

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

**LABORERS' PENSION FUND,** )  
*et al.,* )  
 )  
**Plaintiffs,** )  
 )  
**v.** )  
 )  
**GIOVENCO CONSTRUCTION, INC.,** )  
 )  
**Defendant.** )

**No. 08 C 6266**  
  
**Judge Hibbler**

**AFFIDAVIT OF MICHAEL CHRISTOPHER**

STATE OF ILLINOIS )  
 )  
COUNTY OF COOK )

Michael Christopher, first duly sworn on oath, deposes and states as follows:

1. I am a Field Representative employed by the 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"), the plaintiffs in the above referenced action. My responsibilities include oversight of the collection of amounts owed by Gioenco Construction, Inc. This affidavit is submitted in support of the Laborers' Funds' motion for a prove up of damages.
2. Gioenco Construction, Inc., has been a signatory employer since July 27, 2005, as reflected by the collective bargaining agreement, a true and correct copy of the agreement between the Company and the Construction and General Laborers' District Council of Chicago and Vicinity and its affiliated local ("Union"), on file with the Funds is attached to the Complaint as Exhibit A.
3. The Company submitted its books and records to the Funds' designated auditors from the firm of Richard J. Wolf and Company, Inc., who prepared an audit report reflecting unpaid contributions owed for the period from April 27, 2005 through March 31, 2006. The report shows

that principal contributions are owed to the Welfare, Pension, Training, MCI AF, CCA, LECET, LDCLMCC, and for Union dues in the amount of \$2,593.33. A copy of the audit report is attached hereto as Exhibit A.

4. The Company also submitted books and records for the period covering June 1, 2006 through November 30, 2008 to the Funds' designated auditors from Levinson Simon & Sprung P.C., who prepared an audit report reflecting unpaid contributions. The report shows that principal contributions are owed to the Welfare, Pension, Training, MCI AF, CCA, LECET, LDCLMCC, and for Union dues in the amount of \$23,099.52. A copy of the audit report is attached hereto as Exhibit B.

5. The respective Agreements and Declarations of Trust of the Laborers Funds, to which Giovenco Construction, Inc., is bound require payment of liquidated damages in the amount of 10 percent of the principal amount of delinquent contributions for the period prior to June 1, 2007 and 20 percent of the principal for the period after June 1, 2007. In addition, interest is owed at the rate of prime plus two percent as charged by Chase Bank on all delinquent amounts owed from the date of the delinquency forward. With respect to the audit covering the period from April 2005 through March 2006, liquidated damages are owed in the amount of \$259.34. With respect to the period from June 1, 2006 through November 30, 2008, liquidated damages total the amount of \$4,445.09, which consists of \$174.82 in ten percent penalties and \$4,270.27 in twenty percent penalties.

6. The Company also owes interest which as been determined for unpaid Funds' contributions in the amount \$441.85 through 3-4-09.

7. In addition to the principal owed, accumulated penalties are owed in the amount of \$1,945.13, together with dues penalties.

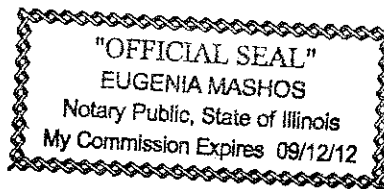
8. Audit fees billed to the Funds and paid in connection with the time expended by the Funds' designated auditors are \$600.00 for the 2005 audit (Exhibit A) and \$842.83 for the 2006 audit (Exhibit B), totaling \$1,442.83.

FURTHER AFFIANT SAYETH NOT.

Michael Christopher  
Michael Christopher

Subscribed and sworn to before me  
this 4<sup>th</sup> day of March 2009.

Eugenia Mashos  
NOTARY PUBLIC



# RICHARD J. WOLF AND COMPANY, INC.

Post Office Box 591  
Palos Park, Illinois 60464  
(708) 923-0909  
Fax (708) 923-0910



June 2, 2006

Board of Trustees of the Various  
Fringe Benefit Funds of the  
Laborers Pension & Welfare Funds

RE: Giovenco Construction (34363)

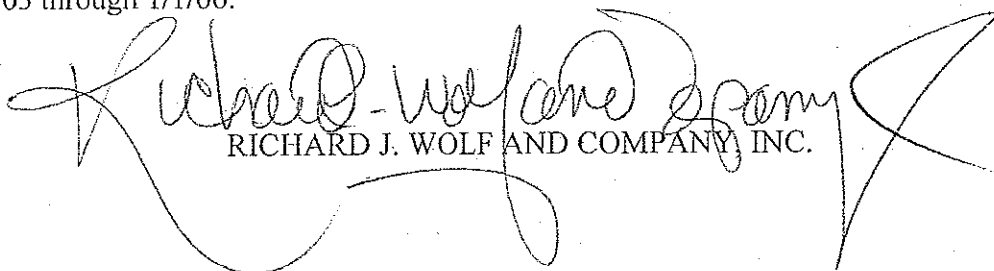
We have performed a fringe benefit contribution compliance audit of Giovenco Construction, for the period from April 27, 2005 through March 31, 2006. The audit encompassed the comparison of individual earnings records to certain payroll tax and fund reports and a review of the general disbursement records.

The comparison and review indicate that the employer has not complied with its fringe benefit contribution requirements and owes the following amounts:

<u>FUND</u>	<u>AMOUNT</u>
WELFARE	\$ 1,522.38
PENSION	854.67
TRAINING	39.19
CCA/IAF	16.14
LECET	13.83
LMCC	27.66
DUES	119.46
TOTAL	<u>\$ 2,593.33</u>

According to the Dues Office the contractor has the following outstanding shortages and penalties: Accumulated Liquidated Damages \$35.93.

We have also examined the employer's current wage and fringe benefit bond by Auto Owners Insurance Co., in the amount of \$15,000.00 covering the period from 1/1/05 through 1/1/06.

  
RICHARD J. WOLF AND COMPANY, INC.

JUN 04 to MAY 05

LABORERS' DISTRICT COUNCIL OF CHICAGO - \*CCA ASSOCIATION  
GIOVENCO CONSTRUCTION INC. #34363

ADDITIONAL HOURS and/or WORK DUES 6/04 - 5/05

S. S. #	Flags #	Type	2004												2005			
			Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Total			
CEJA, FROYLAN		Hours	-	-	-	-	-	-	-	-	-	-	-	-	-	-	19.00	19.00
634-09-0161		Gross \$	-	-	-	-	-	-	-	-	-	-	-	-	-	-	551.00	\$ 551.00
REYES, ALBERTO		Hours	-	-	-	-	-	-	-	-	-	-	-	-	-	-	40.00	40.00
458-17-3826		Gross \$	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,160.00	\$ 1,160.00

TOTAL HOURS	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	59.00	59.00
TOTAL GROSS \$	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	\$1,714.00	\$ 1,714.00

Amount Due To Funds:

	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Total
WELFARE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 372.29
PENSION	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 202.96
TRAINING	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10.03
CCAI/AF	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4.13
LECET	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3.54
LMCC	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 7.08
DUES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 29.94
TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 629.97

Rates:	6/1/04	to	5/31/05
WELFARE	6.31	LECET	0.08
PENSION	3.44	LMCC	0.12
TRAINING	0.17	DUES	1.75%
CCAI/AF	0.07		

JUN 05 to MAY 06

LABORERS' DISTRICT COUNCIL OF CHICAGO - \*CCA ASSOCIATION  
GIOVENCO CONSTRUCTION INC. #34363

ADDITIONAL HOURS and/or WORK DUES 6/05 - 5/06

S. S. #	Flags #	Type Hours	2005					2006					Total			
			Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar		Apr	May	
GEJA, FROYLAN		91.00														91.00
694-09-0181		Gross \$ 2,743.65														\$ 2,743.65
TOTAL HOURS		91.00														91.00
TOTAL GROSS \$		\$ 2,743.65														\$ 2,743.65

Amount Due To Funds:	2005												Total	
	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May		
WELFARE	\$ 624.26													\$ 624.26
PENSION	\$ 358.54													\$ 358.54
TRAINING	\$ 15.47													\$ 15.47
CCAI/AF	\$ 6.37													\$ 6.37
LECET	\$ 5.46													\$ 5.46
LMCC	\$ 10.92													\$ 10.92
DUES	\$ 48.01													\$ 48.01
<b>TOTAL</b>	<b>\$ 1,069.03</b>													<b>\$ 1,069.03</b>

Rate:	6/1/05	to	5/31/06
WELFARE	6.86		0.06
PENSION	3.94		0.12
TRAINING	0.17		1.75%
CCAI/AF	0.07		

JUN 04 to MAY 05

LABORERS' DISTRICT COUNCIL OF CHICAGO - \*CCA ASSOCIATION  
GIOVENCO CONSTRUCTION INC. #34363

UNREPORTED HOURS and/or WORK DUES 6/04 - 5/05

S. S. #	Flags	Type	2004					2005					Total				
			Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar		Apr	May		
GARCIA, ANGEL	29.00	Hours	-	-	-	-	-	-	-	-	-	-	-	-	-	48.00	48.00
844-86-8864		Gross \$	-	-	-	-	-	-	-	-	-	-	-	-	-	1,392.00	\$ 1,392.00
<b>TOTAL HOURS</b>			-	-	-	-	-	-	-	-	-	-	-	-	-	48.00	48.00
<b>TOTAL GROSS \$</b>			-	-	-	-	-	-	-	-	-	-	-	-	-	\$ 1,392.00	\$ 1,392.00

Amount Due To Funds:  
WELFARE  
PENSION  
TRAINING  
CCAVIAF  
LECET  
LMCC  
DUES  
TOTAL

	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Total
WELFARE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 302.88	\$ 302.88
PENSION	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 165.12	\$ 165.12
TRAINING	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8.16	\$ 8.16
CCAVIAF	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3.36	\$ 3.36
LECET	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2.88	\$ 2.88
LMCC	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5.76	\$ 5.76
DUES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 24.36	\$ 24.36
<b>TOTAL</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 512.52	\$ 512.52

Rates:	6/1/04	to	5/31/05
WELFARE	6.31	LECET	0.06
PENSION	3.44	LMCC	0.12
TRAINING	0.17	DUES	1.75%
CCAVIAF	0.07		

JUN 05 to MAY 06

LABORERS' DISTRICT COUNCIL OF CHICAGO - \*CCA ASSOCIATION  
GIOVENCO CONSTRUCTION INC. #34363

UNREPORTED HOURS and/or WORK DUES 6/05 - 5/06

S. S. #	Flags	Type	2005					2006					Total				
			Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar		Apr	May		
COLEMAN, DAVID	30.15	Hours	-	-	32.50	-	-	-	-	-	-	-	-	-	-	-	32.50
318-54-6609		Gross \$	-	-	979.88	-	-	-	-	-	-	-	-	-	-	-	979.88

	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Total
TOTAL HOURS	-	-	32.50	-	-	-	-	-	-	-	-	-	32.50
TOTAL GROSS \$	-	-	979.88	-	-	-	-	-	-	-	-	-	979.88

Amount Due To Funds:

	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Total
WELFARE	\$ -	\$ -	\$ 222.95	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 222.95
PENSION	\$ -	\$ -	\$ 128.05	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 128.05
TRAINING	\$ -	\$ -	\$ 5.53	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5.53
CCAI/AF	\$ -	\$ -	\$ 2.28	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2.28
LECET	\$ -	\$ -	\$ 1.95	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1.95
LMCC	\$ -	\$ -	\$ 3.90	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3.90
DUES	\$ -	\$ -	\$ 17.15	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 17.15
TOTAL	\$ -	\$ -	\$ 381.81	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 381.81

Rates:	6/1/05	to	5/31/06
WELFARE	6.86	LECET	0.06
PENSION	3.94	LMCC	0.12
TRAINING	0.17	DUES	1.75%
CCAI/AF	0.07		



LABORERS' DISTRICT COUNCIL OF CHICAGO - \*CCA ASSOCIATION

GIOVENCO CONSTRUCTION INC. #34363

RICHARD J. WOLF AND COMPANY, INC.

SUMMARY REPORT TOTAL

	<u>ADDITIONAL</u>	<u>UNREPORTED</u>	<u>TOTAL</u>
WELFARE	\$ 996.55	\$ 525.83	\$ 1,522.38
PENSION	\$ 561.50	\$ 293.17	\$ 854.67
TRAINING	\$ 25.50	\$ 13.69	\$ 39.19
CCA/IAF	\$ 10.50	\$ 5.64	\$ 16.14
LECET	\$ 9.00	\$ 4.83	\$ 13.83
LMCC	\$ 18.00	\$ 9.66	\$ 27.66
DUES	\$ 77.95	\$ 41.51	\$ 119.46
<b>TOTAL</b>	<u>\$ 1,699.00</u>	<u>\$ 894.33</u>	<u>\$ 2,593.33</u>

LABORERS' DISTRICT COUNCIL OF CHICAGO - \*CCA ASSOCIATION

GIOVENCO CONSTRUCTION INC. #34363

RICHARD J. WOLF AND COMPANY, INC.

\*\* GRAND TOTAL \*\*

WELFARE	\$	1,522.38
PENSION	\$	854.67
TRAINING	\$	39.19
CCA/IAF	\$	16.14
LECET	\$	13.83
LMCC	\$	27.66
DUES	\$	119.46
TOTAL	\$	<u>2,593.33</u>

Giovenco Construction  
Case # CHLAB-0608-1823  
Acct # 34363  
JUNE 1, 2006 THROUGH NOVEMBER 30, 2008

**Levinson Simon & Sprung, P.C.**  
Certified Public Accountants

January 16, 2009

566 W. Lake St.  
Suite 3 West  
Chicago, IL 60661-1414  
(312) 655-0037  
Fax (312) 655-9145

Trustees Laborers' Pension Fund and  
Health and Welfare Department of the  
Construction and General Laborers'  
District Council of Chicago and Vicinity  
Jean Mashos, Director  
11465 Cermak Road  
Westchester, Illinois 60154

Re: Giovenco Construction  
Case # CHLAB-0608-1823  
Acct # 34363

Gentlemen:

In accordance with your instructions we have performed certain agreed upon procedures to the payroll records presented for our inspection by the above mentioned employer. The purpose of the inspection was to determine the accuracy of the employer's monthly contributions to the Laborers' Pension Fund and Health and Welfare Department of the Construction and General Laborers' District Council of Chicago and Vicinity for the period June 1, 2006 through November 30, 2008. This agreed upon procedure engagement was performed in accordance with the standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of the Laborers' Pension Fund and Health and Welfare Department of the Construction and General Laborers' District Council of Chicago and Vicinity. The accuracy of the payroll records and reporting to the Funds is the responsibility of the management of Giovenco Construction. We have applied the prescribed procedures to those records and reports.

Attached hereto are yearly schedules showing the detail of the under-reported hours and computation of the amounts due to the Funds. The findings consist of under-reported wages and hours of individuals on payroll doing covered work that have been previously reported to the Funds.

Our examinations indicated that the employer owes the following amounts for the period audited, exclusive of interest.

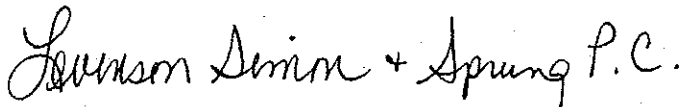
	<u>Amount Due</u>
Welfare	\$ 12,319.67
Pension	8,568.43
Training	337.59
CCA	125.65
LDCLMCC	215.40
LECET	107.70
Dues	<u>1,425.07</u>
Total	<u>\$ 23,099.51</u>

Trustees Laborers' Pension Fund and  
Health and Welfare Department of the  
Construction and General Laborers'  
District Council of Chicago and Vicinity  
January 16, 2009  
Page Two  
Case # CHLAB-0608-1823

We were not engaged to, and did not, perform an examination, the objective of which would be the expression of an opinion on the accompanying report. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We shall be pleased to furnish any additional information desired and have attached our bill for services.

Very truly yours,

A handwritten signature in cursive script that reads "Levinson Simon & Sprung P.C.".

LEVINSON SIMON & SPRUNG P.C.  
Howard B. Levinson, CPA, MBA

HBL/grr

Enclosures

cc: Denise Ayala

PENSION AND WELFARE FUNDS OF CHICAGO LABORERS  
 GIOVENCO CONSTRUCTION

Case #: ChLab-0608-1823  
 Audit Period: 6/1/2006 thru 11/30/2008  
 Fiscal Year End: May

ALL FUNDS

Fiscal Year Ending	MAY 2009	MAY 2008	MAY 2007	Total
Dollars Not Reported	13,170.27	26,323.17	10,916.30	50,409.74
Hours Not Reported	379.00	802.00	346.00	1,527.00
<b>Dollar Amount Due</b>				
Welfare Fund	3,346.57	6,391.94	2,581.16	12,319.67
Pension Fund	2,338.43	4,555.36	1,674.64	8,568.43
Training Fund	102.33	176.44	58.82	337.59
CCA	26.53	56.14	24.22	106.89
LDCLMCC	45.48	96.24	41.52	183.24
LECET	22.74	48.12	20.76	91.62
Dues	362.18	723.89	191.04	1,277.10
<b>Total</b>	<b>6,244.26</b>	<b>12,048.13</b>	<b>4,592.16</b>	<b>22,884.54</b>
		Dues Penalties		12.83
		Audit Fee		842.80

**Total Amount Due** 23,740.17

Manager: Reaney, Gianna  
 Auditor: Vargas, Benjamin

PENSION AND WELFARE FUNDS OF CHICAGO LABORERS  
 GIOVENCO CONSTRUCTION  
 Case #: CHLab-0608-1823  
 Contract: CCA & \*CCA

Levinson Simon & Sprung, P.C.  
 Detail Report  
 Report Date: 1/16/2009

Contributions computed by Amount per Hour

SSN	Name	JUN 2006	JUL 2006	AUG 2006	SEP 2006	OCT 2006	NOV 2006	DEC 2006	JAN 2007	FEB 2007	MAR 2007	APR 2007	MAY 2007	Total
634-09-0161	*Ceja, Froylan												123.00	123.00
637-16-2741	*Figuerola, Alberto												100.00	100.00
458-17-3826	*Reyes, Alberto												123.00	123.00
	Total Hours												346.00	346.00

Rate Table

Welfare Fund	\$7.4600													2,581.16	2,581.16
Pension Fund	\$4.9400													1,674.64	1,674.64
Training Fund	\$0.1700													58.82	58.82
CCA	\$0.0700													24.22	24.22
LDCLMCC	\$0.1200													41.52	41.52
LECET	\$0.0600													20.76	20.76
Total														4,401.12	4,401.12

PENSION AND WELFARE FUNDS OF CHICAGO LABORERS  
 GIOVENCO CONSTRUCTION  
 Case #: CHLab-0608-1823      Year Ended: May, 2007  
 Contract: CCA & \*CCA

Levinson Simon & Sprung, P.C.  
 Detail Report  
 Report Date: 1/16/2009

Contributions computed as Percentage of Dollars Paid

SSN	Name	JUN 2006	JUL 2006	AUG 2006	SEP 2006	OCT 2006	NOV 2006	DEC 2006	JAN 2007	FEB 2007	MAR 2007	APR 2007	MAY 2007	Total
634-09-0161	*Ceja, Froylan												3,880.65	3,880.65
637-16-2741	*Figueroa, Alberto												3,155.00	3,155.00
458-17-3826	*Reyes, Alberto												3,880.65	3,880.65
	<b>Total Dollars Paid</b>												<b>10,916.30</b>	<b>10,916.30</b>
Dues													1.7500%	
<b>Total</b>													<b>191.04</b>	<b>191.04</b>



PENSION AND WELFARE FUNDS OF CHICAGO LABORERS  
 GIOVENCO CONSTRUCTION  
 Case #: ChLab-0608-1823      Year Ended: May, 2008  
 Contract: CCA & \*CCA

Levinson Simon & Sprung, P.C.  
 Detail Report  
 Report Date: 1/16/2009

Contributions computed by Amount per Hour

SSN	Name	JUN 2007	JUL 2007	AUG 2007	SEP 2007	OCT 2007	NOV 2007	DEC 2007	JAN 2008	FEB 2008	MAR 2008	APR 2008	MAY 2008	Total
634-09-0161	Ceja, Froylan	64.00	32.00	113.00	15.00	69.00								293.00
637-16-2741	Figuerola, Alberto	41.00	32.00	124.00		95.00								292.00
458-17-3826	Reyes, Alberto	56.00	16.00	130.00	15.00									217.00
	<b>Total Hours</b>	<b>161.00</b>	<b>80.00</b>	<b>367.00</b>	<b>30.00</b>	<b>164.00</b>								<b>802.00</b>

**Rate Table**

Welfare Fund	\$7,9700	1,283.17	637.60	2,924.99	239.10	1,307.08								6,391.94
Pension Fund	\$5,6800	914.48	454.40	2,084.56	170.40	931.52								4,555.36
Training Fund	\$0,2200	35.42	17.60	80.74	6.60	36.08								176.44
CCA	\$0,0700	11.27	5.60	25.69	2.10	11.48								56.14
LDCLMCC	\$0,1200	19.32	9.60	44.04	3.60	19.68								96.24
LECET	\$0,0600	9.66	4.80	22.02	1.80	9.84								48.12
<b>Total</b>		<b>2,273.32</b>	<b>1,129.60</b>	<b>5,182.04</b>	<b>423.60</b>	<b>2,315.68</b>								<b>11,324.24</b>



PENSION AND WELFARE FUNDS OF CHICAGO LABORERS  
 GIOVENCO CONSTRUCTION  
 Case #: ChLab-0608-1823  
 Contract: CCA & \*CCA

Year Ended: May, 2009

Levinson Simon & Sprung, P.C.  
 Detail Report  
 Report Date: 1/16/2009

Contributions computed by Amount per Hour

SSN	Name	JUN 2008	JUL 2008	AUG 2008	SEP 2008	OCT 2008	NOV 2008	DEC 2008	JAN 2009	FEB 2009	MAR 2009	APR 2009	MAY 2009	Total
634-09-0161	*Cela, Froylan						87.50	101.50						189.00
488-17-3826	*Reyes, Alberto					102.50	87.50							190.00
	Total Hours					102.50	175.00	101.50						379.00

Rate Table

Welfare Fund	\$8,8300					905.08	1,545.25	886.25						3,346.57
Pension Fund	\$6,1700					632.43	1,079.75	626.26						2,338.43
Training Fund	\$0,2700					27.68	47.25	27.41						102.33
CCA	\$0,0700					7.18	12.25	7.11						26.53
LDCLMCC	\$0,1200					12.30	21.00	12.18						45.48
LECET	\$0,0600					6.15	10.50	6.09						22.74
Total						1,590.80	2,716.00	1,575.28						5,882.08

PENSION AND WELFARE FUNDS OF CHICAGO LABORERS  
 GIOVENCO CONSTRUCTION  
 Case #: CHLab-0608-1823  
 Contract: CCA & \*CCA

Year Ended: May, 2009

Levinson Simon & Sprung, P.C.  
 Detail Report  
 Report Date: 1/16/2009

Contributions computed as Percentage of Dollars Paid

SSN	Name	JUN 2008	JUL 2008	AUG 2008	SEP 2008	OCT 2008	NOV 2008	DEC 2008	JAN 2009	FEB 2009	MAR 2009	APR 2009	MAY 2009	Total
634-09-0161	Ceja, Froylan						3,040.63	3,527.13						6,567.76
458-17-3826	Reyes, Alberto					3,561.88	3,040.63							6,602.51
	Total Dollars Paid					3,561.88	6,081.26	3,527.13						13,170.27
Dues	2.7500%					97.95	167.23	97.00						362.18
Total						97.95	167.23	97.00						362.18

**Levinson Simon & Sprung, P.C.**  
 Reconciliation of Differences Per Year

**PENSION AND WELFARE FUNDS OF CHICAGO LABORERS  
 GIOVENCO CONSTRUCTION**

Case #: ChLab-0608-1823  
 Audit Period: 6/1/2006 thru 11/30/2008  
 Fiscal Year End: May

**CCA, LDCLMCC, LECET & DUES ONLY**

Fiscal Year Ending	MAY 2009	MAY 2008	MAY 2007	Total
Dollars Not Reported	0.00	0.00	8,455.40	8,455.40
Hours Not Reported	0.00	0.00	268.00	268.00
<b>Dollar Amount Due</b>				
CCA	0.00	0.00	18.76	18.76
LDCLMCC	0.00	0.00	32.16	32.16
LECET	0.00	0.00	16.08	16.08
Dues	0.00	0.00	147.97	147.97
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	<b>214.97</b>	<b>214.97</b>

**Total Amount Due** **214.97**

Manager: Reaney, Gianna  
 Auditor: Vargas, Benjamin

PENSION AND WELFARE FUNDS OF CHICAGO LABORERS  
 GIOVENCO CONSTRUCTION  
 Case #: CHLab-0608-1823  
 Contract: CCA & \*CCA

Year Ended: May, 2007

Levinson Simon & Sprung, P.C.  
 Detail Report  
 Report Date: 1/16/2009

Others/Unknown

Contributions computed by Amount per Hour

SSN	Name	JUN 2006	JUL 2006	AUG 2006	SEP 2006	OCT 2006	NOV 2006	DEC 2006	JAN 2007	FEB 2007	MAR 2007	APR 2007	MAY 2007	Total
634-09-0161	*Caja, F											122.00		122.00
637-16-2741	*Figueroa, A											24.00		24.00
458-17-3826	*Reyes, A											122.00		122.00
	Total Hours											268.00		268.00

Rate Table

CCA	Rate													
CCA	\$0.0700													
LDCLMCC	\$0.1200											18.76		18.76
LECET	\$0.0600											32.16		32.16
Total												67.00		67.00

PENSION AND WELFARE FUNDS OF CHICAGO LABORERS  
 GIOVENCO CONSTRUCTION  
 Case #: CHLab-0608-1823  
 Contract: CCA & \*CCA

Levinson Simon & Sprung, P.C.  
 Detail Report  
 Report Date: 1/16/2009

Contributions computed as Percentage of Dollars Paid

SSN	Name	JUN 2006	JUL 2006	AUG 2006	SEP 2006	OCT 2006	NOV 2006	DEC 2006	JAN 2007	FEB 2007	MAR 2007	APR 2007	MAY 2007	Total
634-09-0161	*Cejal, F											3,849.10		3,849.10
637-16-2741	*Figueroa, A											757.20		757.20
458-17-3826	*Reyes, A											3,849.10		3,849.10
	Total Dollars Paid											8,455.40		8,455.40
Dues												147.97		147.97
	1.7500%													
Total												147.97		147.97

**Levinson Simon & Sprung P.C.**  
**Payroll Audit Information Sheet**

EMPLOYER'S NAME	Gioenco Construction	EMPLOYER #	34363
ADDRESS	3N768 Baert	PHONE #	630-587-9200
CITY STATE ZIP	St. Charles, IL	FAX #	630-587-2131
EMAIL ADDRESS	JGIOCONST@Comcast.net	FEIN	760771728
DATE OF CONTRACT		AUDIT PERIOD	6/1/06-11/30/08
CONTACT'S NAME	John Gioenco	TITLE	President
PERSON FUND IS TO CONTACT	John Gioenco	TITLE	President
ENTITY TYPE	C-Corp	# OF EMPLOYEES	4
		AVE # PER MONTH	2
BUSINESS ACTIVITY	Concrete		

OWNERSHIP-PRINCIPALS	TITLE	%	ADDRESS
John Gioenco	President	100.00	3N768 Baert

BANKING FACILITIES USED AND ACCOUNT NUMBER    Valley Bank    1015759

IS EMPLOYER STILL IN BUSINESS?     YES     NO

DOES EMPLOYER HAVE INTEREST IN OTHER RELATED OPERATIONS?     YES     NO

IF YES, LIST NAMES OF SAME


IS EMPLOYER A MEMBER OF ANY TRADE ORGANIZATION/ASSOCIATION?     YES     NO

IF YES, LIST NAMES OF SAME

Carpenters
Finishers



Levinson Simon & Sprung P.C.  
Payroll Audit Information Sheet

Page 2

AUDIT DATE 1/12/09

AUDIT SITE (IF DIFFERENT FROM EMPLOYER'S ADDRESS) same

ALL REQUIRED ACCOUNTING RECORDS WERE AVAILABLE WITH THE EXCEPTION OF

Quarterly taxes- Accountant holding due to non-payment

BRIEFLY DESCRIBE THE NATURE OF THE DELINQUENCY, IF ANY

Under-reported hours and wages for all funds

DID YOUR EXAMINATION UNCOVER ANYTHING SPECIAL OR UNUSUAL WHICH SHOULD BE BROUGHT TO THE ATTENTION OF THE FUND COUNSEL OR OTHER INTERESTED PERSONS?

YES  NO

IF YES, EXPLAIN

Tax information not refused- was unable to give due to accountant's holding for unpaid invoices. Findings are due to cash flow problems

AUDITOR BV