

EXHIBIT A

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

JAMES T. SULLIVAN, not individually but as Trustee of
PLUMBERS' PENSION FUND, LOCAL 130, U.A., etc., et al.,

Plaintiffs,

V.

EAST WEST PLUMBING, INC., an Illinois corporation,

Defendant.

CASE NUMBER: 08CV6510

JUDGE HOLDERMAN

ASSIGNED JUDGE: MAG. JUDGE MASON

DESIGNATED

MAGISTRATE JUDGE:

TO: (Name and address of Defendant)

East West Plumbing, Inc.
c/o Songchai Srichinda, registered agent
2348 W. Grand Ave.
Chicago, Illinois 60612

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Douglas A. Lindsay
John W. Loseman
Brian T. Bedinghaus
Lewis Overbeck & Furman, LLP
20 N. Clark St., Suite 3200
Chicago, Illinois 60602

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Michael W. Dobbins, Clerk

Janette Nunez

(By) DEPUTY CLERK

November 13, 2008

Date



AO 440 (Rev. 05/00) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	November 19th, 2008
NAME OF SERVER (PRINT) <p style="text-align: center;">Philip P. Ducar</p>	TITLE	Special Process Server
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____ _____		
XXX Other (specify): <u>Personally handed the Summons and the Complaint to Ms. Lilia Srichinda, of East West Plumbing, Inc. Service was effected at 2348 West Grand Ave., in Chicago, Ill., at the hour of 12:15 p.m., on November 19th, 2008. This is the business location of East West Plumbing, Inc., and also the office of Songchai Srichinda, the R/A for East West Plumbing, Inc.</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on	November 19th, 2008	<u>Philip P. Ducar</u>
	Date	Signature of Server
	Post Office Box # 911 Tinley Park, Illinois 60477	

	Address of Server	

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

EXHIBIT B

BEFORE THE JOINT ARBITRATION BOARD
OF THE
PLUMBING CONTRACTORS' ASSOCIATION
OF CHICAGO AND COOK COUNTY
AND
CHICAGO JOURNEYMEN PLUMBERS'
LOCAL UNION 130, U.A.

IN THE MATTER OF:
East West Plumbing, Inc.
2348 West Grand Avenue
Chicago, Illinois 60612

DECISION AND AWARD

After receipt of a notice of dispute concerning violation of the Collective Bargaining Agreement by East West Plumbing, Inc. (hereinafter "Employer") and after notice to all parties on February 12, 2008, all parties were permitted to appear and present any and all evidence relevant to the charges at a hearing before the Joint Arbitration Board, as a result of which the Joint Arbitration Board finds:

1. The Employer has violated the contribution and deduction sections of the applicable Collective Bargaining Agreements with the Union by failing to make payments for unreported hours worked by licensed journeymen or apprentice plumbers for the period from March 01, 2005 through December 31, 2005 to each of the following entities in the amounts indicated:

Plumbers' Pension Fund, Local Union 130, U.A.	\$ 27.58
Plumbers' Welfare Fund, Local Union 130, U.A.	\$ 50.19
Trust Fund for Apprentice and Journeymen Education and Training, Local Union 130, U.A.	\$ 5.88
The Plumbing Council of Chicagoland	\$ 3.57
Local Union 130, U.A. Savings Plan	\$ 14.70
Local Union 130, U.A. Working Dues	\$ 2.24

Legal Fund (Group Legal Service Plan Fund) \$ 3.64

Total Contributions Due \$ 107.80

2. Pursuant to the Collective Bargaining Agreements, liquidated damages of 8% of the amounts stated in Paragraph 1 are due and are hereby assessed, payable to Local 130 Contribution Account.

3. Pursuant to the Collective Bargaining Agreements, interest on the amounts stated in Paragraph 1 is due and is hereby assessed, payable to Local 130 Contribution Account.

4. The Employer has violated the applicable Collective Bargaining Agreements by permitting subcontractors not party to Collective Bargaining Agreement or persons having an ownership interest in Employer or employees other than licensed journeymen or apprentice plumbers to perform work within the jurisdiction of the Union for the period from March 01, 2005 through December 31, 2005 and shall pay a fine to each of the following entities in the amounts indicated:

Plumbers' Pension Fund, Local Union 130, U.A. \$ 4,520.00

Plumbers' Welfare Fund, Local Union 130, U.A. \$ 8,217.30

Trust Fund for Apprentice and Journeymen Education and Training, Local Union 130, U.A. \$ 888.00

The Plumbing Council of Chicagoland \$ 580.80

Legal Fund (Group Legal Service Plan Fund) \$ 625.70

Total Fines Due \$ 14,831.80

5. An additional fine of 8% of the amounts stated in Paragraph 4 is due and is hereby assessed, payable to Local 130 Contribution Account.

6. As an additional penalty interest on the amounts stated in Paragraph 4 is

assessed at the rate set forth in the Collective Bargaining Agreement for late contribution payments and is hereby due, payable to Local 130 Contribution Account.

The Employer is hereby directed and ordered to take the following remedial action:

- I. Pay to Local 130 Contribution Account the sum of \$ 23,705.19 consisting of:
 - A. The contributions due to the entities named in Paragraph 1.
 - B. The fines assessed in Paragraph 4.
 - C. The amount of \$ 1,195.16, which is the total of the amounts assessed in Paragraph 2 & 5.
 - D. The amount of \$ 7,570.43, which is the total of the amounts assessed in Paragraphs 3 & 6 (interest calculated through March 15, 2008,) which interest continues to accrue at the rate of \$ 224.10 per month after May 01, 2008, until full payment of all amounts due pursuant to this Decision and Award.
- II. Cease and desist from violating the Collective Bargaining Agreement in any like or similar manner.

It is further ORDERED that if the Employer does not pay the amounts found due within 30 days after the date this Decision and Award is signed, the Employer shall pay and reimburse the Funds, the Union, and the employee all costs, fees, and expenses incurred by any of them in enforcing this DECISION AND AWARD, including, but not limited to, audit fees, attorneys' fees, and court costs.

JOINT ARBITRATION BOARD

By: Kevin C. Sherlock
Kevin C. Sherlock
Secretary

Signed at Chicago, Illinois, this 24th day of March 2008.

EXHIBIT C

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

JAMES T. SULLIVAN, etc., et al.,)	
)	
Plaintiffs,)	No. 08 C 6510
)	
v.)	Judge James F. Holderman
)	
EAST WEST PLUMBING, INC.,)	Magistrate Judge Michael T. Mason
an Illinois corporation,)	
)	
Defendant.)	

AFFIDAVIT CONCERNING ATTORNEYS’ FEES AND COSTS

DOUGLAS A. LINDSAY states that if he were called to testify in the captioned case he would testify as follows:

1. I am an adult and competent.
2. The information contained in this Affidavit is based on my personal knowledge, the business records of LEWIS, OVERBECK & FURMAN, LLP (Firm), and review of public records.
3. During the course of this litigation, Douglas A. Lindsay, a partner in Firm, rendered 3.2 hours of legal services to Plaintiffs at a rate of \$300.00 per hour, for a total of \$960.00.
4. During the course of this litigation, Brian T. Bedinghaus, an associate in Firm, rendered 2.6 hours of legal services to Plaintiffs, at a rate of \$170.00 per hour, for a total of \$442.00.
5. During the course of this litigation, Robert C. Parizek, a paralegal in the Firm, rendered 4.3 hours of legal services to Plaintiffs, at a rate of \$85.00 per hour, for a total of \$365.50.
6. The legal professionals’ fees incurred by Plaintiffs in this matter total \$1,767.50.
7. Plaintiffs have also incurred \$350.00 in court filing fees, \$60.00 for service of process fees, \$60.00 for computerized docketing charges, \$15.00 in postage charges, and \$69.84 in photocopy

charges for total costs of \$554.84.

8. The total amount due Plaintiffs for legal fees and costs is \$2,322.34.

9. Attached hereto as Attachment C-1 are true and correct copies of itemized time records and expense records made and kept in the ordinary course of Firm's business.

10. I have over thirty-two years of ERISA and LMRA litigation experience. I have been admitted to practice by the following courts: Illinois Supreme Court (1976); United States District Court for the Northern District of Illinois (General Bar, 1976; Trial Bar, 1982); United States District Court for the Eastern District of Wisconsin (1985); United States District Court for the Northern District of Indiana (1990); United States District Court for the Central District of Illinois (1994); United States Court of Appeals for the 7th Circuit (1982); the United States Supreme Court (1999).

11. Brian T. Bedinghaus has been admitted to practice by the following courts: Illinois Supreme Court (2005); United States District Court for the Northern District of Illinois (2007); United States District Court for the Northern District of Indiana (2008).

12. In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

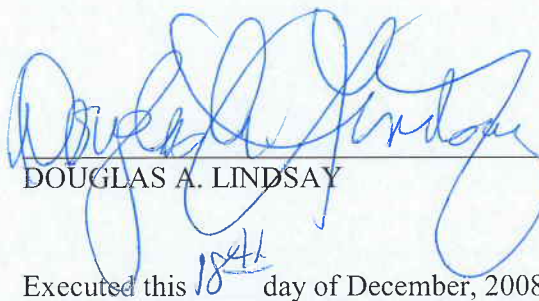

DOUGLAS A. LINDSAY
Executed this 18th day of December, 2008.

EXHIBIT C-1

Lewis, Overbeck & Furman, LLP

Time And Expense Details

Report ID: OT2025 - 25344
 Thursday, December 18, 2008

Date [04/23/2008 - 12/16/2008]

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Client	Client Reporting Name	Matter	Matter Reporting Name	Billing Timekeeper
65100	Plumbers 130 Litigation	01093	4708 East West Plumbing, Inc.	Lindsay, Douglas A.

Unbilled Time

Date	Timekeeper	Hours Worked	Hours To Bill	Rate	Amount	Task	Activity	Narrative
12/1/2008	RCP	0.10	0.10	85.00	\$8.50			Organized file
12/2/2008	DAL	0.10	0.10	300.00	\$30.00			Conference with Funds' Field Representative regarding case status
12/10/2008	BTB	0.10	0.10	170.00	\$17.00			Email to Douglas A. Lindsay regarding next steps
12/10/2008	DAL	0.40	0.40	300.00	\$120.00			Review file; check status of Defendant's response via CM/ECF; email to all concerned regarding motion for judgment
12/16/2008	BTB	0.60	0.60	170.00	\$102.00			Reviewed file; prepared motion for entry of judgment and supporting exhibits
Totals		1.30	1.30		\$277.50			

Unbilled Expenses

Date	Amount	Exp Code	Narrative
12/10/2008	\$350.00	MISC	Northern District of Illinois - File Lawsuit papers

Unbilled Expenses

Totals	\$350.00
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Billed Time

Date	Timekeeper	Hours Worked	Hours On Bill	Rate	Amount	Task	Activity	Narrative
4/24/2008	DAL	0.20	0.20	300.00	\$60.00			Review file regarding status of Award; telephone conference with JAB Secretary regarding delivery of Award to Contractor; memo to file
5/13/2008	RCP	0.10	0.10	85.00	\$8.50			Organized file
7/18/2008	DAL	0.40	0.40	300.00	\$120.00			Conference with Funds' Field Representative; review file; fax from Funds' Field Representative; determine deadline; memo to paralegal
7/23/2008	DAL	0.10	0.10	300.00	\$30.00			Review file regarding bond claim
7/24/2008	RCP	1.00	1.00	85.00	\$85.00			Worked on pre-suit payment demand letter
7/24/2008	DAL	0.20	0.20	300.00	\$60.00			Finalize pre-suit payment request letter and arrange distribution; diary follow up date
8/5/2008	DAL	0.20	0.20	300.00	\$60.00			Review file; voicemail to Funds' Filed Representative; memo to file
8/6/2008	DAL	0.20	0.20	300.00	\$60.00			Telephone conference with Funds' Field Representative; memo to file
8/11/2008	DAL	0.10	0.10	300.00	\$30.00			Telephone conference with Funds' Field Representative
11/4/2008	DAL	0.20	0.20	300.00	\$60.00			Telephone conference with Funds' Field Representative; review file; memo to file
11/10/2008	DAL	0.40	0.40	300.00	\$120.00			Review documents from Funds' Field Representative and file; corporate data research; email to all concerned
11/12/2008	BTB	1.90	1.90	170.00	\$323.00			Reviewed file; prepared lawsuit papers
11/13/2008	RCP	2.00	2.00	85.00	\$170.00			Worked on preparation of lawsuit papers; organized file; processed vendor invoice; worked on service of process and courtesy copies

Lewis, Overbeck & Furman, LLP

Time And Expense Details

Report ID: OT2025 - 25344
 Thursday, December 18, 2008

Date [04/23/2008 - 12/16/2008]

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Billed Time							
Date	Timekeeper	Hours Worked	Hours On Bill	Rate	Amount Task	Activity	Narrative
11/13/2008	DAL	0.50	0.50	300.00	\$150.00		E-file lawsuit papers; conference with paralegal regarding file organization and paper copy of complaint to assigned judge; statutory notice letters to Secretary of Labor and Secretary of Treasury
11/24/2008	DAL	0.20	0.20	300.00	\$60.00		E-notices from court; conference with paralegal regarding file organization and service of process
11/24/2008	RCP	1.10	1.10	85.00	\$93.50		E-Filed court documents; processed vendor invoice; organized file; updated item in Litigation Report; telephone conference with E-Filing clerk regarding case number errors

Billed Time							
Totals		8.80	8.80		\$1,490.00		

Billed Expenses			
Date	Amount	Exp Code	Narrative
7/31/2008	\$4.80	COPY	Photocopy Charges
11/24/2008	\$60.00	MISC	Constable Services - Service of Process
11/30/2008	\$15.00	POST	Postage Charges
11/30/2008	\$65.04	COPY	Photocopy Charges
11/30/2008	\$60.00	DOCK	DM 2000, Computerized Docket and Case Watch Protection Service

Billed Expenses			
Totals		\$204.84	

	Hours Worked	Hours To Bill	Fee Amount	Expense Amount	Total Amount
Report Totals	10.10	10.10	\$1,767.50	\$554.84	\$2,322.34

*** End Of Report ***

EXHIBIT D

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

JAMES T. SULLIVAN, not)
individually but as Trustee of)
PLUMBERS' PENSION FUND, LOCAL 130,)
U.A., PLUMBERS' WELFARE FUND,)
LOCAL 130, U.A., THE TRUST FUND)
FOR APPRENTICE AND JOURNEYMEN)
EDUCATION AND TRAINING, LOCAL 130,)
U.A., and CHICAGO JOURNEYMEN)
PLUMBERS' LOCAL UNION 130, U.A.,)
GROUP LEGAL SERVICES PLAN FUND; and)
THE PLUMBING COUNCIL OF)
CHICAGOLAND, an Illinois not-for-profit)
corporation; and CHICAGO JOURNEYMEN)
PLUMBERS' LOCAL UNION 130, U.A.,)

No. 08 C 6510

Judge James F. Holderman

Magistrate Judge Michael T. Mason

Plaintiffs,)

v.)

EAST WEST PLUMBING, INC.,)
an Illinois corporation,)

Defendant.)

JUDGMENT IN A CIVIL CASE

THIS CAUSE coming before the Court for hearing on Plaintiffs' Motion For Entry of Judgment, due notice having been given to all parties entitled thereto, and the Court being fully advised in the premises

IT IS HEREBY ORDERED that judgment is entered in favor of Plaintiffs, James T. Sullivan, etc., et al., and against Defendant, EAST WEST PLUMBING, INC., in the amount of \$37,801.76; and

IT IS HEREBY ORDERED that this judgment is final, and there is no just reason to delay enforcement or appeal.

Date: _____

ENTER:

James F. Holderman
United States District Court Judge