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

PENSION FUNDS,	
Plaintiffs,)	
) No. 08 (C 3311
v.) Judge P	allmeyer
ENDOR DEVELOPMENT, INC.,	
an Illinois corporation) Magistra	ate Judge Cole
WILLIAM E. CUNHA, Individually)	
Defendant.	

AFFIDAVIT

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 Endor Development, Inc., an Illinois corporation 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 covering the period June, 2007 through May, 2008 and found to be owing:

Pension \$14,254.35 Welfare \$19,881.27

- 3. That Employer was given a copy of the audit and given notice of findings on March 19, 2008 and has made no effort to pay or settle.
 - 4. That the audit including liquidated damages and interest totals \$34,135.62.
 - 5. That Affiant suffers from no disability and can so testify and affirm such facts.

FURTHER AFFIANT SAYETH NOT.

RICHARD SIEBERT

Relu & Selet

SUBSCRIBED AND SWORN to before me this day of October, 2008.

OFFICIAL SEAL
CAROL COLLINS
Notary Public - State of Illinois
My Commission Expires Jul 20, 2011