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

TRUSTEES OF THE SUBURBAN TEAMSTERS	)
OF NORTHERN ILLINOIS PENSION FUND	)
AND WELFARE FUNDS,	)
	)
Plaintiff,	)
	) No. 08 C 4955
V.	)
	) Judge Guzman
	)
BIG O TRUCKS, INCORPORATED	) Magistrate Judge Cole
an Illinois corporation	)
	)
Defendant.	)

## <u>AFFIDAVIT</u>

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 Big O Trucks, Incorporated, 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 on March 25, 2008 covering the period January, 2005 through December, 2007 and found to be owing:

Pension \$4,876.06 Welfare \$6.361.94

- 3. That Employer was given a copy of the audit and given notice of findings on May 6, 2008 and has made no effort to pay or settle.
  - 4. That the audit including liquidated damages and interest totals \$11,238.00.
  - 5. That Affiant suffers from no disability and can so testify and affirm such facts.

## FURTHER AFFIANT SAYETH NOT.

RICHARD SIEBERT

SUBSCRIBED AND WORN to before me this Lay of October, 2008.

OFFICIAL SEAL CAROL COLLINS

Notary Public - State of Illinois My Commission Expires Jul 20, 2011