

11-09-09JWL144308-3

65100-1208LIT4868

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., etc.,)
et al.,)

Plaintiffs,)

v.)

EMERALD SEWER AND PLUMBING, INC.; and)
MB2 GROUP INC.,)

Defendants.)

No. 09 C 377

Judge Robert M. Dow, Jr.

Magistrate Judge Morton Denlow

AFFIDAVIT OF JOHN W. LOSEMAN

State of Illinois)
) ss.
County of Cook)

John W. Loseman hereby deposes and states:

1. I am of adult age and otherwise competent to make this Affidavit. All statements herein are made on my personal knowledge.

2. I am an attorney licensed to practice, inter alia, within the State of Illinois and before the United States District Court for the Northern District of Illinois. I am responsible for representing Plaintiffs in the captioned action.

3. I am a partner in the law firm of LEWIS, OVERBECK AND FURMAN, LLP, ("Firm"), 20 N. Clark Street, Suite 3200, Chicago, Illinois. All attorneys and paralegals who represented Plaintiffs in this action were partners in, associated with, or employed by, Firm.

4. In the course of their representation of Plaintiffs, the attorneys and paralegals of Firm made contemporaneous daily time entries. Attached as Exhibit 1 are true and correct copies of the daily time entries itemizing the time actually spent by attorneys and paralegals of

Firm in the course of this matter, along with certain costs paid for the account of Plaintiffs herein through November 6, 2009, for which Plaintiffs seek reimbursement.

5. Throughout this case, Firm has charged its normal and customary hourly charges for legal services rendered to Plaintiffs in this action. Firm's normal and customary hourly charges are reasonable within the Chicago area legal community, and are paid by other clients of Firm.

6. "DAL" in the time entries designates attorney Douglas A. Lindsay, a partner in Firm. In the course of this matter, DAL provided 14.7 hours of legal services to Plaintiffs at the rate of \$300.00 per hour, for a total of \$4,410.00.

7. "JWL" in the time entries designates Affiant, John W. Loseman. In the course of this matter through November 6, 2009, JWL provided 21.20 hours of legal services to Plaintiffs at the rate of \$255.00 per hour, for a total of \$5,406.00.

8. "JRG" in the time entries designates attorney James R. Gannon, a partner in Firm. In the course of this matter, JRG provided 1.6 hours of legal services to Plaintiffs at the rate of \$300.00 per hour, for a total of \$480.00.

9. "BTB" in the time entries designates attorney Brian T. Bedinghaus, an associate of Firm. In the course of this matter, BTB provided 2.7 hours of legal services to Plaintiffs at the rate of \$170.00 per hour, for a total of \$459.00.

10. "RCP" in the time entries designates Robert C. Parizek, a paralegal employed by Firm. In the course of this matter through November 6, 2009, RCP provided 8.9 hours of services to Plaintiffs at the rate of \$85.00 per hour, for a total of \$756.50.

11. In addition to attorneys' and paralegals' fees, Plaintiffs incurred charges for the following: \$350.00 for the federal court complaint filing fee; \$341.00 for service of process; \$70.72 for electronic docket fees; and \$73.10 for postage costs and photocopy expenses, for a

total of \$834.82. Each of these charges was incurred in connection with this case, and is not a usual office overhead expense. These charges are billed separately by Firm to its clients.

12. The sum of the above-described fees is \$11,511.50, and the sum of the above-described costs and expenses is \$834.82, for a total of \$12,345.92.

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

Dated: November 13, 2009

/s/ John W. Loseman
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