

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

TRUSTEES OF THE SUBURBAN TEAMSTERS)	
OF NORTHERN ILLINOIS WELFARE AND)	
PENSION FUNDS,)	
)	
Plaintiffs,)	
)	No. 09 C 1508
v.)	
)	Judge Pallmeyer
BROTHERS ASPHALT PAVING, INC.)	
an Illinois corporation)	Magistrate Judge Cox
)	
Defendant.)	

AFFIDAVIT

RICHARD SIEBERT, upon being first duly sworn deposes and states as follows:

1. Affiant is employed by the Suburban Teamsters Welfare and Pension Fund (“Funds”) as an auditor, is familiar with the Brothers Asphalt Paving, Inc., an Illinois corporation audit (“Employer”), having examined its books and records to determine what amounts if any were due and owing the Funds, and is also familiar with the parties’ agreement concerning contributions, liquidated damages and interest owed.

2. That an audit of Employer’s books and records was performed on November 6, 2008 covering the period February, 2006 through April, 2008 and found to be owing:

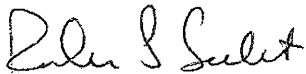
Pension	\$2,953.39
Welfare	\$5,208.30

3. That Employer was given a copy of the audit and given notice of findings on January 9, 2009 and has made no effort to pay or settle.

4. That the audit including liquidated damages and interest totals \$8,161.69.

5. That Affiant suffers from no disability and can so testify and affirm such facts.

FURTHER AFFIANT SAYETH NOT.



RICHARD SIEBERT

SUBSCRIBED AND SWORN
to before me this 14th day of
April, 2009.



Notary Public

OFFICIAL SEAL
CAROL COLLINS
Notary Public - State of Illinois
My Commission Expires Jul 20, 2011