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

TRUSTEES OF THE SUBURBAN TEAMSTERS)	
OF NORTHERN ILLINOIS WELFARE AND)	
PENSION FUNDS,)	
)	
Plaintiffs,)	
)	No. 08 C 3311
v.)	
)	Judge Pallmeyer
ENDOR DEVELOPMENT, INC.,)	
an Illinois corporation)	Magistrate Judge Cole
WILLIAM E. CUNHA, Individually)	
Defendant.)	

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 3311.
- 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:

June 9, 2008	Open file; draft complaint and summons and file with court	2 hours
June 10, 2008	Letter to special process server to serve Summons and Complaint.	.5 hours

June 27, 2008	Conference with opposing counsel and letter enclosing installment notes and letter to defendant	.75 hours
	defendant	.73 Hours
July 8, 2008	Conference with opposing counsel.	.25 hours
July 14, 2008	Letter to opposing counsel re: status of possible settlement and enclosing court order setting status	.5 hours
July 25, 2008	Conference with opposing counsel.	.25 hours
August 11, 2008	Conference with opposing counsel re: received signed installment notes and checks	.25 hours
August 11, 2008	Letter to client enclosing signed installment notes and checks	.5 hours
August 12, 2008	Preparation of Stipulation to Dismiss; letter to opposing counsel	1.0 hours
August 14, 2008	Filing of Notice of Filing and Stipulation to Dismiss	.25 hours
August 15, 2008	Reminder letter to Endor re: September 1, 2008 installment payments	.25 hours
September 15, 2008	Reminder letter to Endor re October 1, 2008 installment payments	.25 hours
September 15, 2008	Notice of Default letter to Endor re: September 1, 2008 installment payments; voice mail message to Endor and opposing counsel	.5 hours
September 23, 2008	Preparation and filing of Notice of Filing; Amended Complaint and Summons; letter to special process server to serve amended complaint and summons	2.0 hours
October 3, 2008	Return of service filed with the court	.5 hours

October 27, 2008

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

Argus Agency

\$238.00

Total

\$588.00

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

\$185.00 x 12.25 hours

\$2,266.25

6. The total in fees and costs expended are:

Attorneys' fees

\$2,266.25

Costs

\$588.00

Total

\$2,854.25

FURTHER AFFIANT SAYETH NOT.

JOHN J. TOOMEY

JOHN J. TOOMEY ARNOLD AND KADJAN 19 W. Jackson Boulevard Chicago, Illinois 60604 (312) 236-0415