BTB	0.20	0.20	170.00	\$34.00		E-notice from District Court; letter to defendant
7/28/2008	DAL	0.10	0.10	300.00	\$30.00		E-notice from court
8/11/2008	DAL	0.20	0.20	300.00	\$60.00		Telephone conference with Funds' Field Representative; correspondence from Funds' auditor; conference with Brian T. Bedinghaus regarding case handling
8/11/2008	BTB	0.10	0.10	170.00	\$17.00		Letter from auditor
8/13/2008	BTB	0.70	0.70	170.00	\$119.00		Reviewed file; prepared motion for rule to show cause and exhibits
8/25/2008	BTB	0.30	0.30	170.00	\$51.00		Phone call to auditor; memo to file
8/26/2008	BTB	1.30	1.30	170.00	\$221.00		Prepared for and attended court appearance; reviewed file and updated monthly status report; memo to file; email from auditor
8/27/2008	DAL	0.10	0.10	300.00	\$30.00		E-notice from court
9/18/2008	BTB	0.10	0.10	170.00	\$17.00		Email to auditor
9/23/2008	BTB	0.20	0.20	170.00	\$34.00		Email from auditor; reviewed file and updated monthly status report
9/24/2008	BTB	0.10	0.10	170.00	\$17.00		Conference with Douglas A. Lindsay regarding audit and court appearance
9/24/2008	DAL	0.10	0.10	300.00	\$30.00		Conference with Brian T. Bedinghaus regarding case handling
9/25/2008	DAL	0.30	0.30	300.00	\$90.00		E-notice from court; conference with Brian T. Bedinghaus regarding case handling; email to all concerned
9/25/2008	BTB	1.10	1.10	170.00	\$187.00		Attended court appearance for status hearing; emails to auditor; conference with Douglas A. Lindsay
11/18/2008	BTB	0.20	0.20	170.00	\$34.00		Received returned mail; memo to file; reviewed file
Billed Time							
Totals		18.70	18.70		\$3,444.50		

Billed Expenses			
Date	Amount	Exp Code	Narrative

Lewis, Overbeck & Furman, LLP

Time And Expense Details

Report ID: OT2025 - 25464
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Billed Expenses

Date	Amount	Exp Code	Narrative
6/17/2008	\$109.00	MISC	Constable Services - Service of Summons
6/30/2008	\$60.00	DOCK	DM 2000, Computerized Docket and Case Watch Protection Service
6/30/2008	\$19.20	POST	Postage Charges
6/30/2008	\$90.24	COPY	Photocopy Charges
7/11/2008	\$350.00	MISC	Northern District of Illinois - Eastern Division - E-file
7/31/2008	\$6.72	COPY	Photocopy Charges
7/31/2008	\$3.50	BIND	Binding Charges
8/31/2008	\$0.40	CLR	Computerized Legal Research Charges- Pacer

Billed Expenses

Totals	\$639.06			
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	Hours Worked	Hours To Bill	Fee Amount	Expense Amount	Total Amount
Report Totals	23.30	23.30	\$4,317.50	\$639.06	\$4,956.56

*** End Of Report ***

EXHIBIT D

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

JAMES T. SULLIVAN, etc.,)	
)	No. 08 C 3285
Plaintiff,)	
)	Judge Kendall
v.)	
)	Magistrate Judge Denlow
ERICKSON MECHANICAL, INC.,)	
)	
)	
Defendant.)	
)	

AFFIDAVIT OF DENNIS M. SIEGEL

DENNIS M. SIEGEL states that if he were called to testify in the captioned case, he would testify as follows:

1. I am an adult and competent.
2. The information contained in this Affidavit is based on my personal knowledge and the business records of D M SIEGEL, LTD.
3. I am a supervising auditor of D M SIEGEL, LTD located at 2209A Lakeside Drive, Bannockburn, IL 60015-1265.
4. The Trustees of Plumbers' Pension Fund, Local 130, U.A., Plumbers' Welfare Fund, Local 130, U.A., The Trust Fund for Apprentice and Journeyman Education and Training, Local 130, U.A., and Chicago Journeymen Plumbers' Local Union 130, U.A., Group Legal Services Plan Fund ("Funds") have engaged D M SIEGEL, LTD to conduct compliance audits of

employers who are signatories to the collective bargaining agreement (“CBA”) with the Chicago Journeymen Plumbers' Local Union 130, U.A.

5. Pursuant to the foregoing engagement, D M SIEGEL, LTD audited the compliance of Defendant with its obligations under the CBA for the period from April 1, 2004, through July 31, 2008. A true and correct copy of the Compliance Report to the Trustees issued by D M SIEGEL, LTD is attached to Motion for Entry of Judgment as Exhibit B.

6. D M SIEGEL, LTD charged the Funds \$4,880.00 for professional services rendered in auditing Defendant.

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



DENNIS M. SIEGEL

Executed on 01/05, 2009.

EXHIBIT E

Lewis, Overbeck & Furman, LLP

ATTORNEYS AT LAW

20 NORTH CLARK STREET

SUITE 3200

CHICAGO, ILLINOIS 60602-5093

www.lewisoverbeck.com

December 12, 2008

TELEPHONE 312.580.1200
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WRITER'S DIRECT LINE
312.580. 1269
bbedinghaus@lewisoverbeck.com

File: Lit - 4741

Erickson Mechanical, Inc.
c/o Mary Lou Erickson
2509 Fuller Street
Rolling Meadows, IL 60008

Re: James T. Sullivan, etc. v. Erickson Mechanical; No. 08 C 3285

Ms. Erickson:

Enclosed is a copy of the Compliance Report to the Trustees ("Audit") issued by DM Siegel, Ltd, disclosing a delinquency for the audited period from April 1, 2004, through July 31, 2008.

Please provide to me by December 31, 2008, a certified check payable to Lewis, Overbeck & Furman, LLP, in the amount of \$15,616.06 in payment of the balance due consisting of:

Audit delinquency, liquidated damages and interest through 1/15/09, per the Collective Bargaining Agreement ("CBA") and ERISA, 29 U.S.C. §1132(g)(2)(A) and (B)	\$4,496.29
ERISA double interest per 29 U.S.C. §1132(g)(2)(C) through 1/15/09	\$848.71
Attorneys' fees and costs per §1.6 of the CBA and ERISA, 29 U.S.C. §1132(g)(2)(D)	\$5,391.06
Audit costs per §1.6 of the CBA and ERISA, 29 U.S.C. §1132(g)(2)(E)	\$4,880.00

Lewis, Overbeck & Furman, LLP

Ms. Mary Lou Erickson

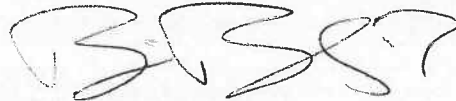
December 12, 2008

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After January 15, 2009, additional audit interest (\$50.66) and ERISA double interest (\$50.66) will continue to accrue at the combined rate of \$101.32 per month until the delinquency is paid in full.

Very truly yours,

LEWIS, OVERBECK & FURMAN, LLP

A handwritten signature in black ink, appearing to read 'BTB', with a stylized flourish at the end.

Brian T. Bedinghaus

BTB:

Enclosure

BTB140077/65100-1119