

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

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, and JAMES S.)
JORGENSEN, Administrator of the Funds,)

Plaintiffs,)

) No. 08 C 6266

v.)

) Judge Hibbler

GIOVENCO CONSTRUCTION, INC.,)

Defendant.)

AFFIDAVIT OF KAREN I. ENGELHARDT

STATE OF ILLINOIS)
)
COUNTY OF COOK)

Karen I. Engelhardt being first duly sworn on oath, deposes and states as follows:

1. I am an attorney and a shareholder at the law firm of Allison, Slutsky & Kennedy, P.C., 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") in the action against Giovenco Construction, Inc. This affidavit is submitted to document attorneys' fees and costs incurred by the Laborers' Funds for work performed in connection with obtaining unpaid contributions, damages, interest, audit costs, attorneys' fees and costs owed to the Funds.



2. This firm bills the Laborers' Funds on an hourly basis for services rendered to the Funds, at a rate of \$175.00 per hour for shareholders, \$150.00 per hour for associates, and \$75.00 per hour for clerks/paralegals. In this cause, records for legal work on this matter were kept contemporaneously and are attached hereto as Exhibit 1.

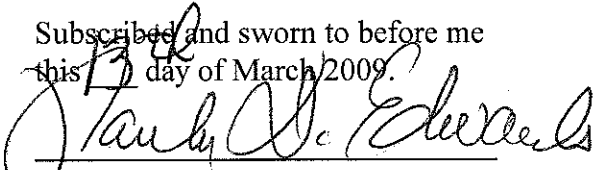
3. Exhibit 1 hereto sets forth the time expended from April 18, 2006 through March 9, 2009, by the firm's attorneys and paralegals in this matter. As set forth in that Exhibit, the Laborers' Funds have incurred legal fees to my firm in this matter in the amount of \$2,432.50.

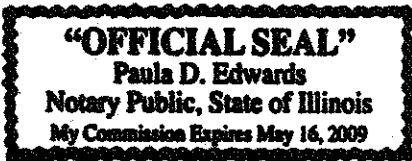
4. In addition, the Laborers' Funds have incurred the following costs in the prosecution of this matter totaling \$485.00, which include filing and service fees.

FURTHER AFFIANT SAYETH NOT.


Karen I. Engelhardt

Subscribed and sworn to before me
this 13th day of March 2009.


NOTARY PUBLIC



Selection Criteria

Slip Classification Open
 Clie.Selection Include: Labrs P&W 1
 Refe.Selection Include: Giovenco Construction

Rate Info - identifies rate source and level

Slip ID	Dates and Time	Posting Status	Description	Attorney Activity Client Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
115606	4/18/2006	TIME	Billed Call w/ Wolf; letter to Company	K. Engelhardt Legal Services Labrs P&W 1 Giovenco Construction	0.60 0.00 0.00 0.00	175.00 C@1	105.00
115781	4/24/2006	TIME	Billed Call w/ R. Wolf	K. Engelhardt Legal Services Labrs P&W 1 Giovenco Construction	0.10 0.00 0.00 0.00	175.00 C@1	17.50
117348	5/31/2006	TIME	Billed Call w/ M. Christopher	K. Engelhardt Legal Services Labrs P&W 1 Giovenco Construction	0.10 0.00 0.00 0.00	175.00 C@1	17.50
118351	6/14/2006	TIME	Billed Letter to Company	K. Engelhardt Legal Services Labrs P&W 1 Giovenco Construction	0.50 0.00 0.00 0.00	175.00 T@2	87.50
119341	6/29/2006	TIME	Billed Report to Trustees	K. Engelhardt Legal Services Labrs P&W 1 Giovenco Construction	0.10 0.00 0.00 0.00	175.00 C@1	17.50
119652	7/1/2006	TIME	Billed Report to Trustees -charts	K. Engelhardt Legal Services Labrs P&W 1 Giovenco Construction	0.10 0.00 0.00 0.00	175.00 C@1	17.50
121978	8/30/2006	TIME	Billed Calls w/ M. Christopher and J. Giovenco	K. Engelhardt Legal Services Labrs P&W 1 Giovenco Construction	0.20 0.00 0.00 0.00	175.00 C@1	35.00
122641	9/8/2006	TIME	Billed letter to Company; call w/ M. Christopher and review timeslips	K. Engelhardt Legal Services Labrs P&W 1 Giovenco Construction	0.60 0.00 0.00 0.00	175.00 C@1	105.00
122953	9/21/2006	TIME	Billed Call w/ M.Christopher; call to Company	K. Engelhardt Legal Services Labrs P&W 1 Giovenco Construction	0.20 0.00 0.00 0.00	175.00 C@1	35.00

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Slip Listing

Slip ID	Dates and Time	Posting Status	Description	Attorney Activity	Client Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
123090	TIME			K. Engelhardt		0.10	175.00	17.50
	9/26/2006			Legal Services		0.00	C@1	
	Billed	G:14209		10/20/2006	Labrs P&W 1	0.00		
	Report to Trustees				Giovenco Construction	0.00		
158481	TIME			Josiah Groff		0.10	150.00	15.00
	8/25/2008			Legal Services		0.00	C@2	
	Billed	G:14764		9/11/2008	Labrs P&W 1	0.00		
	Call w/A. Grossi				Giovenco Construction	0.00		
160930	TIME			K. Engelhardt		0.50	175.00	87.50
	10/14/2008			Legal Services		0.00	C@1	
	Billed	G:14820		11/8/2008	Labrs P&W 1	0.00		
	Letter to Company; call w/ M. Christopher				Giovenco Construction	0.00		
161510	TIME			K. Engelhardt		0.60	175.00	105.00
	10/29/2008			Legal Services		0.00	T@1	
	Billed	G:14820		11/8/2008	Labrs P&W 1	0.00		
	Draft complaint; call w/ Levinson				Giovenco Construction	0.00		
161677	TIME			Josiah Groff		0.20	150.00	30.00
	10/31/2008			Legal Services		0.00	C@2	
	Billed	G:14820		11/8/2008	Labrs P&W 1	0.00		
	Filing complaint w/AS				Giovenco Construction	0.00		
161985	TIME			K. Engelhardt		0.20	175.00	35.00
	11/5/2008			Legal Services		0.00	C@1	
	Billed	G:14860		12/4/2008	Labrs P&W 1	0.00		
	Letter to District Council				Giovenco Construction	0.00		
162440	TIME			Andre Smith		0.50	75.00	37.50
	11/6/2008			Legal Services		0.00	T@2	
	Billed	G:14860		12/4/2008	Labrs P&W 1	0.00		
	Draft letter and prepare for service				Giovenco Construction	0.00		
162571	TIME			K. Engelhardt		0.20	175.00	35.00
	11/19/2008			Legal Services		0.00	C@1	
	Billed	G:14860		12/4/2008	Labrs P&W 1	0.00		
	Report to Trustees				Giovenco Construction	0.00		
162537	TIME			Wes Kennedy		0.20	175.00	35.00
	11/20/2008			Legal Services		0.00	C@1	
	Billed	G:14860		12/4/2008	Labrs P&W 1	0.00		
	Work on status reports				Giovenco Construction	0.00		
162609	TIME			K. Engelhardt		0.20	175.00	35.00
	11/21/2008			Legal Services		0.00	C@1	
	Billed	G:14860		12/4/2008	Labrs P&W 1	0.00		
	Report to Trustees				Giovenco Construction	0.00		
162719	TIME			Wes Kennedy		0.20	175.00	35.00
	11/22/2008			Legal Services		0.00	C@1	
	Billed	G:14860		12/4/2008	Labrs P&W 1	0.00		
	Work on summary status reports				Giovenco Construction	0.00		

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Slip ID	Dates and Time	Posting Status	Description	Attorney Activity	Client Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
163486	12/5/2008	TIME	Draft motion for default, notice of motion and order	K. Engelhardt	Labrs P&W 1	1.50 0.00 0.00	175.00 T@1	262.50
163593	12/9/2008	TIME	Work on motion	K. Engelhardt	Labrs P&W 1	0.40 0.00 0.00	175.00 C@1	70.00
163821	12/16/2008	TIME	Court appearance	K. Engelhardt	Labrs P&W 1	0.50 0.00 0.00	175.00 C@1	87.50
164756	1/8/2009	TIME	Calls w/ K. Edgar, J. Gioenco, R. Wolf; letter to J. Gioenco	K. Engelhardt	Labrs P&W 1	0.70 0.00 0.00	185.00 T@1	129.50
165856	1/28/2009	TIME	Recieve audit report	K. Engelhardt	Labrs P&W 1	0.10 0.00 0.00	175.00 C@1	17.50
166250	2/5/2009	TIME	WIP Calls w/ M. Christopher; letter to J. Gioenco	K. Engelhardt	Labrs P&W 1	0.70 0.00 0.00	175.00 C@1	122.50
166462	2/10/2009	TIME	WIP Report to trustees	K. Engelhardt	Labrs P&W 1	0.20 0.00 0.00	175.00 C@1	35.00
166465	2/11/2009	TIME	WIP Court appearance	K. Engelhardt	Labrs P&W 1	1.00 0.00 0.00	175.00 C@1	175.00
166623	2/13/2009	TIME	WIP Report to Trustees	K. Engelhardt	Labrs P&W 1	0.10 0.00 0.00	175.00 C@1	17.50
167258	2/20/2009	TIME	WIP Draft affidavit for M. Christoher	K. Engelhardt	Labrs P&W 1	0.60 0.00 0.00	175.00 C@1	105.00
167272	2/23/2009	TIME	WIP Call w/ M. Christopher	K. Engelhardt	Labrs P&W 1	0.10 0.00 0.00	175.00 C@1	17.50

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Slip Listing

Slip ID	Dates and Time	Posting Status	Description	Attorney Activity	Client Reference	Units DNB Time	Rate Rate Info	Slip Value
						Est. Time	Bill Status	
						Variance		
167799	TIME			Josiah Groff		0.10	150.00	15.00
	3/4/2009			Legal Services		0.00	C@2	
	WIP			Labrs P&W 1		0.00		
			Fax affidavit to M. Christopher	Giovenco Construction		0.00		
167889	TIME			K. Engelhardt		1.80	185.00	333.00
	3/5/2009			Legal Services		0.00	T@1	
	WIP			Labrs P&W 1		0.00		
			Draft Motion for Damages, Notice of Motion, Proposed Order	Giovenco Construction		0.00		
167983	TIME			K. Engelhardt		0.80	175.00	140.00
	3/9/2009			Legal Services		0.00	C@1	
	WIP			Labrs P&W 1		0.00		
			Work on Motion; calculate amounts for proposed judgment order	Giovenco Construction		0.00		
Grand Total								
				Billable		14.10		2432.50
				Unbillable		0.00		0.00
				Total		14.10		2432.50