

Exhibit A

Exhibit A

AO 440 (Rev. 05/00) Summons in a Civil Action

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

TRUSTEES of the CHICAGO REGIONAL COUNCIL OF
CARPENTERS PENSION FUND, WELFARE FUND and
APPRENTICE & TRAINEE PROGRAM FUND

08CV4125

CASE NUMBER: JUDGE CASTILLO
MAGISTRATE JUDGE SCHENKIER

V.

ASSIGNED JUDGE:

AMERICAN RIGGING SERVICES, INC.

DESIGNATED
MAGISTRATE JUDGE:

TO: (Name and address of Defendant)

AMERICAN RIGGING SERVICES, INC.
c/o WALTER H. MARTENS, REGISTERED AGENT
2304 SPRING RIDGE DRIVE, UNIT F
SPRING GROVE, IL 60081

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

DANIEL P. McANALLY
WHITFIELD McGANN & KETTERMAN
111 E. WACKER DRIVE
SUITE 2600
CHICAGO, IL 60601

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

NOTE: When the print dialogue box appears, be sure to uncheck the Annotations option.

Michael W. Dobbins, Clerk

Yvette Martinez

(By) DEPUTY CLERK

July 21, 2008

Date



State of Illinois

USDC/Northern District of IL
Docket No. 08 CV 4125

County of McHenry

AFFIDAVIT OF SERVICE

GLENN C. OLSON deposes and says that he is a registered employee of **HRODEY & ASSOCIATES**, a Private Detective Agency, licensed by the Illinois Department of Professional Regulation and is therefore authorized, pursuant to the provisions of Chapter 735, "Code of Civil Procedure", Section 5/2-202, Illinois Compiled Statutes, to serve process in the above cause, and that the defendant was served in the following manner:

On Tuesday, August 19, 2008 at 10:00 AM by leaving a true and correct copy of the attached Summons and a copy of the Complaint or Petition with **AMERICAN RIGGING SERVICES, INC.** as shown below:

SERVED the within named **AMERICAN RIGGING SERVICES, INC.** by delivering a true copy of the Summons and a copy of the Complaint or Petition to **Luann Gray, office manager/authorized agent**, a person authorized to accept service of process as agent.

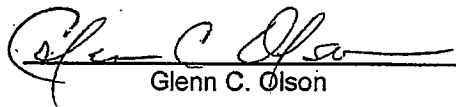
Said service was effected at **2304 Spring Ridge Drive, Unit F, Spring Grove, IL 60081.**

DESCRIPTION of Person Served: Date of Birth: 1/15/1960; Sex: Female; Race/Skin Color: White;

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to such matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

AUG 19 2008

Dated



Glenn C. Olson

Exhibit B

Exhibit B

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

TRUSTEES of the CHICAGO REGIONAL)	
COUNCIL OF CARPENTERS PENSION)	
FUND, et al.)	
)	
Plaintiffs,)	Case No. 08 CV 4125
)	
v.)	Judge Castillo
)	
AMERICAN RIGGING SERVICES, INC.)	
)	
Defendant.)	

SWORN DECLARATION PURSUANT TO 28 U.S.C.A. § 1746

James Rosemeyer declares as follows:

1. I am the Manager of the Employer Contributions Department for the Chicago Regional Council of Carpenters Pension Fund and the Chicago Regional Council of Carpenters Welfare Fund ("Trust Funds") and in such capacity I am authorized to make this Declaration on behalf of the Trust Funds.

2. The Defendant executed an Agreement with the Chicago and Northeast Illinois Regional Council of Carpenters ("Union") whereby it agreed to be bound by the provisions of a Collective Bargaining Agreement and to all Collective Bargaining Agreements subsequently negotiated.

3. Pursuant to the provisions of the Agreement and the Collective Bargaining Agreements, the Defendant agreed to be bound by the provisions of the Agreements and Declarations of Trust, which created the Plaintiffs' Trust Funds.

4. Pursuant to the provisions of the Collective Bargaining Agreements and Trust Agreements, the Defendant is required to submit monthly reports which list the number of hours worked by its carpenter employees and the Defendant is required to pay contributions based upon the hours listed.


5. The Defendant submitted the contribution reports for the period February 2008 through July 2008 but did not pay the contributions. The reports show that \$11,184.34 is owed in ERISA contributions. The Defendant also failed to remit the union dues it withheld from the employees' wages. The amount of dues withheld is \$1,174.33 for the period January 2008 through July 2008.

6. Because of its failure to pay contributions in a timely manner, the Trust Agreement and Collective Bargaining Agreement mandate the assessment of liquidated damages. The liquidated damages calculation was based on the rate set forth in the controlling Trust Agreements, which is 1.5% compounded per month. The amount of liquidated damages owed is \$1,603.31 for the period June 2007 through July 2008.

7. The interest calculation is based on the ERISA Section awarding such interest, 29 U.S.C. §1132(g)(2) and because the relevant Trust Agreements do not specify the rate of interest, the calculations were done pursuant to Section 6621 of the Internal Revenue Code. The amount of interest owed is \$0.

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Declaration is true and correct.

Date: November 12, 2008

Signature: 

20249 AMERICAN RIGGING SERVICES INC
2304 SPRING RIDGE DRIVE
UNIT F
SPRING GROVE IL 60081

	FRINGES	DUES	LD'S
Jun-07	\$0.00	\$0.00	\$32.97
Jul-07	\$0.00	\$0.00	\$72.84
Aug-07	\$0.00	\$0.00	\$90.63
Sep-07	\$0.00	\$0.00	\$139.21
Oct-07	\$0.00	\$0.00	\$92.10
Nov-07	\$0.00	\$0.00	\$170.36
Dec-07	\$236.34	\$0.00	\$146.99
Jan-08	\$2,871.00	\$231.44	\$267.29
Feb-08	\$2,293.50	\$169.68	\$214.21
Mar-08	\$2,198.63	\$155.80	\$134.41
Apr-08	\$2,334.75	\$171.95	\$106.27
May-08	\$2,805.00	\$205.66	\$84.46
Jun-08	\$1,648.64	\$113.31	\$24.62
Jul-08	\$1,796.48	\$126.49	\$26.95
TOTALS	\$16,184.34	\$1,174.33	\$1,603.31
TOTAL AMOUNT DUE		\$18,961.98	
MONIES RECEIVED		\$5,000.00	
TOTAL DUE		\$13,961.98	

Exhibit C

Exhibit C

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

TRUSTEES of the CHICAGO REGIONAL)	
COUNCIL OF CARPENTERS PENSION)	
FUND, et al.)	
)	
Plaintiffs,)	Case No. 08 CV 4125
)	
v.)	Judge Castillo
)	
AMERICAN RIGGING SERVICES, INC.)	
)	
Defendant.)	

SWORN DECLARATION PURSUANT TO 28 U.S.C.A. § 1746

Daniel P. McAnally declares as follows:

1. I am an associate of the law firm of Whitfield & McGann and am licensed to practice law in the State of Illinois and in the U.S. Dist. Court for Northern District of Illinois, Eastern Division.
2. I have personal knowledge of the facts stated herein and if called to testify in this matter, I can competently testify to such facts from my own such knowledge.
3. I have in excess of 13 years experience representing trustees of employee benefit plans, including the prosecution of Federal Court litigation to collect delinquent employer contributions.
4. The Collective Bargaining Agreement and the Trust Agreements under which this action is based provide for the payment of attorneys' fees and costs incurred if the Trust Funds utilize legal counsel to collect unpaid ERISA contributions.
5. I have devoted 11.90 hours in connection with the this case at the rate of \$175.00 per hour and as of November 1, 2008, \$195.00 per hour. The total attorney fees billings is \$2,169.50.

6. In addition, the filing fee was \$350.00 and the fees for service of process were an additional \$55.00. These costs total \$405.00.

7. I certify that the attached detailed attorney fees and costs totaling \$2,574.50 were necessary and reasonable.

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Declaration is true and correct.

Date: November 12, 2008

s/ DANIEL P. McANALLY

Attorney for the Trustees of the Chicago
Regional Council of Carpenters Pension Fund,
et al.

Selection Criteria

Activity (hand select) Include: Billable
 Case (hand select) Include: CTF-C./N7728/20249
 Slip Classification Open
 Case (hand select) Include: CTF-C./N7728/20249
 Slip Transaction Ty 1 - 1

Rate Info - identifies rate source and level

Slip ID		ATTORNEY	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Case	Est. Time	Bill Status	
Description		Reference	Variance		
361860	TIME	DPM	1.00	175.00	175.00
7/19/2008		Billable	0.00	T@7	
Billed	G:74009 8/1/2008	CTF-C./N7728/20249	0.00		
Review referral from Trust Funds; prepare database and load information regarding case facts, history and legal strategy. Prepare/ Open file for litigation; review corporate status and registered agent information for legal process.					
361861	TIME	DPM	2.00	175.00	350.00
7/21/2008		Billable	0.00	T@7	
Billed	G:74009 8/1/2008	CTF-C./N7728/20249	0.00		
Prepare summons, complaint, appearance forms and civil cover sheet for Trust Funds' claims and compliance matters pursuant to ERISA Sec. 1132, 1145 and Taft-Hartley Act Sec. 301.					
361862	TIME	DPM	0.50	175.00	87.50
7/21/2008		Billable	0.00	T@7	
Billed	G:74009 8/1/2008	CTF-C./N7728/20249	0.00		
Prepare the complaint, summons, civil cover sheet and appearance for electronic filing; file the documents.					
361863	TIME	DPM	0.50	175.00	87.50
7/25/2008		Billable	0.00	T@7	
Billed	G:74009 8/1/2008	CTF-C./N7728/20249	0.00		
Review email from the U.S. District Court Clerk regarding the electronically filing; download and print the complaint, summons, civil cover sheet and attorney appearance; review the complaint; load information regarding the filing date, case number and assigned judge and magistrate into the database; review (via the Internet) the judge's standing order regarding pre-trial litigation, motion practice and status hearing dates.					

Slip ID	Dates and Time	Posting Status	Description	ATTORNEY Activity Case Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
361864	TIME			DPM	1.00	175.00	175.00
	7/25/2008			Billable	0.00	T@7	
	Billed	G:74009	8/1/2008	CTF-C./N7728/20249	0.00		
			Prepare correspondence to legal process server Scott Forrest Stern & Associates, Inc. regarding service of the summons and complaint on the defendant; prepare correspondence to James Rosemeyer, ERISA Contributions Manager, Chicago District Council of Carpenters' Trust Funds regarding the filling of the complaint; enclose copy of the summons and complaint; docket follow-up dates for service.		0.00		
363811	TIME			DPM	0.20	175.00	35.00
	9/2/2008			Billable	0.00	T@7	
	Billed	G:74403	10/1/2008	CTF-C./N7728/20249	0.00		
			Telephone conference with Lou Ann from the signatory regarding the lawsuit; telephone conference with Trust Fund employee, Richard Oginski regarding same.		0.00		
363819	TIME			DPM	0.20	175.00	35.00
	9/2/2008			Billable	0.00	T@7	
	Billed	G:74403	10/1/2008	CTF-C./N7728/20249	0.00		
			Telephone conference with Lou Ann at the signatory regarding the \$5,000 payment; discussed resolution of the amounts owed.		0.00		
364770	TIME			DPM	0.25	175.00	43.75
	9/9/2008			Billable	0.00	T@7	
	Billed	G:74403	10/1/2008	CTF-C./N7728/20249	0.00		
			Review e-mail sent by the U.S. Dist. Court for the Northern Dist. of Illinois regarding MINUTE entry before the Honorable Ruben Castillo: The parties are directed to file a joint status report on or before 9/25/2008. The Court will hold a status hearing in open court on 9/30/2008 at 9:45 a.m. The Court's review of the complaint indicates that it is appropriate to give this case expedited treatment. The parties are authorized to proceed with all discovery. All discovery to be completed on or before 12/30/2008. This case is subject to be called for trial anytime after 12/30/2008 upon a five business days notice. A final pretrial order will be waived. Plaintiffs are ordered to make a disclosure pursuant to Fed.R.Civ.P. 26(a)(1) to defendant by 9/18/2008. The parties are ordered to fully exhaust all settlement possibilities prior to the first status hearing. ;		0.00		

Slip ID	Dates and Time	Posting Status	Description	ATTORNEY Activity Case Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
			download documents to the file folder; print document and enclose in file.				
364144	TIME			DPM	1.25	175.00	218.75
	9/9/2008			Billable	0.00	T@7	
	Billed	G:74403	10/1/2008	CTF-C./N7728/20249	0.00		
			Review correspondence from Trust Fund employee, Richard Oginski regarding the amounts owed; download the documents, print and enclose in the file; prepare demand letter to the signatory.		0.00		
364436	TIME			DPM	0.10	175.00	17.50
	9/16/2008			Billable	0.00	T@7	
	Billed	G:74403	10/1/2008	CTF-C./N7728/20249	0.00		
			Telephone conference with Walt Martens regarding nature of the case.		0.00		
364771	TIME			DPM	0.10	175.00	17.50
	9/19/2008			Billable	0.00	T@7	
	Billed	G:74403	10/1/2008	CTF-C./N7728/20249	0.00		
			Telephone conference with minute clerk / courtroom deputy regarding the entry of a dispoitive order.		0.00		
364788	TIME			DPM	0.25	175.00	43.75
	9/22/2008			Billable	0.00	T@7	
	Billed	G:74403	10/1/2008	CTF-C./N7728/20249	0.00		
			Review e-mail sent by the U.S. Dist. Court for the Northern Dist. of Illinois regarding MINUTE entry before the Honorable Ruben Castillo:On the Court's own motion, the Court hereby enters a default against the defendant, American Rigging Services, Inc. for failure to timely appear, answer or otherwise plead to the complaint. The Court will retain jurisdiction to enter a default judgment in a sum certain. The status hearing set for 9/30/2008 is vacated.; download documents to the file folder; print document and enclose in file.		0.00		
366038	TIME			DPM	0.20	175.00	35.00
	10/14/2008			Billable	0.00	T@7	
	Billed	G:74621	11/3/2008	CTF-C./N7728/20249	0.00		
			Review file for current status; telephone conversation with Earl E. Oliver, Employer Contributions, Chicago District Council of Carpenters' Trust Funds regarding status of the case and future legal strategy.		0.00		

Slip ID	ATTORNEY	Units	Rate	Slip Value
Dates and Time	Activity	DNB Time	Rate Info	
Posting Status	Case	Est. Time	Bill Status	
Description	Reference	Variance		
367521	TIME	DPM	195.00	97.50
11/3/2008	Billable	0.50	T@7	
WIP	CTF-C./N7728/20249	0.00		
Correspondence to Trust Fund employee, Richard Oginski regarding the prior breakdown and current status.		0.00		
367519	TIME	DPM	195.00	48.75
11/7/2008	Billable	0.25	T@7	
WIP	CTF-C./N7728/20249	0.00		
Review e-mail sent by the U.S. Dist. Court for the Northern Dist. of Illinois regarding SUMMONS Returned Executed by Trustees of the Chicago Regional Council of Carpenters Pension Fund, Chicago Regional Council of Carpenters Welfare Fund, Chicago Regional Council of Carpenters Apprentice & Trainee Program Fund as to American Rigging Services, Inc. on 8/19/2008, answer due 9/8/2008; download documents to the file folder; print document and enclose in file.		0.00		
367520	TIME	DPM	195.00	195.00
11/7/2008	Billable	1.00	T@7	
WIP	CTF-C./N7728/20249	0.00		
Review Scott Forrest Stern & Assoc., Inc.'s report on service of the summons and complaint; review process server remarks regarding details of service; review affidavit of service for legality; electronically file the proof of service with the clerk of the U.S. Dist. Court for the Northern Dist. of Illinois; docket follow-up dates for Answer due date; correspondence to trust fund contributions manager, James Rosemeyer and Richard Oginski regarding service of the complaint; attach affidavit of special process server.		0.00		
367579	TIME	DPM	195.00	19.50
11/10/2008	Billable	0.10	T@7	
WIP	CTF-C./N7728/20249	0.00		
Telephone conference with Trust Fund employee, Richard Oginski regarding the amounts owed and proceeding with the motion for default judgment.		0.00		
367824	TIME	DPM	195.00	487.50
11/12/2008	Billable	2.50	T@7	
WIP	CTF-C./N7728/20249	0.00		
Review court file to determine if Answer filed; review office file for Answer; confirm Answer		0.00		

Slip ID Dates and Time Posting Status Description	ATTORNEY Activity Case Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
due dates; review U. S. District Court website to verify the date and time that the presiding Judge hears motions; prepare motion for default judgment pursuant to F. Rul. Civ. P. 55 for failure to Answer or otherwise plead.				
Grand Total				
	Billable	11.90		2169.50
	Unbillable	0.00		0.00
	Total	11.90		2169.50

Filing Fee

\$ 350.00

Service Fee

\$ 55.00

\$ 2,574.50

STERN PROCESS & INVESTIGATION, LLC

Tax ID 04-3801615

205 W. RANDOLPH ST 730

CHICAGO, IL, 60606

Phone (312)-853-2150

Fax (312)-853-3119

Customer

WHITFIELD, MCGANN & KETTERMAN

111 E WACKER DRIVE 2600

CHICAGO, IL, 60601

Phone: (312)-251-9700

Fax: (312)-251-9701

Invoice# 193830

Date Of Invoice: 8/19/2008

Plaintiff: Trustees of the Chicago Regional Council of Carpenters pension Fund

Court CaseID: 08CV4125

Firm# N7728/DPM

Case Returned Date: 8/28/08

County: UNITED STATES DISTRICT COURT

Process Server: HRODEY AND ASSOCIATES

ProcessType: SUMMONS AND COMPLAINT

Defendant:#1 American Rigging Services, Inc.

Type Of Service: CORPORATE SERVICE

Person Served: LUANN GRAY, OFFICE MANAGER,

Date Of Service: 8/19/2008

Time: 10:00 AM

Sex FEMALE Age 48

Height

Build

Hair Color

Race WHITE

Defendant:#2

Type Of Service:

Person Served:

Date Of Service:

Time:

Sex

Age

Height

Build

Hair Color

Race

Location 2304 Spring Ridge Drive, UNIT F , Spring Grove,

Type Of Premise:

Delivery Charge

\$55.00

Rush

\$0.00

Bad Address

\$0.00

Filing

\$0.00

No Contact

\$0.00

Investigation

\$0.00

Database/Skip

\$0.00

Advanced fees

\$0.00

Total:**\$55.00**

Date Received

Check No

Amount Received

\$0.00

Balance Due

\$55.00

INFORMATION DEEMED RELIABLE BUT NOT GUARANTEED

PAYABLE UPON RECEIPT, 2% PER MONTH