

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

LABORERS' PENSION FUND et al.,
Plaintiffs,
v.
INGLESIDE EXCAVATING, INC.,
Defendant.
Case No. 08 C 4506
Judge MANNING

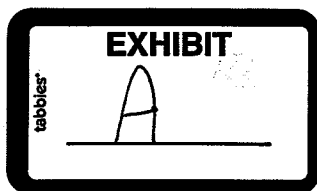
DECLARATION OF AMY N. CAROLLO

I, AMY N. CAROLLO, declare and state as follows:

1. I am Funds Counsel for Plaintiffs Laborers' Pension Fund and Laborers' Welfare Fund of the Health and Welfare Department of the Construction and General Laborers' District Council of Chicago and Vicinity (the "Laborers' Funds"), Plaintiffs in the above-referenced action. This Declaration is submitted in support of the Laborers' Funds' Motion for Entry of Default Judgment in Sum Certain.

2. Shareholders of the law firms of Allison, Slutsky & Kennedy, and the Law Offices of Marc Pekay, out-of-house collection counsel for the Laborers' Funds, bill the Laborers' Funds at a rate of \$175.00 per hour for shareholders, \$150.00 per hour for associates, and \$75.00 per hour for paralegals. Affiant, as in-house counsel for the Laborers' Funds, has first-hand knowledge that the foregoing hourly rates have been found reasonable and have been awarded by many courts in collection proceedings.

3. Amy N. Carollo received a Bachelor of Arts Degree from Illinois State University in 2000, Masters of Science from University of Illinois at Chicago in 2002 and a Juris Doctor from Chicago-Kent College of Law in 2005. She was admitted to the bar of the State of Illinois



in November of 2005 and to the bar of the United States District Court for the Northern District in January 2006. In March 2006, she became in-house counsel for the Laborers' Pension Fund and Laborers' Welfare Fund for the Health and Welfare Department of the Construction and General Laborers' District Council of Chicago and Vicinity.

4. Based on the foregoing, \$175.00 represents a fair and reasonable market rate for my in-house legal services to the Funds in this matter.

5. Patrick T. Wallace received a Bachelor of Arts Degree from the University of Illinois at Urbana-Champaign in 1992 and a Juris Doctor Degree from the University of DePaul College of Law in 1995. He was admitted to the bar of the State of Illinois in November 1995 and to the bar of the United States District Court for the Northern District of Illinois in December 1995. He also been admitted to the bar of the United States District Court for the Central District of Illinois. He was admitted to the Trial Bar of the Northern District of Illinois on September 20, 2000. From November 1995 to August 2000 he practiced labor and employment law as an associate at the law firm of Katz, Friedman, Eagle, Eisenstein & Johnson (formerly Katz, Friedman, Schur & Eagle). In September 2000, he became Funds Counsel for the Laborers' Pension Fund and Laborers' Welfare Fund for the Health and Welfare Department of the Construction and General Laborers' District Council of Chicago and Vicinity.

6. Based on the foregoing, \$175.00 represents a fair and reasonable market rate for Patrick T. Wallace's in-house legal services to the Funds in this matter.

7. Jerrod Olszewski, in-house counsel for the Laborers' Funds, received a Bachelor of Arts Degree from Benedictine University in 1993 and a Juris Doctor Degree from the John Marshall Law School in 2002. He was admitted to the bar of the State of Illinois in May, 2002,

and to the bar of the United States District Court for the Northern District of Illinois in May, 2002. From May, 2002 to December, 2004, he practiced labor and employment law as an associate at the law firm of Katz, Friedman, Eagle, Eisenstein & Johnson, former out-of-house counsel to the Laborers' Funds, with the majority of his work being spent representing the Laborers' Funds. In December, 2004, he became in-house counsel for the Laborers' Funds.

8. Based on the foregoing, \$175.00 represents a fair and reasonable market rate for Jerrod Olszewski's in-house legal services to the Funds in this matter.

9. Christina Krivanek received a Bachelor of Arts Degree from The Ohio State University in 2002 and a Juris Doctor Degree from the DePaul University College of Law in 2005. She was admitted to the bar of the state of Illinois in November 2005 and to the bar of the United States District Court for the Northern District of Illinois in January 2006. In January 2006, she became in-house counsel for the Laborers' Pension Fund and Laborers' Welfare Fund for the Health and Welfare Department of the Construction and General Laborers' District Council of Chicago and Vicinity.

10. Based on the foregoing, \$175.00 represents a fair and reasonable market rate for my in-house legal services to the Funds in this matter.

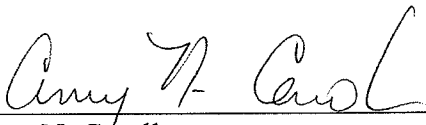
11. Charles Ingrassia, in-house counsel for the Laborers' Funds, received a Bachelor of Science Degree from Radford University in 2002 and a Juris Doctor from the University of Illinois College of Law at Urbana-Champaign in 2006. He was admitted to the bar of the State of Illinois in November of 2006 and to the bar of the United States District Court for the Northern District in July 2007. In July 2007, he became in-house counsel for the Laborers' Funds.

12. Based on the foregoing, \$150.00 represents a fair and reasonable market rate for Charles Ingrassia's in-house legal services to the Funds in this matter.

13. Exhibit 1 attached hereto sets forth the time expended to date by in-house counsel on this matter. As set forth in that Exhibit, in-house has expended 12.40 hours totaling \$1,900.00 in attorneys' fees and \$545.00 in expenses totaling \$2,445.00. The Court previously awarded the Plaintiffs \$957.50 in attorneys' fees and costs in the Judgment Order dated October 7, 2008. The balance owed in attorneys' fees and costs is \$1,487.50.

I, the undersigned, certify under penalty of perjury that the foregoing is true and correct.

Date: 2/6/09



Amy N. Carollo

Laborers Pension and Welfare Funds
11465 Cermak Rd.
Westchester, IL 60154

Invoice submitted to:
Ingleside Excavating

February 06, 2009

Invoice #10092

Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
8/6/2008	CI Begin Work on Complaint	1.00 150.00/hr	150.00
8/20/2008	PGL Letter to JAS for Service of summons and complaint	0.10 150.00/hr	15.00
8/21/2008	CI Send out and file First Amended Complaint with proper exhibits	0.50 150.00/hr	75.00
9/9/2008	CI Draft Motion for Entry of Default Judgment; Telephone conference with J. Gilleran re: interest calculations.	0.50 150.00/hr	75.00
9/15/2008	CI Draft Motion for Entry of Default Judgment	2.00 150.00/hr	300.00
9/23/2008	CI Appearance before Judge on Motion for Entry of Default Judgment; memo to file re: same.	1.00 150.00/hr	150.00
10/2/2008	CI Speak with Judge Mannings clerk; Revise proposed Order and email	0.40 150.00/hr	60.00
10/16/2008	CI Issue citations	0.50 150.00/hr	75.00
10/17/2008	CI Letter to company re: outstanding reports	0.50 150.00/hr	75.00
11/5/2008	CI Spoke with Company, called dues, Telephone conference with Joe Gilleran, draft and send letter rescheduling citation deposition	0.80 150.00/hr	120.00



	<u>Hrs/Rate</u>	<u>Amount</u>
11/6/2008 CI Status Hearing and update status notes	1.00 150.00/hr	150.00
11/24/2008 CI Conduct citation deposition and issue third-part citation.	2.00 150.00/hr	300.00
12/2/2008 CI Issue third party citation	0.50 150.00/hr	75.00
1/27/2009 ANC Review file; Draft letter to Company; Draft Motion for Turnover and Order; Draft letter to Chase; Conference with VC	1.60 175.00/hr	280.00
For professional services rendered	<u>12.40</u>	<u>\$1,900.00</u>
Additional Charges :		
8/8/2008 Filing fee.		350.00
8/20/2008 Service of Summons and Complaint.		75.00
11/24/2008 Court reporter for deposition of J. Fiordirosa.		120.00
Total additional charges		<u>\$545.00</u>
Total amount of this bill		<u>\$2,445.00</u>
Balance due		<u><u>\$2,445.00</u></u>

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Amy N. Carollo	1.60	175.00	\$280.00
Charles Ingrassia	10.70	150.00	\$1,605.00
Paralegal	0.10	150.00	\$15.00

CERTIFICATE OF SERVICE

The undersigned attorney of record certifies that she caused a copy of the foregoing Motion for Default Judgment in Sum Certain to be served upon the following person on February 6, 2009, via U.S. First Class Mail, postage pre-paid:

Ingleside Excavating Inc.
c/o John D. Fiordirosa, RA
26530 Oakwood
Ingleside, IL 60041

/s/ Amy Carollo