	STATES DISTRICT COURT ERN DISTRICT OF ILLINOIS
EAST	ERN DIVISION
LABORERS' PENSION FUND,	)
et al.,	j ·
	)
Plaintiffs,	)
	)
<b>v.</b>	) No. 08 C 6266
GIOVENCO CONSTRUCTION, INC.,	) )
	) Judge Hibbler
Defendant.	)
AFFIDAVIT OF M	IICHAEL 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 Giovenco Construction, Inc. This affidavit is submitted in support of the Laborers' Funds' motion for a prove up of damages.
- 2. Giovenco 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, MCIAF, 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, MCIAF, 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  $\frac{24}{3}$  through 3-2-09.
- 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

Subscribed and sworn to before me this day of March 2009.

NOTARY PUBLIC

"OFFICIAL SEAL"

EUGENIA MASHOS

Notary Public, State of Illinois

My Commission Expires 09/12/12

#### RICHARD J. WOLF AND COMPANY, INC.

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

® 😂 433

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:

FUND	<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	\$ 2,593.33

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.

ICHARD J. WOLF AND COMPANY INC.

LABORERS' DISTRICT COUNCIL OF CHICAGO - \*CCA ASSOCIATION

### GIOVENCO CONSTRUCTION INC. #34363

#### JUN 04 to MAY 05

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

TOTAL	DUES	LMCC	LECET	CCA/IAF	TRAINING	PENSION	WELFARE	Amount Due To Funds:		TOTAL GROSS \$	TOTAL HOURS		458-17-3826	REYES, ALBERTO		634-09-0161	CEJA, FROYLAN	S. S. #	THE THE PROPERTY OF THE PROPER
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LABORERS' DISTRICT COUNCIL OF CHICAGO - \*CCA ASSOCIATION
GIOVENCO CONSTRUCTION INC. #34363

### JUN 05 to MAY 06

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

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034-08-0181		Gross \$	2.743.65									1 1				ا ع	1 .
		C C C C C C	Г				r			-	,					\$ 2,743.65	4
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Amount Due To Funds:				Ē	A	e B	2	No.	7		3	) )	M	<b>&gt;</b>	N.	-	Tatal
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TRAINING			\$ 15.47	<del>⇔</del>	φ,	<del>-</del>	<del>()</del>	<del>(</del>	, <del>(9</del>	<u>۱</u>	<del>СЭ</del>	,	<b>⇔</b>	<del>()</del>	69		-
CCA/IAF			\$ 6.37	<del>-</del> 9	<del>()</del>	<del>59</del>	€9	<del>(4)</del>	<u>.</u>	- <del></del>	<del>69</del>	ı	69	69	69	69 -	6.37
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DUES			\$ 48.01	\$	€A -	<del>6</del> 9	\$	\$	€9	ا دع	ا <del>دع</del>		5	<i>€</i> ∌	€9	€9	48.01
TOTAL			\$ 1,069.03	\$	\$	\$	\$	₩.	\$	- \$	- \$	•	S	s	\$	- \$1,069.03	8
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			Rates:	6/1/05	to	5/31/06		٠									

WELFARE PENSION TRAINING CCA/IAF

6.86 3.94 0.17 0.07

> LECET LMCC DUES

0.06 0.12 1.75%

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

JUN 04 to MAY 05

	TOTAL	DUES	LECET	TRAINING	WELFARE PENSION	Amount Due To Funds:		TOTAL GROSS \$	TOTAL HOURS		GARCIA, ANGEL	S. S. #		
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3.44 .0.17 0.07

LMCC

0.12 1.75%

LABORERS' DISTRICT COUNCIL OF CHICAGO - \*CCA ASSOCIATION

GIOVENCO CONSTRUCTION INC. #34363

JUN 05 to MAY 06

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

	TOTAL	LMCC	PENSION TRAINING CCA/IAF	Amount Due To Funds:	TOTAL HOURS	318-54-6609	S. S. #
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WELFARE PENSION TRAINING CCA/IAF	<b>6</b> 0 (	9 <del>()</del>		Jun	<del>€</del>	1 1 1	2005 Jun
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	\$ 381.81	\$ 1.95 \$ 3.90	\$ 128.05 \$ 15.53 \$ 2.28	l_,	32.50 \$ 979.88	32.50 \$ 979.88	Total

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

RICHARD J. WOLF AND COMPANY, INC.

### SUMMARY REPORT TOTAL

WELFARE	<b>\$</b>   <b>≥</b>	996.55	\$ UNI	<b>NREPORTED</b> 525.83	<del>()</del>	<u>TOTAL</u> 1,522.38
PENSION	↔	561.50	↔	293.17	<del>()</del>	854.0
TRAINING	↔	25.50	↔	13.69	↔	39.19
CCA/IAF	↔	10.50	↔	5.64	<del>()</del>	16.
LECET	↔	9.00	↔	4.83	<del>()</del>	13.
LMCC	↔	18.00	↔	9.66	€9	27.66
DUES	↔	77.95	क्	41.51	S	119.46
TOTAL	\$	\$ 1,699.00	₩.	894.33	€	\$ 2,593.33

# LABORERS' DISTRICT COUNCIL OF CHICAGO - \*CCA ASSOCIATION

GIOVENCO CONSTRUCTION INC. #34363

RICHARD J. WOLF AND COMPANY, INC.

\*\* GRAND TOTAL \*\*

WELFARE	<del>()</del>	1,522.38
PENSION	↔	854.67
TRAINING	↔	39.19
CCA/IAF	↔	16.14
LECET	↔	13.83
LMCC	↔	27.66
DUES	₩	119.46
TOTAL	↔	2,593.33

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

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.

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

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,

FOUNSON SIMON & SPRUNG P.C.

Howard B. Levinson, CPA, MBA

HBL/grr

**Enclosures** 

cc: Denise Ayala

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

#### ALL FUNDS

7.00	Audit Fee			The second of th
12 83	Dues Penalties			
22,884.54	4,592.16	12,048.13	6,244.26	- C - S - C - S - C - C - C - C - C - C
1,277.10	191.04	723.89	362.18	
91.62	20.76	48.12	22.74	Dues
183.24	41.52	96.24	45.48	LECET
106.89	24.22	56.14	26,53	LDCLMCC
337.59	58.82	176.44	102.33	CCA
8,568.43	1,674.64	4,555.36	2,338.43	Training Fund
12,319.67	2,581.16	5,391.94	0,040.07	Pension Fund
			3 346 57	Welfare Fund
1,067.00	0,0.00			Dollar Amount Due
1 507	346 00	802.00	379.00	Library Not Keboiled
50,409.7	10,916.30	26,323.17	13,170.27	House Not Reported
Totai	MAY 2007	MAY 2008	MAY 2009	Tollars Not Deported

Auditor: Vargas, Benjamin

Total Amount Due

23,740.17

Detail Report

Year Ended: May, 2007

Case #: ChLab-0608-1823 Contract: CCA & \*CCA

PENSION AND WELFARE FUNDS OF CHICAGO LABORERS GIOVENCO CONSTRUCTION

Report Date: 1/16/2009

Employees Page 2

Contributions computed by Amount per Hour

		458-17-382	637-16-274	034-09-016	
	Total Hours	458-17-3826 *Reyes, Alberto	637-16-2741 *Figueroa, Alberto	034-09-0161 "Ceja, Froylan	
					2007 NO.
					JUL 2006
					301 2006   AUG 2006   SEP 2006   OCT 2006   NOV 2006   DEC 2006
					SEP 2006
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					9002 AON
					DEC 2006
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				- 500 4007	EED 3007
				MAR 2007	
				APR 2007	
346.00	123.00	100.00	123.00	APR 2007   MAY 2007	
346.00	123.00	100.00	123.00	Total	

Kate
able

	Total	LECET	LDCLMCC	CCA	Training Fund	Pension Fund	Welfare Fund	Rate Table			<u></u>	458-17-3826 *Reyes, Alberto	
		\$0.0600	\$0.1200	\$0.0700	\$0.1700	\$4.8400	\$7.4600				Total Hours	Reyes, Alberto	Sucross, Alberto
													,
4,401.12	20.76	41.52	24.22	58.82	1,674.64	2,581.16			,	346.00	123.00	100.00	20.00
4,401.12			24.22			2,581.16				346.00			123,00

Report Date: 1/16/2009 Detail Report

Year Ended: May, 2007

Case #: ChLab-0608-1823 Contract: CCA & \*CCA

PENSION AND WELFARE FUNDS OF CHICAGO LABORERS GIOVENCO CONSTRUCTION

Employees

Page 3

# Contributions computed as Percentage of Dollars Paid

Columbia   Cela, Froyan   Cela, Froyan   Cela, Froyan   Columbia   Columbia	CON NAME
*Figue *Reyes Total	Nan
vaid	
	JUN 2006
	JUL 2006
	JUL 2006   AUG 2006   SEP 2006   OCT 2006   NOV 2006   DEC 2006
	SEP 2006
	OCT 2006
	NOV 2006
	DEC 2006
	JAN 2007
	EEB 2007
man aud	MAD 2007
AFR ZOU	
3,80.65 3,155.00 3,880.65 3,155.00 3,880.65 10,916.30	
MAY 2007 Total 3,880.65 3,880.65 3,155.00 3,155.00 3,880.65 3,880.65 10,916.30 10,916.30 191.04 191.04 191.04 191.04	

Detail Report

Year Ended: May, 2008

Contract: CCA & \*CCA Case #: ChLab-0608-1823

PENSION AND WELFARE FUNDS OF CHICAGO LABORERS GIOVENCO CONSTRUCTION

Report Date: 1/16/2009

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Employees

### Contributions computed by Amount per Hour

	-		100 11 0020	458-17-3836		1637-16-2741		004-09-0101	200 000	
	SUNOH IEDO I		red it doze iteyes, Alberto	*Davies Alberta	Successive Section	153/-15-2741 *Figureroa Alberto	,		234 00 04C4 *D : I	
	161.00		20.00	22.00	7.00	2 2 2		54 00		7007 2007
	80.00		16.00		32.00			3000	2007 DEC 2007	JUL 2007
	367.00		130,00	١	124.00		110.00	113		AUG 2007
	30.00	. 4,00	35.8				15.00	100	011	SED 2007
	164.00				95.00		69.00	22.22	001 1007	OCT 3007
									1007 AON	2000
									DEC 2007	
		•	-						JAN 2008	
				_					FFR 2008	
								10000		
				_				777 2000		
							-	BOOK AWA	11 V 2022	
802.00	217.00	24.70	200.767	303	-00:00	293 00		lola		

#### Rate Table Welfare Fund

10,000		-									
14 324 24					2,315.68	443.60	0,102.04	1,129.00	3,2,0,0,0		
48,12						200	102 04	1 1 20 50	2 272 22		Total
20.44	+				9.84	1.80	22.02	4.80	9.66	90.000	-
000	 				10.00				2	2000	E CET
00.14		-			19.68	3.60	2.2	9.60	19.32	\$0.1200	
1 23						11.10		***************************************	, , , , ,	2000	DCI MCC
1/0.44						۷ 10	25.69	5.60	11.27	\$0,0/00	2
176 44										2000	
4,000.00	-					6.60	80.74	17.60	35.42	\$0.2200	Hammily Fortion
1 6 6 00					20.100	1,01	1,00				Toisian Think
6,391.94				-	021 52	170 40	2 084 56	454.40	914.48	\$5.6800	Fension Fund
222					1,007.00	200.10	1000				Danain T
		7		_	1 207 00	239 10	2 924 99	637.60	1,283.1/	0076.7¢	TTO I WIN

Detail Report

Report Date: 1/16/2009

PENSION AND WELFARE FUNDS OF CHICAGO LABORERS GIOVENCO CONSTRUCTION

Contract: CCA & \*CCA Case #: ChLab-0608-1823

Year Ended: May, 2008

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Employees

# Contributions computed as Percentage of Dollars Paid

-		10020	458 17 2926	00/-10-2/41	27 40 0744	034-09-0161	200	200
	lotal Dollars Paid	Too-17-3020 Reyes, Alberto	*Davis Albak	ob/-10-2/41 rigueroa, Alberto	**	o34-09-0161  *Ceja, Froylan		
	5,079.55	1,766.80		1,293.55		2.019.20	JUN 2007 JUL 2007   AUG 2007   SEP 2007   OCT 2007   NOV 2007   DEC 2007	
	ŧ	530.40		1,060.80	, , , , ,	1 060 80	JUL 2007	-
	2,652.00 12,160.52	4,309.50	ŧ	4.105.07	0,1 10.00	1 060 80 3 745 95	AUG 2007	
	994.50	497.25			407.70	207 25	SEP 2007	
	5,436.60		01140.60	3 1/0 25	2,207,33	30707	OCT 2007	
							<b>7002 VON</b>	
Name of the last o							DEC 2007	
							JAN 2008	
						10 1000	REB 2008	
						1000 VICINI	MAD SONO	
						ATT 2000	2000	
						SOUZ YAM SOUZ AFT ZUGO MAY ZUGS		
26,323.17	68.501,	7,000.07	0 609 67	8,010.00	2000	ota	1	

	Total	Dues
		2.7500%
	139.69	139.69
	72.93	72.93
	334,41	334.41
	27.35	27.35
	149.51	149.51
	-	
	-	
	/23.89	
72		
723.89	/23.89	

Detail Report

Report Date: 1/16/2009

PENSION AND WELFARE FUNDS OF CHICAGO LABORERS GIOVENCO CONSTRUCTION

Year Ended: May, 2009

Case #: ChLab-0608-1823 Contract: CCA & \*CCA

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Employees

# Contributions computed by Amount per Hour

			0700-11-0070	458-17 3836	010-60-400	834 00 0464	002
		Total Hours	TOOTI TOOLO Reyes, Alberto	*Down Albert	Con-03-0101 Ceja, Froylan		Name
							<b>JUN 2008</b>
						1000	2002 2002
						7000	2000
						2008   NOV 2008   DEC 2008   OC1 2008   NOV 2008   DEC 2008	SED 2000
	102.50	. 02.00	102 50			2007 LOC	2000
	102.50 175.00 101.50	07.50	97 50	00.70	27 40	NOV 2008	
	101.50			101.50		DEC 2008	
						JAN 2009	
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					10000	MAD SOO	
					ALK VOOR	100 200	
					BOOZ 1 WW		
37 3.00	270.00	190 00	00.881	10000	ota		

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		Total	( ) ·	FCFT	TO OFFICE	TO MOS		CCA	Talling Full	Training Fund	T GIROUT T GIRO	Donnian Bund	Aveilare Find
			\$0.0000	en nenn	&C. 1200	50 1000	\$0,0700	\$0.0700	00/Z.0¢	20.02	\$5.7700		\$8.8300
			•••		<del></del>								
	1,590.80	0.10	n 15		12 20	70	7 18	17.00	27 68	032,40	620 40	803.00	006.00
	2,716.00	ł	10 20	00.13	34 00	2.2.2	1005	77.74	47 35	1,0/9/5		1,545.25	
	1,575.28	0.03	5 20	12.10	5	7.11	711	14.12	27 //	626.26		896.25	
						-					***************************************		
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A													
	91								Z.	2	٠.		
	5 882 08	22.74	0.40	16 10	20.00	30.53	0.00	33	335.43	3	345.5/		

Detail Report

Report Date: 1/16/2009

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

Year Ended: May, 2009

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Employees

Contributions computed as Percentage of Dollars Paid

		Total	000	Direc	4						458-17-3826		634-09-0161	0	מממ
			2.7500%	2 75000				Total Dollars Faig	Total Dollars Bald		458-17-3826 *Revee Alberto		634-09-0161 *Ceia Frovlan	Yall to	Nome
														2007 NOP	7 10 20 20 20 20 20 20 20 20 20 20 20 20 20
														JUL 2008	
				,										AUG 2008	
														SEP 2008	
	97.95	01.00	97 QF				0,00	3 561 88	4,0000	3.561.88				SUUC 100	
	167.23		187 32				0,001.00 0,001.20 0,027.13	20 100	0,070.00	3 040 83	0,070.00	3 040 63	0000 DEC 2000	OUNC ACIN	
		97.00					0,027.13				0,027.10	2 577 42	DEC 2000		
													9002 NAC		
													FEB 2009		
						***************************************							MAR 2009		
	·												FEB 2009   MAR 2009   APR 2009   MAY 2009		
													MAY 2009		
307.10	300	362 18				10,170.27	42 44 64	0,002.51	6 600 64	0,007.70	6 557 76	100	Total		

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

	Manager Auditor							Dollar			•	
	Manager: Reaney, Gianna Auditor: Vargas, Benjamir			Dues	LECET	LDCLMCC	CCA	Dollar Amount Due	Logis Not Veborted	Hours Not Do	Dollars Not Reported	
Marian a page of the second se		ioai	Total						ported	-	eported	Fiscal Year Ending
		0.00	0.00	0.00	00.0	0.00	0.00		0.00	0.00		MAY 2009
	Total	0.00	0.00	0.00	0.00	0.00		0.00	0 00	0.00		MAY 2008
	Total Amount Due	214.97	147.97	16.08	32.16	18.76		200.00	200 00	8,455,40	1007	MAY 2007
1,1,0	244 07	214.97	147.97	16.08	32.16	18.76		268,00		8 455 40	I OTAL	1

Detail Report

Report Date: 1/16/2009

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

Page 9

Others/Unknown

### Contributions computed by Amount per Hour

		458-17-3826 *Reyes, A	637-16-2741	634-09-0161 "Ceja, F	2001
	Total Hours	*Reyes, A	637-16-2741 *Figueroa, A		me
					JUN 2006 JUL 2006 AUG 2006 SEP 2006 OCT 2006 NOV 2006 DEC 2006
					JUL 2006
					AUG 2006
					SEP 2006
					OCT 2006
					NOV 2006
					DEC 2006
				2, 3, 200,	.IAN 2007
				2007	. TAN 2007   7007
				NAX 200	200
268.00	122.00	24.00	122.00	APR 2007 MAY 2007	
	-	-	-	MAY 2007	
268.00	122.00	24.00	122.00	Total	

				, .
	Total	LECET	LDCLMCC	
			CC	
		\$0.060	\$0.1	40.0.00
		8	0.1200	3
		1	1	
. [	+		-	
-				
-			1	-
L		1		
6		3;	=	
7.00	8	2.16	3.76	
67.00	16.08	32,16	18.76	

Rate Table

#### Levinson Simon & Sprung, P.C. Detail Report

Report Date: 1/16/2009

PENSION AND WELFARE FUNDS OF CHICAGO LABORERS GIOVENCO CONSTRUCTION Year Ended: May, 2007

Contract: CCA & \*CCA Case #: ChLab-0608-1823

Page 10

Others/Unknown

# Contributions computed as Percentage of Dollars Paid

Total	Dues				458-17-3826 *Peves A	001.10-2171	637-16-2741 *Figures A	634-09-0161 "Ceja, F	2000
	1.7500%		Total Dollars Paid	100000	*Pavas A	rigueida, A	*Eignesson		atte
									JUL 2006 AUG 2006 SEP 2006 OCT 2006 NOV 2006 DEC 2006
									JUL 2008
									AUG 2006
									SEP 2006
									OCT 2006
									NOV 2006
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								<del></del>	
	7							1007 001	EEB 2007
								MAY 2007 MAY 2007 APR 2007 MAY 2007	7000
147.97		8,455.40	3,849.10		757.20	0,040.10	3 849 10	APR 2007	1
							7	MAY 2007	T
147.97		8,455.40	3,849.10	101.60	767 30	3,849.10	3	Total	1

147.97

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

Page 1

EMPLOYER'S NAME	Giovenco 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 Giovenco	TITLE	President			
PERSON FUND IS TO CONTACT	John Giovenco	TITLE	President			
ENTITY TYPE	C-Corp	# OF EMPLOYEES	4			
		AVE # PER	2			
		MONTH [				
BUSINESS ACTIVITY	Concrete					
OWNERSHIP-PRINCIPAL			ADDRESS			
John Giovenco	President 10	00.00 3N768 Baeri				
BANKING FACILITIES USED AN	D ACCOUNT NUMBER Valley Ba	nk	1015759			
IS EMPLOYER STILL IN BUSINES	SS?	⊠ 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	I OF	
Quarterly taxes- Accoutant 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 SH ATTENTION OF THE FUND COUNSEL OR OTHER INTERESTED PERSONS?	OULD BE B	ROUGHT TO THE
	☑ YES	□NO
IF YES, EXPLAIN		
Tax information not refused- was unable to give due to accountant's holding for unpaid invoices. problems	Findings are	due to cash flow
AUDITOR BV		