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,)
v.) No. 08 C 5580
MARCOTT ENTERPRISES, INC., an Illinois corporation) Judge Pallmeyer
SCOTT SCHROEDER, Individually Defendant.) Magistrate Judge Ashman

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 Marcott Enterprises, 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 August, 2006 through August, 2007 and found to be owing:

Pension \$46,005.61 Welfare \$49,450.00

- 3. That Employer was given a copy of the audit and given notice of findings on and has made no effort to pay or settle.
 - 4. That the audit including liquidated damages and interest totals \$95,455.61.
 - 5. That Affiant suffers from no disability and can so testify and affirm such facts.

FURTHER AFFIANT SAYETH NOT.

OFFICIAL SEAL
CARPL COLLINS
NOW Public State of Illinois
A Commission Expires Jul 20, 2011

Notary Public