

# Exhibit B

**Exhibit B**

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

CHICAGO REGIONAL COUNCIL OF CARPENTERS, )  
 ) Case No. 09CV 1063  
Plaintiff, )  
 ) Judge Andersen  
v. )  
 )  
CHICAGO INSTALLATION COMPANY LLC d/b/a )  
JOYCE INSTALLATION COMPANY, L.L.C., )  
 )  
Defendant. )

**SWORN DECLARATION PURSUANT TO 28 U.S.C.A. § 1746**

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John Jarger declares as follows:

1. I am employed as the Manager, Dues Checkoff Department for the Chicago Regional Council of Carpenters and in such capacity I am authorized to make this Declaration on behalf of the Plaintiff. A portion of my duties include the monitoring of the books and records of the companies to ensure that the company pays the required wages and dues pursuant to the Collective Bargaining Agreement.

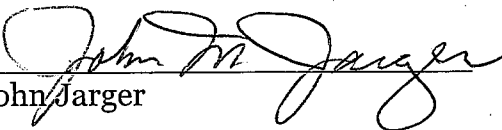
2. I have reviewed the account for the Defendant, CHICAGO INSTALLATION COMPANY LLC d/b/a JOYCE INSTALLATION COMPANY, L.L.C. The Defendant executed an Agreement with the Chicago Regional Council of Carpenters, successor to the Chicago and Northeast Illinois Regional Council of Carpenters whereby it agreed to be bound by the provisions of a Collective Bargaining Agreement and to all Collective Bargaining Agreements subsequently negotiated.

3. Pursuant to the provisions of the Collective Bargaining Agreement, signatory employers are required to submit monthly reports to the Union detailing all hours worked by its employees covered under the Agreement.

4. An audit was conducted of the books and records submitted by the Defendant for the period of October 2006 through March 31, 2009 which reveals that Defendant owes \$138,833.50 in wages and \$9,071.42 in unpaid dues to the Plaintiff for a total amount of \$147,904.92. A breakdown of amounts owed is attached.

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Declaration is true and correct.

Signature:

  
John Jarger

Date: March 12, 2010

## Records Reviewed

Account Number: 23489	Audit Period: October 1, 2006 - March 31, 2009
Employer: CIC dba Joyce Installations	Contact: Marsha Woodward
Address: 1915 Janice Ave	Title: Attorney
Melrose Park, IL 60160	Phone: (816) 360-4318
Phone: (708) 681-1700	

Audit Results	
Wages Owed	\$ 138,833.50
Dues Owed	\$ 9,071.42
<b>Grand Total</b>	<b>\$ 147,904.92</b>

Reviewed	Employer Records
Yes	Annual Federal Unemployment Tax Return (940)
Yes	Bank Statements
No	Cash Disbursement Journals
No	Check Register / Cancelled Checks / Vouchers
N/A	Construction Loan Data
Yes	Contribution Reports to All Other Funds
Yes	Contribution Reports to Audited Funds
Yes	Federal Income Tax Returns (1120 or 1065)
No	General Ledgers
Yes	Individual Earnings Records
Yes	Invoices from Sub-Contractors
No	Job List/Job Cost Records
N/A	Miscellaneous Income Payment Reports (1099)
Yes	Payroll Journals
Yes	Quarterly Federal Tax Returns (941)
Yes	Quarterly Unemployment Wage Reports
N/A	Summary of Information Returns (1096)
No	Time Cards
Yes	Transmittal of Income and Tax Statements (W-3)
Yes	Vendor List
Yes	Wage and Tax Statements (W-2)

Audit Type: Wage & Dues Check Off Copy Forwarded to Attorney

Date Reviewed: 2/22/10      Reviewer: Boni Parille CPA

## Compliance Audit Remarks

Account Number:	23489	Audit Period:	October 1, 2006 - March 31, 2009
Employer:	CIC dba Joyce Installations	Contact:	Marsha Woodward
Address:	1915 Janice Ave Melrose Park, IL 60160	Title:	Attorney
Phone:	(708) 681-1700	Date of Audit:	September 22, 2009
Auditor:	John Conklin	Completion Date:	February 11, 2010

This company did not pay the correct wage rate to the following employees. As a result, we calculated the difference between the wage rate paid to the employee and the wage rate that they should have been paid. We then multiplied the resulting amount by the hours worked each month. We also calculated dues owed based on the correct wage rate for these individuals.

SS#	Name	SS#	Name
[REDACTED]	Bird, Brian	[REDACTED]	Kallio, Keith
[REDACTED]	Bloch, Matthew	[REDACTED]	Klickmann, John
[REDACTED]	Bryce, Kurt	[REDACTED]	Kobige, Kevin
[REDACTED]	Buckner, Sean	[REDACTED]	Krutz, Stan
[REDACTED]	Burton, Todd	[REDACTED]	Louis II, Darrell
[REDACTED]	Conckus, Robert	[REDACTED]	Mieszanek, Frank
[REDACTED]	DeGraaf, Jason	[REDACTED]	Murphy, Joseph
[REDACTED]	Farmer, John	[REDACTED]	Rausa, Jeffrey
[REDACTED]	Gaffney, Christopher	[REDACTED]	Sartori, Richard
[REDACTED]	Gray, Dean	[REDACTED]	Smith, Brian
[REDACTED]	Hajec, Tim	[REDACTED]	Sorenson, Richard
[REDACTED]	Hince, Karl	[REDACTED]	Williams, Bashamba

This company did not report the dues owed for check dates March 2, 2007 and August 1, 2007.

The following individuals worked prior to this company reporting their dues. Since these individuals were identified as being carpenters throughout the engagement, we included their unreported dues in our report

SS#	Name
[REDACTED]	Jankovics, Frank
[REDACTED]	Marroquin, Anthony
[REDACTED]	Podgorski, John
[REDACTED]	Rausa, Jeffrey
[REDACTED]	Sammartino, Thomas
[REDACTED]	Sartori, Richard

This company did not report the dues owed by the following individuals during the following months. Since these individuals were reported by this company in previous months, we included these unreported dues in our report.

SS#	Name	Month(s)
[REDACTED]	Behrendt, Kirk	Oct-07
[REDACTED]	Enzbigilis, Jeffrey	Nov-08
[REDACTED]	Farmer, John	Dec-07
[REDACTED]	Jankovics, Frank	Nov-08

## Compliance Audit Remarks

Account Number: 23489	Audit Period: October 1, 2006 - March 31, 2009
Employer: CIC dba Joyce Installations	Contact: Marsha Woodward
Address: 1915 Janice Ave Melrose Park, IL 60160	Title: Attorney
Phone: (708) 681-1700	Date of Audit: September 22, 2009
Auditor: John Conklin	Completion Date: February 11, 2010

██████████	Kasprzak, Michael	Dec-07
██████████	Klickmann, John	Apr-08
██████████	Lynd, James	Oct-08
██████████	Mieszanek, Frank	Oct-08
██████████	Murphy, Brian	Oct-08
██████████	Murphy, Joseph	Oct-08
██████████	Policht, Joseph	Nov-07 & Dec-07
██████████	Sammartino, Thomas	Apr-08
██████████	Stevens, Leo	Dec-07
██████████	Tinley, Philip	Oct-08
██████████	Vanbeek, Michael	Oct-08
██████████	Vanderploeg, Daniel	Oct-08
██████████	Williams, Bashamba	Jan-09 & Feb-09

We included the following electronic record individuals in our report. These individuals were identified as carpenters and their dues were not paid.

SS#	Name	SS#	Name
██████████	Connelly, Michael	██████████	Grasser, Phillip
██████████	Isard, Mark	██████████	Krutz, Stan
██████████	Monaco, Carmen	██████████	Reedy, Michael
██████████	Sawyer, Patrick		

We only received quarterly payroll for Bashamba Williams (ss# 326-72-2625) for the year 2008. Since we were not provided with a weekly breakdown, we applied alternate procedures as a way of measuring compliance. We divided the hours worked for the quarter by the number of months in the quarter (3) and applied the resulting hours to the coordinating months. Bashamba's dues were not reported from May 2008 through February 2009.

# Wages Owed by Month

Account Number:	23489	Audit Period:	October 1, 2006 - March 31, 2009
Employer:	CIC dba Joyce Installations	Contact:	Marsha Woodward
Address:	1915 Janice Ave Melrose Park, IL 60160	Title:	Attorney
Phone:	(708) 681-1700	Page:	1 of 62

Month	Wages Owed by Month	Month	Wages Owed by Month
October 2006	2,240.49		
November 2006	1,271.44		
December 2006	10,177.44		
January 2007	3,263.81		
February 2007	4,033.07		
March 2007	2,098.90		
April 2007	854.87		
May 2007	6,934.95		
June 2007	3,434.62		
July 2007	7,823.17		
August 2007	6,079.35		
September 2007	4,679.23		
October 2007	3,863.83		
November 2007	7,820.23		
December 2007	8,353.50		
January 2008	4,872.96		
February 2008	11,185.62		
March 2008	7,306.16		
April 2008	4,674.71		
May 2008	3,742.48		
June 2008	5,955.96		
July 2008	3,970.32		
August 2008	1,914.77		
September 2008	1,954.63		
October 2008	5,100.70		
November 2008	7,094.83		
December 2008	2,664.46		
January 2009	4,412.06		
February 2009	1,046.99		
March 2009	8.00		
			Discrepancy Amount Dollars \$138,833.50

## Dues Owed by Month

Account Number:	23489	Audit Period:	October 1, 2006 - March 31, 2009
Employer:	CIC dba Joyce Installations	Contact:	Marsha Woodward
Address:	1915 Janice Ave Melrose Park, IL 60160	Title:	Attorney
Phone:	(708) 681-1700	Page:	2 of 62

Month	Dues Owed by Month	Month	Wages Owed by Month
October 2006	67.22		
November 2006	38.15		
December 2006	305.31		
January 2007	97.92		
February 2007	120.99		
March 2007	681.95		
April 2007	25.65		
May 2007	160.79		
June 2007	116.20		
July 2007	234.69		
August 2007	802.56		
September 2007	159.45		
October 2007	199.54		
November 2007	523.07		
December 2007	967.60		
January 2008	96.68		
February 2008	288.08		
March 2008	194.30		
April 2008	257.42		
May 2008	74.20		
June 2008	197.14		
July 2008	134.16		
August 2008	191.20		
September 2008	82.48		
October 2008	1,552.38		
November 2008	864.79		
December 2008	132.92		
January 2009	427.40		
February 2009	76.96		
March 2009	0.24		
			Discrepancy Amount Dollars \$9,071.42



# Monthly Detail Report for Wages

Account Number: 23489  
 Employer: CIC dba Joyce Installations  
 Address: 1915 Janice Ave  
 Phone: Melrose Park, IL 60160  
 (708) 681-1700

Audit Period: October 1, 2006 - March 31, 2009  
 Month: October-06  
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Reference Number	Employee Name	Hrs Wk'd 10/16/06		Hrs Wk'd 10/13/06		Hrs Wk'd 10/20/06		Hrs Wk'd 10/27/06		Reg	OT	DT	Total Hrs Wk'd	Rate Paid	Proper Rate	Rate Difference	Wages Owed
		Reg	OT	Reg	OT	Reg	OT	Reg	OT								
	Burton, Todd	26.00	1.50	24.00									51.50	14.61	36.52	21.91	1,144.80
	Hajec, Tim	39.50	0.25	16.00									39.75	18.26	36.52	18.26	728.12
	Smith, Brian	14.00		28.50									30.00	25.00	36.52	11.52	345.60
	Sorenson, Richard	40.00					16.00						84.50	18.00	18.26	0.26	21.97
																	2,240.49

# Monthly Detail Report for Wages

Account Number: 23489  
 Employer: CIC dba Joyce Installations  
 Address: 1915 Janice Ave  
 Melrose Park, IL 60160  
 Phone: (708) 681-1700

Audit Period: October 1, 2006 - March 31, 2009  
 Month: November-06  
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Reference Number	Employee Name	Hrs Wk'd 11/2/06		Hrs Wk'd 11/10/06		Hrs Wk'd 11/17/06		Hrs Wk'd 11/24/06		Total Hrs Wk'd	Rate Paid	Proper Rate	Rate Difference	Wages Owed
		Reg	OT	Reg	OT	Reg	OT	Reg	OT					
	Burton, Todd									32.00	14.61	36.52	21.91	701.12
	Hajec, Tim	8.00		8.00				24.00		15.00	18.26	36.52	18.26	273.90
	Smith, Brian			7.00				16.00		23.00	25.00	36.52	11.52	264.96
	Sorenson, Richard	20.00	7.00	32.00	2.00	22.00	1.00	32.00		116.00	18.00	18.26	0.26	31.46
														1,271.44



# Monthly Detail Report for Wages

Account Number: 23489  
 Employer: CIC dba Joyce Installations  
 Address: 1915 Janice Ave  
 Melrose Park, IL 60160  
 Phone: (708) 681-1700

Audit Period: October 1, 2006 - March 31, 2009  
 Month: January-07  
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Reference Number	Employee Name	Hrs Wk'd 1/5/07		Hrs Wk'd 1/12/07		Hrs Wk'd 1/19/07		Hrs Wk'd 1/26/07		Total Hrs Wk'd	Rate Paid	Proper Rate	Rate Difference	Wages Owed
		Reg	OT	DT	Reg	OT	DT	Reg	OT					
	Burton, Todd	20.75		19.00	0.50	24.00	4.00	34.50		102.75	14.61	36.52	21.91	2,300.55
	Louis II, Darrell	20.00		24.00						44.00	15.00	36.52	21.52	946.88
	Sorenson, Richard	15.00	6.00	32.00		4.00				57.50	18.00	18.26	0.26	16.38
														3,263.81

# Monthly Detail Report for Wages

Account Number: 23489  
 Employer: CIC dba Joyce Installations  
 Address: 1915 Janice Ave  
 Melrose Park, IL 60160  
 Phone: (708) 681-1700

Audit Period: October 1, 2006 - March 31, 2009  
 Month: February-07  
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Reference Number	Employee Name	Hrs Wk'd 2/2/07		Hrs Wk'd 2/9/07		Hrs Wk'd 2/16/07		Hrs Wk'd 2/23/07		Total Hrs Wk'd	Rate Paid	Proper Rate	Rate Difference	Wages Owed
		Reg	OT	DT	Reg	OT	DT	Reg	OT					
	Burton, Todd	28.00	10.00	4.00	32.00	6.00	11.00	10.00	9.00	110.00	14.61	36.52	21.91	2,914.03
	Louis II, Darrell	7.00					12.00	10.00	9.00	38.00	15.00	36.52	21.52	1,119.04
														4,033.07