

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CHICAGO REGIONAL COUNCIL OF	)	
CARPENTERS PENSION FUND and its	)	
Trustees, et al.,	)	
	)	Case No. 09 C 1591
Plaintiffs,	)	
v.	)	Judge Conlon
	)	
LAMP INCORPORATED, an Illinois	)	Magistrate Nolan
corporation,	)	
	)	
Defendant.	)	

**MOTION TO PROVE UP DAMAGES AND FOR FINAL JUDGMENT**

Plaintiffs, the CHICAGO REGIONAL COUNCIL OF CARPENTERS PENSION FUND, ET AL. (collectively "Trust Funds"), by their attorney Kevin P. McJessey, hereby move this Court to allow Trust Funds to prove up damages and for entry of final judgment against LAMP INCORPORATED, an Illinois corporation ("Defendant"). In support of their motion, Trust Funds state as follows:

**COMPLAINT**

1. The Trust Funds filed a complaint against the Defendant under ERISA to compel Defendant to produce books and records to allow Plaintiffs to conduct an audit of Defendant's fringe benefit contributions to the Trust Funds. The Trust Funds sought unpaid contributions, interest and liquidated damages, attorneys' fees and costs and auditors' fees owed by Defendant pursuant to the terms of a collective bargaining agreement and applicable trust agreements.

**DEFENDANT DEFAULTED**

2. Steven Lamp, Registered Agent, was served with a copy of the summons and complaint and the proof of service has been filed with the United States Clerk of Court. On May 12, 2009, a default judgment was entered against Defendant for its failure to answer or appear.

3. On May 19, 2009, Defendant was served with a copy of the Court's default order via U.S. Mail. At the time and thereafter, despite the default judgment, the parties were attempting to reach an agreement on the amount due.

4. As of September 2009, the Trust Funds' correspondences to the Defendant have gone unanswered.

5. This Court should allow the Trust Funds to prove up damages and enter final judgment against Defendant.

6. The Trust Funds now move this Court to enter a final judgment. The amount owed by Defendants is \$26,104.03 which includes \$12,637.67 in unpaid contributions, \$2,354.12 in interest, \$2,527.53 in liquidated damages, \$6,716.75 in auditors' fees, and \$1,867.96 in attorneys' fees as follows:

A. \$12,637.67 in unpaid contributions pursuant to the audit; *see* Decl. of J. Libby, ¶6, Exhibit A; Decl. of C. Kogut, ¶3, Exhibit B;

B. \$6,716.75 for auditor's fees incurred by the Trust Funds to complete the audit of Defendants' books and records; *see* Decl. of J. Libby, ¶6, Exhibit A; Decl. of C. Kogut, ¶2, Exhibit B;

C. \$2,354.12 in interest under ERISA on the amount that is due; *see* 29 U.S.C. § 1132(g)(2)(B); 29 U.S.C. § 1132(g)(2)(C); Decl. of J. Libby, ¶7, Exhibit A;

D. \$2,527.53 in liquidated damages; *see* Decl. of J. Libby, ¶7, Exhibit A; and

E. \$1,867.96 in reasonable attorneys' fees and costs the Trust Funds incurred in this action pursuant to 29 U.S.C. § 1132(g)(1) and/or § 1132(g)(2)(D); *see* McJessy Decl., ¶4, Exhibit C).

**WHEREFORE, Plaintiffs the Chicago Regional Council of Carpenters' Fund et al. hereby move this Court to enter final judgment in their favor and against Defendant LAMP INCORPORATED in the amount of \$26,104.03 as follows:**

- A. \$12,637.67 in unpaid contributions pursuant to the audit;**
- B. \$6,716.75 for auditor's fees of incurred by the Trust Funds to complete the audit of Defendants' books and records;**
- C. \$2,354.12 in interest under ERISA on the amount that is due;**
- D. \$2,527.53 in liquidated damages;**
- E. \$1,867.96 in reasonable attorneys' fees and costs the Trust Funds incurred in this action pursuant to 29 U.S.C. § 1132(g)(1) and/or § 1132(g)(2)(D);**
- F. reasonable attorney' fees and costs incurred by the Trust Funds in enforcing this order; and**
- G. such other relief as this Court deems appropriate.**

**CHICAGO REGIONAL COUNCIL OF CARPENTERS  
PENSION FUND et al.**

By: s/ Kevin P. McJessey  
One of their attorneys

**Kevin P. McJessey  
MCJESSEY, CHING & THOMPSON, LLC  
3759 North Ravenswood, Suite 231  
Chicago, Illinois 60613  
(773) 880-1260  
(773) 880-1265 (facsimile)  
mcjessey@MCandT.com**

**CERTIFICATE OF SERVICE**

I, Kevin P. McJessy, an attorney, certify that I caused the foregoing **Motion to Prove Up Damages and for Final Judgment** to be served upon

Steven Lamp, Registered Agent  
Lamp Incorporated  
460 N. Grove Avenue  
Elgin, IL 60120

via U.S. Mail, postage prepaid, deposited in the United States Mail Depository located at 3759 N. Ravenswood, Chicago, Illinois, 60613 on February 4, 2010.

s/ Kevin P. McJessy  
Kevin P. McJessy

**09 CV 1591**

**Exhibit A**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CHICAGO REGIONAL COUNCIL OF )  
CARPENTERS PENSION FUND and its )  
Trustees, et al., )

Plaintiffs, )

v. )

LAMP INCORPORATED, an Illinois )  
corporation, )

Defendant. )

Case No. 09 C 1591

Judge Conlon

**DECLARATION OF JOHN LIBBY**

I, John Libby, hereby declare, under penalty of perjury pursuant to the laws of the United States, as follows:

1. I am the Supervisor, Audits & Collections for the Chicago Regional Council of Carpenters Pension Fund ("Pension Fund"), the Chicago Regional Council of Carpenters Welfare Fund ("Welfare Fund"), the Chicago and Northeast Illinois Regional Council of Carpenter Apprentice and Trainee Program ("Trainee Fund") and the Labor/Management Union Carpentry Cooperation Promotion Fund ("Labor/Management Fund") (collectively "the Trust Funds").
2. As part of my duties, I am responsible for supervising and enforcing contributions for medical, pension and other benefits due from numerous employers pursuant to Collective Bargaining Agreements between the employers and the Trust Funds and pursuant to the Trust Agreements.
3. On June 1, 1976, LAMP INCORPORATED ("Defendant") and the Chicago and Northeast Illinois District Council of Carpenters entered into the Collective Bargaining

Agreement pursuant to which Defendant agreed to make contributions to the Trust Funds. A true and accurate copy of this Memorandum of Agreement is attached as Exhibit A-1.

4. Defendant agreed to submit to a periodic audit of its books and records in order to verify the accuracy of the contributions reported and paid to the Trust Funds.

5. Defendant produced books and records to Legacy Professionals LLP ("Legacy"), an auditing firm engaged by the Trust Funds, to conduct an audit of Defendant's fringe benefit contributions.

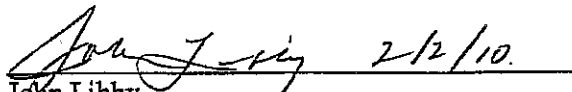
6. Copies of the audit reports prepared by Legacy are attached as Exhibit A-2 (Account No. 50028) and Exhibit A-3 (Account No. 2345). According to the audit reports and based on the records produced by Defendant to Legacy, Defendant owes \$12,637.67 in unpaid contributions.

7. Summaries of the calculations of accrued interest and liquidated damages are attached hereto as Exhibit A-4 (Account No. 50028) and Exhibit A-5 (Account No. 2345). Defendant owes \$2,354.12 in unpaid interest and \$2,527.53 in liquidated damages.

8. Because Defendant failed to comply with the terms of the Collective Bargaining Agreement and related Trust Agreements, the Trust Funds have had to employ the services of McJessey, Ching & Thompson, LLC. As a result, the Trust Funds incurred additional audit fees and attorneys' fees and costs.

9. I have personal knowledge of the matters stated in this affidavit and could testify competently to them.

FURTHER DECLARANT SAYETH NOT.

  
John Libby

**09 CV 1591**

**Exhibit A-1**



FOX VALLEY GENERAL CONTRACTORS ASSOCIATION

# Agreement

1976-79

Firm LAMP INCORPORATED

Address 460 North Grove Ave. P.O.

Phone 741-7220

THIS AGREEMENT made and entered into by and between \_\_\_\_\_

LAMP INCORPORATED

to as the "EMPLOYER," First Party, and CHICAGO DISTRICT COUNCIL OF CARPENTERS, COOK, ILLINOIS, hereinafter referred to as the "UNION," Second Party.

THIS AGREEMENT is made in consideration of the mutual promises of the First and Second Parties hereby agree as follows:

1. The EMPLOYER recognizes the UNION as the sole and exclusive bargaining representative employees of the EMPLOYER within the territorial and occupational jurisdiction of the UNION.

2. The parties adopt, and the EMPLOYER agrees to be bound by the terms and conditions of Agreement dated June 1, 1976, between the UNION and Mid-America Regional Bargaining Association as bargaining employer associations, a copy of which agreement is attached hereto and made a part hereof and the receipt of which by the EMPLOYER.

3. EMPLOYER agrees to be bound by the terms of the Trust Agreements creating the Chicago District Health and Welfare Fund, Chicago District Council of Carpenters Pension Fund, and the Chicago District Council Training Fund and all rules and regulations adopted by the Trustees thereof, and agrees to make prompt payments of contributions provided in the Collective Bargaining Agreement aforesaid, with respect to each such Trust Fund.

4. This agreement, and the agreement adopted by reference as aforesaid, shall be in effect as of full effect to and including the expiration date of the agreement adopted by reference. This agreement shall continue in effect thereafter and the parties specifically adopt any agreement entered into between the UNION and Mid-America Regional Bargaining Association, bargaining agent for certain employer associations, subsequent to the expiration date of the agreement adopted unless notice of termination or amendment is given in the manner provided herein.

5. Either party desiring to amend or terminate this agreement must notify the other with an acknowledgment least three calendar months prior to the expiration of the then agreement adopted by reference.

6. EMPLOYER agrees to furnish UNION with certificate of insurance covering liability under Compensation Act and the Illinois Occupational Disease Act.

7. EMPLOYER agrees to furnish UNION with a surety bond to insure prompt payment of wages contributions, pension fund contributions and apprentice training fund contributions in amount and according to the contract adopted by reference herein.

IN WITNESS WHEREOF, the parties have executed this Agreement the 1st of June, 1976

EMPLOYER

CHICAGO DISTRICT COUNCIL

By \_\_\_\_\_

By \_\_\_\_\_

Title

**09 CV 1591**

**Exhibit A-2**

# Discrepancy Summary By Month

Account Number:	50028	Audit Period:	July 1, 2006 to December 31, 2007
Employer:	Lamp, Inc.	Contact:	Steve Lamp
Address:	460 N. Grove Ave. Elgin, IL 60121	Title:	Secretary/Treasurer
Phone:	847-741-7220	Page:	1 of 12

Reporting Period	Discrepancy Total Hours	Discrepancy Benefit Hours	Contribution Rate	Discrepancy Amount
July 2006	0.00	14.00	7.96	\$111.44
August 2006	0.00	7.25	7.96	57.71
September 2006	0.00	587.00	7.96	4,672.52
November 2006	0.00	322.75	7.96	2,569.09
December 2006	0.00	4.75	7.96	37.81
March 2007	0.00	63.00	7.96	501.48
July 2007	0.00	72.00	8.96	645.12
August 2007	0.00	144.25	8.96	1,292.48
November 2007	0.00	95.75	8.96	857.92
December 2007	0.00	4.00	8.96	35.84
Total Hours	0.00	Benefit Hours 1,314.75	Discrepancy Amount Liquidated Damages Total Amount Due	\$10,781.41 \$2,156.28 \$12,937.69

# Liquidated Damages Schedule

Account Number: 50028	Audit Period: July 1, 2006 to December 31, 2007
Employer: Lamp, Inc.	Contact: Steve Lamp
Address: 460 N. Grove Ave. Elgin, IL 60121	Title: Secretary/Treasurer
Phone: 847-741-7220	Page: 2 of 12

Reporting Period	Contributions Due	Compounding Periods	Calculating Percentage	Total Liquidated Damages Owed
July 2006	111.44	38	20.00%	22.29
August 2006	57.71	37	20.00%	11.54
September 2006	4,672.52	36	20.00%	934.50
November 2006	2,569.09	34	20.00%	513.82
December 2006	37.81	33	20.00%	7.56
March 2007	501.48	30	20.00%	100.30
July 2007	645.12	26	20.00%	129.02
August 2007	1,292.48	25	20.00%	258.50
November 2007	857.92	22	20.00%	171.58
December 2007	35.84	21	20.00%	7.17

**Total Discrepancies**

\$ 10,781.41

**Total Damages this Schedule  
20% of Discrepancies**

2,156.28  
2,156.28

**Assessed Damages**

**\$2,156.28**

# Monthly Detail Report

**Account Number:** 50028      **Audit Period:** July 1, 2006 to December 31, 2007  
**Employer:** Lamp, Inc.      **Month:** July 2006  
**Address:** 460 N. Grove Ave.      **Page # :** 3 of 12  
**Phone:** Elgin, IL 60121

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 2-Jul	W/E 9-Jul	W/E 16-Jul	W/E 23-Jul	W/E 30-Jul				
3	Floor Covering Masters	CD4G	0.00	0.00	0.00	0.00	14.00	0.00	14.00	0.00	14.00	0.00	14.00
<b>Total</b>			<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>14.00</b>	<b>0.00</b>	<b>14.00</b>	<b>0.00</b>	<b>14.00</b>	<b>0.00</b>	<b>0.00</b>	<b>14.00</b>

Total Items Listed in this Period: 1.00

# Monthly Detail Report

**Account Number:** 50028      **Audit Period:** July 1, 2006 to December 31, 2007  
**Employer:** Lamp, Inc.      **Month:** August 2006  
**Address:** 460 N. Grove Ave.      **Page #:** 4 of 12  
**Phone:** Elgin, IL 60121

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference						
					W/E 6-Aug	W/E 13-Aug	W/E 20-Aug	W/E 27-Aug	W/E										
3	Floor Covering Masters	CD4G	0.00	0.00	0.00	7.25	0.00	0.00	0.00	7.25	7.25	0.00	7.25						
<b>Total</b>												<b>0.00</b>	<b>7.25</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>7.25</b>	<b>0.00</b>	<b>7.25</b>

Total Items Listed in this Period: 1.00

# Monthly Detail Report

**Account Number:** 50028      **Audit Period:** July 1, 2006 to December 31, 2007  
**Employer:** Lamp, Inc.      **Month:** September 2006  
**Address:** 460 N. Grove Ave.      **Page # :** 5 of 12  
**Phone:** Elgin, IL 60121

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *							Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 3-Sep	W/E 10-Sep	W/E 17-Sep	W/E 24-Sep	W/E 29-Sep	Total Hours				
8	Reil Construction, Inc.	CD3G	0.00	0.00	0.00	0.00	587.00	0.00	0.00	0.00	587.00	587.00	0.00	587.00
<b>Total</b>			<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>587.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>587.00</b>	<b>587.00</b>	<b>0.00</b>	<b>587.00</b>

Total Items Listed in this Period: 1.00

# Monthly Detail Report

**Account Number:** 50028      **Audit Period:** July 1, 2006 to December 31, 2007  
**Employer:** Lamp, Inc.      **Month:** November 2006  
**Address:** 460 N. Grove Ave.      **Page #:** 6 of 12  
**Phone:** Elgin, IL 60121  
 847-741-7220

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	Actual Hours Per Week					Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 5-Nov	W/E 12-Nov	W/E 19-Nov	W/E 26-Nov	W/E 3-Dec				
	Burke, Jeffrey T.	P9G	198.00	198.00	40.00	38.00	40.00	32.00	40.00	190.00	190.00	(8.00)	(8.00)
	Carlson, Kevin I.	P9G	176.00	176.00	40.00	40.00	40.00	8.00	40.00	168.00	168.00	(8.00)	(8.00)
	Farrell, Michael	P9G	170.00	170.00	34.00	32.00	40.00	24.00	32.00	162.00	162.00	(8.00)	(8.00)
	Fraas, Daniel M.	P9G	149.00	149.00	40.00	40.00	2.00	2.00	32.00	141.00	141.00	(8.00)	(8.00)
	Graf, Kurt L.	P9G	158.50	158.50	32.00	29.50	40.00	24.00	25.00	150.50	150.50	(8.00)	(8.00)
	Harris, Ronald E.	P9G	132.50	132.50	16.00	0.00	36.50	32.00	40.00	124.50	124.50	(8.00)	(8.00)
	Paul Reilly Company	CD3G	0.00	0.00	0.00	135.00	0.00	0.00	0.00	135.00	135.00	0.00	135.00
	Reil Construction, Inc.	CD3G	0.00	0.00	0.00	0.00	180.75	0.00	0.00	180.75	180.75	0.00	180.75
	Richter Awning, Inc.	CD3G	0.00	0.00	0.00	0.00	0.00	0.00	63.00	63.00	63.00	0.00	63.00
	Werling, Stephen	P9G	216.00	216.00	50.00	42.00	42.00	34.00	40.00	208.00	208.00	(8.00)	(8.00)
	<b>Total</b>				<b>252.00</b>	<b>356.50</b>	<b>446.25</b>	<b>156.00</b>	<b>312.00</b>	<b>1,522.75</b>	<b>1,522.75</b>	<b>(56.00)</b>	<b>322.75</b>

Total Items Listed in this Period: 10.00



# Monthly Detail Report

**Account Number:** 50028      **Audit Period:** July 1, 2006 to December 31, 2007  
**Employer:** Lamp, Inc.      **Month:** December 2006  
**Address:** 460 N. Grove Ave.      **Page #:** 7 of 12  
**Phone:** Elgin, IL 60121  
 847-741-7220

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	Actual Hours Per Week					Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 10-Dec	W/E 17-Dec	W/E 24-Dec	W/E 31-Dec	W/E				
	Richter Awning, Inc.	CD3G	0.00	0.00	0.00	0.00	0.00	4.75	0.00	4.75	4.75	0.00	4.75
<b>Total</b>			<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4.75</b>	<b>0.00</b>	<b>0.00</b>	<b>4.75</b>	<b>4.75</b>	<b>0.00</b>	<b>4.75</b>

Total Items Listed in this Period: 1.00

# Monthly Detail Report

**Account Number:** 50028      **Audit Period:** July 1, 2006 to December 31, 2007  
**Employer:** Lamp, Inc.      **Month:** March 2007  
**Address:** 460 N. Grove Ave.      **Page #:** 8 of 12  
**Phone:** Elgin, IL 60121

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	Actual Hours Per Week					Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 4-Mar	W/E 11-Mar	W/E 18-Mar	W/E 25-Mar	W/E 1-Apr				
	Richter Awning, Inc.	CD3G	0.00	0.00	0.00	63.00	0.00	0.00	0.00	63.00	63.00	0.00	63.00
<b>Total</b>			<b>0.00</b>	<b>0.00</b>	<b>63.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>63.00</b>	<b>63.00</b>	<b>0.00</b>	<b>63.00</b>

Total Items Listed in this Period: 1.00

# Monthly Detail Report

**Account Number:** 50028      **Audit Period:** July 1, 2006 to December 31, 2007  
**Employer:** Lamp, Inc.      **Month:** July 2007  
**Address:** 460 N. Grove Ave.      **Page #:** 9 of 12  
**Phone:** Elgin, IL 60121

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 8-Jul	W/E 15-Jul	W/E 22-Jul	W/E 29-Jul	W/E				
	Row, Adam P.	P1G	80.00	80.00	32.00	40.00	40.00	40.00	40.00	152.00	152.00	72.00	72.00
<b>Total</b>			<b>80.00</b>	<b>80.00</b>	<b>32.00</b>	<b>40.00</b>	<b>40.00</b>	<b>40.00</b>	<b>40.00</b>	<b>152.00</b>	<b>152.00</b>	<b>72.00</b>	<b>72.00</b>

Total Items Listed in this Period: 1.00

# Monthly Detail Report

**Account Number:** 50028      **Audit Period:** July 1, 2006 to December 31, 2007  
**Employer:** Lamp, Inc.      **Month:** August 2007  
**Address:** 460 N. Grove Ave.      **Page #:** 10 of 12  
**Phone:** Elgin, IL 60121

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	Actual Hours Per Week					Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 5-Aug	W/E 12-Aug	W/E 19-Aug	W/E 26-Aug	W/E 2-Sep				
	Russ's Drywall, Inc.	CD3G	0.00	0.00	0.00	0.00	0.00	144.25	0.00	144.25	144.25	0.00	144.25
<b>Total</b>			<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>144.25</b>	<b>0.00</b>	<b>0.00</b>	<b>144.25</b>	<b>144.25</b>	<b>0.00</b>	<b>144.25</b>

Total Items Listed In this Period: 1.00

# Monthly Detail Report

**Account Number:** 50028      **Audit Period:** July 1, 2006 to December 31, 2007  
**Employer:** Lamp, Inc.      **Month:** November 2007  
**Address:** 460 N. Grove Ave.      **Page #:** 11 of 12  
**Phone:** Elgin, IL 60121

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	Actual Hours Per Week					W/E 2-Dec	Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference					
					W/E 4-Nov	W/E 11-Nov	W/E 18-Nov	W/E 25-Nov	W/E 2-Dec										
8	Reil Construction, Inc.	CD3G	0.00	0.00	0.00	0.00	0.00	95.75	0.00	95.75	95.75	0.00	95.75						
<b>Total</b>													0.00	0.00	95.75	0.00	95.75	0.00	95.75

Total Items Listed in this Period: 1.00

# Monthly Detail Report

**Account Number:** 50028      **Audit Period:** July 1, 2006 to December 31, 2007  
**Employer:** Lamp, Inc.      **Month:** December 2007  
**Address:** 460 N. Grove Ave.      **Page #:** 12 of 12  
**Phone:** Elgin, IL 60121

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	Actual Hours Per Week					Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 9-Dec	W/E 16-Dec	W/E 23-Dec	W/E 30-Dec	W/E				
	Carlison, Kevin I.	P1G	145.00	145.00	40.00	37.00	40.00	32.00		149.00	149.00	4.00	4.00
<b>Total</b>					40.00	37.00	40.00	32.00	0.00	149.00	149.00	4.00	4.00

Total Items Listed in this Period: 1.00

**09 CV 1591**

**Exhibit A-3**

# Discrepancy Summary By Month

Account Number:	2345	Audit Period:	July, 2006 through December, 2007
Employer:	Lamp, Inc.	Contact:	Steve Lamp
Address:	460 N. Grove Ave. Elgin, IL 60121	Title:	Secretary/Treasurer
Phone:	847-741-7220	Page:	1 of 7

Reporting Period	Discrepancy Total Hours	Discrepancy Benefit Hours	Contribution Rate	Discrepancy Amount																																										
January 2007	0.00	(16.00)	14.50	(\$232.00)																																										
April 2007	0.00	106.75	14.50	\$1,547.88																																										
August 2007	0.00	11.50	16.50	\$189.75																																										
September 2007	0.00	21.25	16.50	\$350.63																																										
December 2007	0.00	0.00	16.50																																											
<table border="0" style="width: 100%;"> <tr> <td style="width: 15%;"></td> <td style="width: 15%; text-align: right;">Total Hours</td> <td style="width: 15%; text-align: right;">0.00</td> <td style="width: 15%; text-align: right;">Benefit Hours</td> <td style="width: 15%; text-align: right;">123.50</td> <td style="width: 20%;"></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td style="text-align: right;">Discrepancy Amount</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td style="text-align: right;">Liquidated Damages</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td style="text-align: right;">Total Amount Due</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td style="text-align: right;">\$1,856.26</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td style="text-align: right;">371.26</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td style="text-align: right;">\$2,227.52</td> </tr> </table>						Total Hours	0.00	Benefit Hours	123.50							Discrepancy Amount						Liquidated Damages						Total Amount Due						\$1,856.26						371.26						\$2,227.52
	Total Hours	0.00	Benefit Hours	123.50																																										
					Discrepancy Amount																																									
					Liquidated Damages																																									
					Total Amount Due																																									
					\$1,856.26																																									
					371.26																																									
					\$2,227.52																																									



# Liquidated Damages Schedule

Account Number:	2345	Audit Period:	July 1, 2006 to December 31, 2007
Employer:	Lamp, Inc.	Contact:	Steve Lamp
Address:	460 N. Grove Ave. Elgin, IL 60121	Title:	Secretary/Treasurer
Phone:	847-741-7220	Page:	2 of 7

Reporting Period	Contributions Due	Compounding Periods	Calculating Percentage	Total Liquidated Damages Owed
January 2007	(232.00)	31	20.00%	
April 2007	1,547.88	28	20.00%	309.58
August 2007	189.75	24	20.00%	37.95
September 2007	350.63	23	20.00%	70.13
December 2007	0.00	20	20.00%	
<b>Total Discrepancies</b>				
	\$ 1,856.26		<b>Total Damages this Schedule 20% of Discrepancies</b>	371.26
				371.26
<b>Assessed Damages</b>	<b>\$1,856.26</b>			<b>\$371.26</b>

# Monthly Detail Report

Account Number: 2345      Audit Period: July, 2006 through December, 2007  
 Employer: Lamp, Inc.      Month: January 2007  
 Address: 460 N. Grove Ave.      Page #: 3 of 7  
 Phone: Elgin, IL 60121

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *				Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 7-Jan	W/E 14-Jan	W/E 21-Jan	W/E 28-Jan				
	Jareckyj, Michael	P9	71.50	71.50	32.00	31.50	0.00	0.00	63.50	63.50	(8.00)	(8.00)
	Mertel, Cary W.	P9	40.00	40.00	32.00	0.00	0.00	0.00	32.00	32.00	(8.00)	(8.00)
<b>Total</b>					<b>64.00</b>	<b>31.50</b>	<b>0.00</b>	<b>0.00</b>	<b>95.50</b>		<b>(16.00)</b>	<b>(16.00)</b>

Total Items Listed in this Period: 2.00

# Monthly Detail Report

**Account Number:** 2345      **Audit Period:** July, 2006 through December, 2007  
**Employer:** Lamp, Inc.      **Month:** April 2007  
 460 N. Grove Ave.      **Page #:** 4 of 7  
 Elgin, IL 60121  
**Phone:** 847-741-7220

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *				Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 8-Apr	W/E 15-Apr	W/E 22-Apr	W/E 29-Apr				
3	R.J. Rileway Door...	CD3	0.00	0.00	0.00	0.00	0.00	0.00	106.75	106.75	0.00	106.75
			<b>Total</b>		0.00	106.75	0.00	0.00	106.75	0.00	0.00	106.75

Total Items Listed in this Period: 1.00

# Monthly Detail Report

**Account Number:** 2345      **Audit Period:** July, 2006 through December, 2007  
**Employer:** Lamp, Inc.      **Month:** August 2007  
**Address:** 460 N. Grove Ave.      **Page #:** 5 of 7  
**Phone:** Elgin, IL 60121

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Capped Hours	Total Hour Difference	Benefit Hour Difference						
					W/E 5-Aug	W/E 12-Aug	W/E 19-Aug	W/E 26-Aug	W/E 2-Sep				Total Hours					
3	R.J. Riteway Door Co.	CD3	0.00	0.00	0.00	0.00	11.50	0.00	0.00	0.00	11.50	0.00	11.50					
<b>Total</b>											0.00	0.00	11.50	0.00	0.00	11.50	0.00	11.50

Total Items Listed in this Period: 1.00

# Monthly Detail Report

**Account Number:** 2345      **Audit Period:** July, 2006 through December, 2007  
**Employer:** Lamp, Inc.      **Month:** September 2007  
 460 N. Grove Ave.      **Page #:** 6 of 7  
 Elgin, IL 60121  
**Phone:** 847-741-7220

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *				Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 9-Sep	W/E 16-Sep	W/E 23-Sep	W/E 30-Sep				
3	R.J. Rileway Door...	CD3	0.00	0.00	0.00	0.00	0.00	21.25	21.25	0.00	21.25	
				Total				21.25	0.00	0.00	21.25	0.00

Total Items Listed In this Period: 1.00

# Monthly Detail Report

**Account Number:** 2345      **Audit Period:** July, 2006 through December, 2007  
**Employer:** Lamp, Inc.      **Month:** December, 2007  
**Address:** 460 N. Grove Ave.      **Page #:** 7 of 7  
**Phone:** Elgin, IL 60121  
 847-741-7220

Reference Number	Employee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *				Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					W/E 1-Jan	W/E 8-Jan	W/E 15-Jan	W/E 22-Jan				
	Sargent, Raymond	P9	37.00	37.00	0.00	0.00	0.00	29.00	175.00	(8.00)	(8.00)	
	Soderlund, Derek	P1	132.00	132.00	37.00	24.00	40.00	140.00	175.00	8.00	8.00	
<b>Total</b>					<b>39.00</b>	<b>37.00</b>	<b>40.00</b>	<b>53.00</b>	<b>169.00</b>	<b>0.00</b>	<b>0.00</b>	

Total Items Listed In this Period: 2.00

**09 CV 1591**

**Exhibit A-4**

Summary of Contributions, Liquidated Damages & Interest Due  
 For The Reporting Period(s) Specified Below  
 Computed Through January 25, 2010

**Employer Information**

File Number 50028  
 Name LAMP INC  
 Address PO BOX 865  
 City, State ELGIN, IL. 60121-0086  
 Telephone

Page Number 1 of 3  
 Reference Number: 10-20  
 Date Printed: 01/25/2010

Reporting Period	Delinquent Contributions	Liquidated Damages (1)	Interest (1)	Total Due
July, 2006	\$ 111.44	\$ 96.82	\$ 26.56	\$ 234.82
August, 2006	57.71	48.55	13.27	119.53
September, 2006	4,672.52	3,803.52	1,037.08	9,513.12
November, 2006	2,569.09	1,954.56	528.65	5,052.30
December, 2006	37.81	27.78	7.47	73.06
March, 2007	501.48	330.47	87.41	919.36
July, 2007	645.12	363.25	92.53	1,100.90
August, 2007	1,292.48	697.91	175.40	2,165.79
November, 2007	857.92	405.55	97.24	1,360.71
December, 2007	35.84	16.16	3.81	55.81
<b>Grand Total (3)</b>	<b>\$ 10,781.41</b>	<b>\$ 2,156.28</b>	<b>\$ 2,069.43</b>	<b>\$ 15,007.12</b>

(1) See Attached Computation

(3) Total Damages Capped at 20.00% in Accordance With ERISA Limitation

Total Amount Due : \$ 15,007.12 If Paid by January 25, 2010



Computation of Liquidated Damages  
For The Reporting Period(s) Specified Below  
Computed Through January 25, 2010

**Employer Information**

File Number 50028  
Name LAMP INC  
Address PO BOX 865  
City, State ELGIN, IL. 60121-0086  
Telephone

Page Number 2 of 3  
Reference Number: 10-20  
Date Computed: 01/25/2010

Reporting Period	Contributions Due	Computation Base	Compounding Periods	Computed Damages (2)	Total (3) Damages For Reporting Period
July, 2006	\$ 111.44	\$ 111.44	42	\$ 96.82	\$ 96.82
August, 2006	57.71	57.71	41	48.55	48.55
September, 2006	4,672.52	4,672.52	40	3,803.52	3,803.52
November, 2006	2,569.09	2,569.09	38	1,954.56	1,954.56
December, 2006	37.81	37.81	37	27.78	27.78
March, 2007	501.48	501.48	34	330.47	330.47
July, 2007	645.12	645.12	30	363.25	363.25
August, 2007	1,292.48	1,292.48	29	697.91	697.91
November, 2007	857.92	857.92	26	405.55	405.55
December, 2007	35.84	35.84	25	16.16	16.16
<b>Total (3)</b>	<b>\$ 10,781.41</b>				<b>\$ 2,156.28</b>

(2) 1.50% Compounded per Month (or portion thereof)  
(3) Total Damages Capped at 20.00% in Accordance With ERISA Limitation

Computation of Interest  
For The Reporting Period(s) Specified Below  
Computed Through January 25, 2010

**Employer Information**

File Number 50028  
Name LAMP INC  
Address PO BOX 865  
City, State ELGIN, IL. 60121-0086  
Telephone

Page Number 3 of 3  
Reference Number: 10-20  
Date Computed: 01/25/2010

Reporting Period	Contributions		Computation		Delinquent Period		Computed Interest (3)	Total Interest For Reporting Period
	Due		Base		From	To		
July, 2006	\$ 111.44	\$	111.44		08/21/2006	01/25/2010	1,254	\$ 26.56
August, 2006	57.71		57.71		09/21/2006	01/25/2010	1,223	13.27
September, 2006	4,672.52		4,672.52		10/21/2006	01/25/2010	1,193	1,037.08
November, 2006	2,569.09		2,569.09		12/21/2006	01/25/2010	1,132	528.65
December, 2006	37.81		37.81		01/21/2007	01/25/2010	1,101	7.47
March, 2007	501.48		501.48		04/21/2007	01/25/2010	1,011	87.41
July, 2007	645.12		645.12		08/21/2007	01/25/2010	889	92.53
August, 2007	1,292.48		1,292.48		09/21/2007	01/25/2010	858	175.40
November, 2007	857.92		857.92		12/21/2007	01/25/2010	767	97.24
December, 2007	35.84		35.84		01/21/2008	01/25/2010	736	3.81
<b>Total</b>	<b>\$ 10,781.41</b>							<b>\$ 2,069.43</b>

**09 CV 1591**

**Exhibit A-5**

Summary of Contributions, Liquidated Damages & Interest Due  
 For The Reporting Period(s) Specified Below  
 Computed Through January 25, 2010

**Employer Information**

File Number 2345  
 Name LAMP INC  
 Address 460 N GROVE AV  
 City, State ELGIN, IL. 60121-0086  
 Telephone

Page Number 1 of 3  
 Reference Number: 10-21  
 Date Printed: 01/25/2010

Reporting Period	Delinquent Contributions	Liquidated Damages (1)	Interest (1)	Total Due
January, 2007	\$ (232.00)		\$ (43.98)	\$ (275.98)
April, 2007	1,547.88	\$ 982.10	257.94	2,787.92
August, 2007	189.75	102.46	25.75	317.96
September, 2007	350.63	181.35	44.98	576.96
<b>Grand Total (3)</b>	<b>\$ 1,856.26</b>	<b>\$ 371.25</b>	<b>\$ 284.69</b>	<b>\$ 2,512.21</b>

(1) See Attached Computation

(3) Total Damages Capped at 20.00% in Accordance With ERISA Limitation

Total Amount Due : \$ 2,512.21 If Paid by January 25, 2010

Computation of Liquidated Damages  
 For The Reporting Period(s) Specified Below  
 Computed Through January 25, 2010

**Employer Information**

File Number 2345  
 Name LAMP INC  
 Address 460 N GROVE AV  
 City, State ELGIN, IL. 60121-0086  
 Telephone

Page Number 2 of 3  
 Reference Number: 10-21  
 Date Computed: 01/25/2010

Reporting Period	Contributions Due	Computation Base	Compounding Periods	Computed Damages (2)	Total (3) Damages For Reporting Period
January, 2007	\$ (232.00)	\$ (232.00)	36		\$ 0.00
April, 2007	1,547.88	1,547.88	33	\$ 982.10	982.10
August, 2007	189.75	189.75	29	102.46	102.46
September, 2007	350.63	350.63	28	181.35	181.35
<b>Total (3)</b>	<b>\$ 1,856.26</b>				<b>\$ 371.25</b>

(2) 1.50% Compounded per Month (or portion thereof)  
 (3) Total Damages Capped at 20.00% in Accordance With ERISA Limitation

Computation of Interest  
 For The Reporting Period(s) Specified Below  
 Computed Through January 25, 2010

**Employer Information**

File Number 2345  
 Name LAMP INC  
 Address 460 N GROVE AV  
 City, State ELGIN, IL. 60121-0086  
 Telephone

Page Number 3 of 3  
 Reference Number: 10-21  
 Date Computed: 01/25/2010

Reporting Period	Contributions Due	Computation Base	Delinquent Period			Computed Interest (3)	Total Interest For Reporting Period
			From	To	Days		
January, 2007	\$ (232.00)	\$ (232.00)	02/21/2007	01/25/2010	1,070	\$ (43.98)	\$ (43.98)
April, 2007	1,547.88	1,547.88	05/21/2007	01/25/2010	981	257.94	257.94
August, 2007	189.75	189.75	09/21/2007	01/25/2010	858	25.75	25.75
September, 2007	350.63	350.63	10/21/2007	01/25/2010	828	44.98	44.98
<b>Total</b>	<b>\$ 1,856.26</b>					<b>\$</b>	<b>284.63</b>

**09 CV 1591**

**Exhibit B**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CHICAGO REGIONAL COUNCIL OF	)	
CARPENTERS PENSION FUND and its	)	
Trustees, et al.,	)	
	)	Case No. 09 C 1591
Plaintiffs,	)	
v.	)	Judge Conlon
	)	
LAMP INCORPORATED, an Illinois	)	Magistrate Nolan
corporation,	)	
	)	
Defendant.	)	

**DECLARATION OF CHRIS KOGUT**

I, Chris Kogut, hereby declare, under penalty of perjury pursuant to the laws of the United States, as follows:

1. I am a manager for the Certified Public Accounting firm of Legacy Professionals LLC ("Legacy"). I am familiar with the billings to the Chicago Regional Council of Carpenters Pension Fund ("Pension Fund"), the Chicago Regional Council of Carpenters Welfare Fund ("Welfare Fund"), the Chicago and Northeast Illinois Regional Council of Carpenters Apprentice and Trainee Program ("Trainee Fund"), and the Labor/Management Union Carpentry Cooperation Promotion Fund ("Labor/Management Fund") (collectively "the Trust Funds"), including fees and expenses incurred in connection with auditing the books and records of signatory companies.

2. In connection with efforts to obtain and conduct an audit of the books and records of LAMP INCORPORATED ("Defendant"), the Trust Funds incurred \$6716.75 in fees and expenses through January 15, 2010. These efforts were comprised of consultations with the Trust Funds, communications with the Defendant's representative, review and analysis of the Defendant's books and records, creation and revision of the audit report, and follow-up



communications with the Trust Funds and its representatives. Legacy's rate for all of its auditors was \$67.00 per hour.

3. The final audit report prepared by Legacy based on records produced by Defendant is attached as Exhibit B-2.

4. An itemized breakdown of the fees and costs to the Trust Funds in this matter along with identifies of the auditors who performed the work are attached as Exhibit B-1.

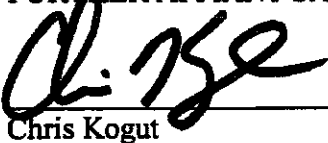
5. The auditors who conducted the audit and prepared and reviewed the audit report in this matter—along with their qualifications and experience—were:

(a) Ben Yackley, who is a Senior Auditor and who has worked as an auditor for almost three years.

6. The hourly fees and the expenses charged to the Trust Funds in this matter are consistent with Legacy's regular charges for services to the Trust Funds on similar matters. The hourly fees and expenses are consistent with the charges by Legacy to other similar clients and these fees are consistent with the charges in the industry for the similar kind of work.

7. I have personal knowledge of the matters stated in this declaration and could testify competently to them.

FURTHER AFFIANT SAYETH NOT.

  
Chris Kogut

Legacy Professionals LLP  
Job Detail Inquiry  
Client: 9425 Chgo RC Carp PRA  
Job....: PR1623 lamp, Inc.

Date: 1/19/10  
Time: 14:05:43

No.	Employee Name	WIP Date	Serv. Code	Description	Total Hours	Standard Charge	N	C
1029	J Kemperas	7/14/08	40411	Quality Control Rev	1.50	315.00		
1787	C Wilcher	6/16/08	40412	Technical Review	2.00	230.00		
1827	B Yackley	4/30/08	40712	Review invoices etc	2.50	225.00		
1827	B Yackley	4/08/08	40708	Review CD's/register	2.50	225.00		
1827	B Yackley	5/28/08	40803	Prep report/CD's	2.00	180.00		
1827	B Yackley	4/25/08	40712	Review invoices etc	2.00	180.00		
1827	B Yackley	4/23/08	40712	Review invoices etc	2.00	180.00		
1827	B Yackley	3/27/08	40708	Review CD's/register	2.00	180.00		
1827	B Yackley	3/26/08	40706	Verify reported hrs	2.00	180.00		
1827	B Yackley	5/02/08	40712	Review invoices etc	1.75	157.50		
1827	B Yackley	6/16/08	40807	Post review adjust	1.50	135.00		
1827	B Yackley	6/23/08	40807	Post review adjust	1.25	112.50		
1029	J Kemperas	7/16/08	40411	Quality Control Rev	.50	105.00		
1827	B Yackley	6/10/08	40803	Prep report/CD's	1.00	90.00		
1827	B Yackley	6/10/08	40801	Prep work papers	1.00	90.00		
1827	B Yackley	5/28/08	40801	Prep work papers	1.00	90.00		
1827	B Yackley	5/19/08	40701	Review prov records	1.00	90.00		
1827	B Yackley	5/13/08	40801	Prep work papers	1.00	90.00		
1827	B Yackley	4/07/08	40708	Review CD's/register	1.00	90.00		
1827	B Yackley	3/28/08	40708	Review CD's/register	1.00	90.00		
1827	B Yackley	3/28/08	40706	Verify reported hrs	1.00	90.00		
1827	B Yackley	3/27/08	40706	Verify reported hrs	1.00	90.00		
1787	C Wilcher	6/24/08	40412	Technical Review	.75	86.25		
1827	B Yackley	3/26/08	40704	Classify employees	.75	67.50		
1787	C Wilcher	6/27/08	40412	Technical Review	.50	57.50		
1029	J Kemperas	7/11/08	40411	Quality Control Rev	.25	52.50		
1029	J Kemperas	2/26/08	40311	Initial file prep	.25	52.50		
1029	J Kemperas	2/25/08	40311	Initial file prep	.25	52.50		
1827	B Yackley	7/16/08	40807	Post review adjust	.50	45.00		
1827	B Yackley	6/11/08	40801	Prep work papers	.50	45.00		
1827	B Yackley	6/10/08	40805	Prep remarks	.50	45.00		
1827	B Yackley	6/10/08	40802	Prep report/payroll	.50	45.00		
1827	B Yackley	6/09/08	40805	Prep remarks	.50	45.00		
1827	B Yackley	6/09/08	40803	Prep report/CD's	.50	45.00		
1827	B Yackley	6/09/08	40802	Prep report/payroll	.50	45.00		
1827	B Yackley	6/09/08	40801	Prep work papers	.50	45.00		
1827	B Yackley	5/28/08	40802	Prep report/payroll	.50	45.00		
1827	B Yackley	4/30/08	40803	Prep report/CD's	.50	45.00		
1827	B Yackley	5/01/08	40712	Review invoices etc	.50	45.00		
1827	B Yackley	4/09/08	40708	Review CD's/register	.50	45.00		
1827	B Yackley	3/28/08	40715	Review 1099's, 1096	.50	45.00		
1827	B Yackley	3/28/08	40711	Review bank stmt	.50	45.00		
1827	B Yackley	3/26/08	40703	Reconcile wages	.50	45.00		
1833	M Conversa	2/20/08	40312	Database inquiry	.25	25.00		
1833	M Conversa	2/22/08	40312	Database inquiry	.25	25.00		
199	C Expenses	4/04/08	99910	Auto - Local Mi Yackley	.16	16.16		
1827	B Yackley	6/11/08	40805	Prep remarks	.25	22.50		
1827	B Yackley	6/11/08	40803	Prep report/CD's	.25	22.50		
1827	B Yackley	6/11/08	40802	Prep report/payroll	.25	22.50		
1827	B Yackley	5/14/08	40702	Consult-employer	.25	22.50		
1827	B Yackley	5/02/08	40702	Consult-employer	.25	22.50		
1827	B Yackley	3/31/08	40805	Prep remarks	.25	22.50		
1827	B Yackley	3/28/08	40710	Review gen ledger	.25	22.50		

Legacy Professionals LLP  
Job Detail Inquiry

Date: 1/18/10  
Time: 14:05:43

Client: 9425 Chgo RC Carp PRA  
Job....: PR1623 lamp, Inc.  
WIP Date Description  
Serv. Code

Employee Name  
No. \*\*\*\*\*

No.	Employee Name	WIP Date	Description	Serv. Code	Total Hours	Standard Charge	N	C
1827	B Yackley	3/28/08	40702 Consult-employer	40702	.25	22.50		
1827	B Yackley	3/27/08	40702 Consult-employer	40702	.25	22.50		
1827	B Yackley	3/27/08	40801 Prep work papers	40801	.25	22.50		
1827	B Yackley	3/28/08	40716 Review Tax Return	40716	.25	22.50		
1827	B Yackley	3/28/08	40714 Exit meeting	40714	.25	22.50		
1827	B Yackley	3/28/08	40713 call office - field	40713	.25	22.50		
1827	B Yackley	3/27/08	40710 Review gen ledger	40710	.25	22.50		
1827	B Yackley	3/26/08	40705 Rev CR's other Funds	40705	.25	22.50		
1827	B Yackley	3/26/08	40702 Consult-employer	40702	.25	22.50		
1827	B Yackley	3/26/08	40701 Review prov records	40701	.25	22.50		
1827	B Yackley	3/25/08	40316 consult in-house	40316	.25	22.50		
1827	B Yackley	3/14/08	40317 prep/mail confirm	40317	.25	22.50		
1827	B Yackley	3/13/08	40313 Calls to employer	40313	.25	22.50		
1827	B Yackley	3/05/08	40313 Calls to employer	40313	.25	22.50		
1846	A Hull	2/21/08	40311 Initial file prep	40311	.25	22.50		
199	J McCord	2/21/08	40404 Report Processing	40404		16.75		
199	C Expenses	4/04/08	99910 Auto - Local MI Yackley	99910		8.08		
199	C Expenses	7/02/08	99912 Local-Parking;T Wilcher	99912		3.00		

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49.00

-----  
4847.74

49 hours  
x 67 P/hr  
-----  
3283.00

BLM325

Legacy Professionals LLP  
Job Detail Inquiry

Date: 1/18/10  
Time: 14:05:34

Client: 9425 Chgo HC Carp PRA  
Job....: PR1623 lamp, Inc.

\*\*\*\*\* Employee \*\*\*\*\*  
No. Name

WIP Date Serv. Code Description

Total Hours

Standard Charge N C

1845 A Derrick

9/24/08

40810 Post audit con-Fund

1.00

90.00

Emailed invoices for Ben to the fund.

-----  
1.00

-----  
90.00

\$ 67.00

Client: 9425 Chgo RC Carp PRA  
Job....: PR1601 Lamp, Inc.

No.	Employee Name	WIP Date	Serv. Code	Description	Total Hours	Standard Charge	N	C
1787	C Wilcher	6/13/08	40412	Technical Review	2.25	258.75		
1787	C Wilcher	6/16/08	40412	Technical Review	2.00	230.00		
1827	B Yackley	4/30/08	40712	Review invoices etc	2.50	225.00		
1827	B Yackley	4/08/08	40708	Review CD's/register	2.50	225.00		
1029	J Kemperas	7/11/08	40411	Quality Control Rev	1.00	210.00		
1827	B Yackley	3/27/08	40708	Review CD's/register	2.25	202.50		
1827	B Yackley	4/25/08	40712	Review invoices etc	2.00	180.00		
1827	B Yackley	4/23/08	40712	Review invoices etc	2.00	180.00		
1827	B Yackley	3/26/08	40706	Verify reported hrs	2.00	180.00		
1827	B Yackley	6/16/08	40807	Post review adjust	1.50	135.00		
1827	B Yackley	5/02/08	40712	Review invoices etc	1.50	135.00		
1827	B Yackley	6/23/08	40807	Post review adjust	1.25	112.50		
1029	J Kemperas	5/19/08	40425	Consultation-Inhouse	.50	105.00		
1029	J Kemperas	7/16/08	40411	Quality Control Rev	.50	105.00		
1827	B Yackley	6/10/08	40803	Prep report/CD's	1.00	90.00		
1827	B Yackley	6/10/08	40801	Prep work papers	1.00	90.00		
1827	B Yackley	5/19/08	40701	Review prov records	1.00	90.00		
1827	B Yackley	5/19/08	40801	Prep work papers	1.00	90.00		
1827	B Yackley	4/07/08	40708	Review CD's/register	1.00	90.00		
1827	B Yackley	3/28/08	40708	Review CD's/register	1.00	90.00		
1827	B Yackley	3/28/08	40706	Verify reported hrs	1.00	90.00		
1827	B Yackley	3/27/08	40706	Verify reported hrs	1.00	90.00		
1787	C Wilcher	6/24/08	40412	Technical Review	.75	86.25		
1827	B Yackley	3/26/08	40704	Classify employees	.75	67.50		
1787	C Wilcher	6/27/08	40412	Technical Review	.50	57.50		
1029	J Kemperas	7/11/08	40411	Quality Control Rev	.25	52.50		
1029	J Kemperas	3/25/08	40425	Consultation-Inhouse	.25	52.50		
1029	J Kemperas	2/28/08	40311	Initial file prep	.25	52.50		
1029	J Kemperas	2/27/08	40311	Initial file prep	.25	52.50		
1029	J Kemperas	2/21/08	40311	Initial file prep	.25	52.50		
1827	B Yackley	7/16/08	40807	Post review adjust	.50	45.00		
1827	B Yackley	6/11/08	40801	Prep work papers	.50	45.00		
1827	B Yackley	6/10/08	40805	Prep remarks	.50	45.00		
1827	B Yackley	6/10/08	40802	Prep report/payroll	.50	45.00		
1827	B Yackley	6/09/08	40805	Prep remarks	.50	45.00		
1827	B Yackley	6/09/08	40803	Prep report/CD's	.50	45.00		
1827	B Yackley	6/09/08	40802	Prep report/payroll	.50	45.00		
1827	B Yackley	6/09/08	40801	Prep work papers	.50	45.00		
1827	B Yackley	5/28/08	40801	Prep work papers	.50	45.00		
1827	B Yackley	4/30/08	40803	Prep report/CD's	.50	45.00		
1827	B Yackley	5/01/08	40712	Review invoices etc	.50	45.00		
1827	B Yackley	4/09/08	40708	Review CD's/register	.50	45.00		
1827	B Yackley	3/28/08	40711	Review bank stmts	.50	45.00		
1827	B Yackley	3/26/08	40703	Reconcile wages	.50	45.00		
199	C Expenses	5/07/08	99910	Auto - Local Mi Yackley	17.17	17.17		
1833	M Conversa	2/22/08	40312	Database inquiry	.25	25.00		
199	C Expenses	4/04/08	99910	Auto - Local Mi Yackley	16.16	16.16		
1827	B Yackley	6/11/08	40805	Prep remarks	.25	22.50		
1827	B Yackley	6/11/08	40803	Prep report/CD's	.25	22.50		
1827	B Yackley	6/11/08	40802	Prep report/payroll	.25	22.50		
1827	B Yackley	5/23/08	40313	Calls to employer	.25	22.50		
1827	B Yackley	5/09/08	40702	Consult-employer	.25	22.50		
1827	B Yackley	4/28/08	40702	Consult-employer	.25	22.50		

Legacy Professionals LLP  
Job Detail Inquiry

Date: 1/18/10  
Time: 14:05:19

Client: 9425 Chgo RC Carp PRA  
Job....: PRI601 Lamp, Inc.

No.	Employee Name	MIP Date	Serv. Code	Description	Total Hours	Standard Charge	N	C
1827	B Yackley	4/17/08	40702	Consult-employer	.25	22.50		
1827	B Yackley	3/31/08	40805	Prep remarks	.25	22.50		
1827	B Yackley	3/28/08	40710	Review gen ledger	.25	22.50		
1827	B Yackley	3/28/08	40702	Consult-employer	.25	22.50		
1827	B Yackley	3/27/08	40801	Prep work papers	.25	22.50		
1827	B Yackley	3/27/08	40716	Review Tax Return	.25	22.50		
1827	B Yackley	3/28/08	40715	Review 1099's, 1096	.25	22.50		
1827	B Yackley	3/28/08	40714	Exit meeting	.25	22.50		
1827	B Yackley	3/27/08	40713	call office - field	.25	22.50		
1827	B Yackley	3/27/08	40710	Review gen ledger	.25	22.50		
1827	B Yackley	3/26/08	40705	Rev CR's other Funds	.25	22.50		
1827	B Yackley	3/26/08	40702	Consult-employer	.25	22.50		
1827	B Yackley	3/26/08	40701	Review prov records	.25	22.50		
1827	B Yackley	3/25/08	40311	Initial file prep	.25	22.50		
1827	B Yackley	3/25/08	40313	Calls to employer	.25	22.50		
1827	B Yackley	3/14/08	40313	Calls to employer	.25	22.50		
1827	B Yackley	3/11/08	40313	Calls to employer	.25	22.50		
1827	B Yackley	3/03/08	40313	Calls to employer	.25	22.50		
1843	D Vander Vorst	2/21/08	40311	Initial file prep	.25	22.50		
781	J McCord	2/18/08	40404	Report Processing	16.75	16.75		
199	C Expenses	4/04/08	99910	Auto - Local Mi Yackley	8.08	8.08		
199	C Expenses	7/02/08	99912	Local-Parking;T Wilcher	3.00	3.00		
					49.00			
						4978.66		

49  
x 67  
\$ 3283.00

BLM325

Legacy Professionals LLP  
Job Detail Inquiry

Date: 1/18/10  
Time: 14:05:11

Client: 9425 Chgo RC Carp P&A  
Job.... PRI601 Lamp, Inc.

Employee No.	Employee Name	WIP Date	Serv. Code	Description	Total Hours	Standard Charge	N	C
1845	A Derrick	9/24/08	40810	Post audit con-Fund Emailed invoices for Ben to the fund.	1.00	90.00		
1827	B Yackley	9/23/08	40810	Post audit con-Fund	.25	22.50		
					1.25	112.50		

\$ 83.75

**09 CV 1591**

**Exhibit C**



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CHICAGO REGIONAL COUNCIL OF	)	
CARPENTERS PENSION FUND and its	)	
Trustees, et al.,	)	
	)	Case No. 09 C 1591
Plaintiffs,	)	
v.	)	Judge Conlon
	)	
LAMP INCORPORATED, an Illinois	)	Magistrate Nolan
corporation,	)	
	)	
Defendant.	)	

**DECLARATION OF KEVIN P. MCJESSY**

I, Kevin P. McJessy, hereby declare, under penalty of perjury pursuant to the laws of the United States, as follows:

1. I am one of the attorneys representing the Chicago Regional Council of Carpenters Pension Fund (“Pension Fund”), the Chicago Regional Council of Carpenters Welfare Fund (“Welfare Fund”), the Chicago and Northeast Illinois Regional Council of Carpenter Apprentice and Trainee Program (“Trainee Fund”), and the Labor/Management Union Carpentry Cooperation Promotion Fund (“Labor/Management Fund”) (collectively “the Trust Funds”) in the above-captioned lawsuit (“Lawsuit”) against LAMP INCORPORATED (“Defendant”).

2. I have been licensed to practice law in the State of Illinois and the United States District Court for the Northern District of Illinois since 1995. I am an attorney with McJessy, Ching & Thompson, LLC (“MC&T”).

3. As part of my practice, I handle claims under ERISA. I personally represented the Trust Funds in this Lawsuit. I have represented the Trust Funds in this Lawsuit since its inception.

4. The Trust Funds have incurred \$1,867.96 in fees and expenses to compel Defendant to comply with their obligations under the terms of the Collective Bargaining Agreement and applicable trust agreements. A redacted copy of the billing statement from MC&T from the inception of this lawsuit to the present, redacted to protect privileged communications, is attached as Exhibit C-1.

a) **Fees.** The Trust Funds have collectively incurred fees totaling \$1,392.00 for 8.7 hours of attorney services. The hourly rate for attorneys at MC&T is \$160 per hour. The Trust Funds have collectively incurred fees totaling \$60.00 for 1.0 hours of paralegal time. The hourly rate for paralegals at MC&T is \$60 per hour. The Trust Funds incurred these fees in connection with efforts to obtain Defendant's compliance with the terms of the Collective Bargaining Agreement and Trust Agreements.

b) **Costs.** The Trust Funds incurred \$415.07 in expenses for court costs, process server, photocopies and postage charges.

5. The attorneys' fees, paralegal fees and costs charged to the Trust Funds in this matter are consistent with MC&T's regular charges for services to the Trust Funds on similar matters.

6. I have personal knowledge of the matters stated in this affidavit and could testify competently to them.

FURTHER AFFLIANT SAYETH NOT.

  
\_\_\_\_\_  
Kevin P. McJessy

**09 CV 1591**

**Exhibit C-1**



Date	Entry #	Received From/Paid To Explanation	Chq# Rec#	----- General -----		Fees	Bld  ----- Trust Activity -----		Balance
				Rcpts	Disbs		Inv#	Acc	
	41215	FEES 256.00 DISBS			0.00			3267	
Jul 9/2009	41853	Billing on Invoice 3287			0.00			3287	
Jul 24/2009	42354	Chicago Regional Council of Carpe PMT -	00749	261.16					
Aug 5/2009	42840	Billing on Invoice 3346			0.00			3346	
Aug 17/2009	42946	Lawyer: KM 0.50 Hrs X 160.00 Reviewed file materials re: assess preparing prove up after entry of default judgment. Telephone call with C. Santoro re: [REDACTED] [REDACTED] [REDACTED] [REDACTED]				80.00		3453	
Aug 18/2009	43394	Lawyer: KM 0.10 Hrs X 160.00 Prepared correspondence to C. Santoro re: [REDACTED]				16.00		3453	
Aug 19/2009	43549	Lawyer: KM 0.50 Hrs X 160.00 Telephone call with C. Santoro re: [REDACTED] [REDACTED] Reviewed correspondence from M. Harmon re: [REDACTED] [REDACTED]				80.00		3453	
Sep 22/2009	43584	Billing on Invoice 3453 FEES 176.00			0.00			3453	
Sep 22/2009	44095	Lawyer: KM 1.80 Hrs X 160.00 Telephone call from C. Santoro re: [REDACTED] [REDACTED]. Reviewed contracts between Lamp and Streamwood and Lamp and Algonquin re: whether contracts are sufficient to relieve Lamp of subcontracting liability. Telephone call with C. Santoro re: [REDACTED] [REDACTED] [REDACTED]				288.00		3558	
Sep 23/2009	44169	Lawyer: KM 0.50 Hrs X 160.00 Telephone call from C. Santoro re: [REDACTED] [REDACTED] [REDACTED]. Reviewed draft letter to Lamp, edited and revised same. Prepared correspondence to C. Santoro re: [REDACTED] [REDACTED]. Reviewed correspondence from C. Santoro re: [REDACTED] [REDACTED]				80.00		3558	
Oct 19/2009	44306	Billing on Invoice 3558 FEES 368.00			0.00			3558	
Oct 21/2009	44949	Lawyer: KM 0.10 Hrs X 160.00 Prepared correspondence to C. Santoro re: [REDACTED] [REDACTED] [REDACTED]				16.00		3631	
Oct 22/2009	44370	Chicago Regional Council of Carpe PMT -	00778	176.00					
Oct 22/2009	44978	Lawyer: KM 0.10 Hrs X 160.00 Lamp has failed to respond to Trust Funds' request for additional documents.				16.00		3631	
Nov 9/2009	44600	Chicago Regional Council of Carpe PMT -	00788	368.00					
Nov 24/2009	45678	Lawyer: KM 0.10 Hrs X 160.00 Prepared correspondence to C. Santoro re: [REDACTED] [REDACTED]				16.00		3689	
Nov 25/2009	45181	Billing on Invoice 3631 FEES 32.00			0.00			3631	
Dec 21/2009	45801	Billing on Invoice 3689 FEES 16.00			0.00			3689	
Dec 23/2009	46224	Lawyer: ATT 0.40 Hrs X 160.00 Initial drafting of motion to				64.00		3776	

Date	Received From/Paid To	Chq#	----- General -----		Bld	Trust Activity -----				
Entry #	Explanation	Rec#	Rcpts	Disbs	Fees	Inv#	Acc	Rcpts	Disbs	Balance
	prove up damages and for entry of final judgment.									
Dec 24/2009	Chicago Regional Council of Carpe									
45874	FMT -	00811	32.00							
Dec 31/2009	Expense Recovery									
45909	Photocopy Recovery	00176		0.60		3776				
Jan 13/2010	Billing on Invoice 3776									
46355	FEES 64.00 DISBS 0.60			0.00		3776				
Feb 1/2010	Lawyer: KM 0.20 Hrs X 160.00									
46547	Final changes to declaration of J. Libby and reviewed documents attached to his declaration.				32.00					
Feb 1/2010	Lawyer: SK 0.20 Hrs X 60.00									
46553	Reviewed and revised declaration of J. Libby and supporting exhibits. Prepared email correspondence to J. Libby				12.00					
Feb 2/2010	Lawyer: SK 0.20 Hrs X 60.00									
46552	Reviewed billing records and completed billing information for K. McJessy supporting declaration.				12.00					

TOTALS	UNBILLED				= TOTAL	BILLED				BALANCES	
	CHE	+ RECOV	+ FEES			DISBS	+ FEES	+ TAX	- RECEIPTS	= A/R	TRUST
PERIOD	0.00	0.00	56.00		56.00	415.07	1396.00	0.00	1730.47	80.60	0.00
END DATE	0.00	0.00	56.00		56.00	415.07	1396.00	0.00	1730.47	80.60	0.00

FIRM TOTAL	UNBILLED				= TOTAL	BILLED				BALANCES	
	CHE	+ RECOV	+ FEES			DISBS	+ FEES	+ TAX	- RECEIPTS	= A/R	TRUST
PERIOD	0.00	0.00	56.00		56.00	415.07	1396.00	0.00	1730.47	80.60	0.00
END DATE	0.00	0.00	56.00		56.00	415.07	1396.00	0.00	1730.47	80.60	0.00

REPORT SELECTIONS - Client Ledger

Layout Template	Default
Advanced Search Filter	None
Requested by	ADMIN
Finished	Tuesday, February 02, 2010 at 05:36:53 PM
Ver	9.31d
Matters	0129-LAMP
Clients	All
Major Clients	All
Client Intro Lawyer	All
Responsible Lawyer	All
Assigned Lawyer	All
Type of Law	All
Select From	Active, Inactive, Archived Matters
Matters Sort by	Default
New Page for Each Lawyer	No
New Page for Each Matter	No
No Activity Date	Dec 31/2199
Firm Totals Only	No
Totals Only	No
Entries Shown - Billed Only	No
Entries Shown - Disbursements	Yes
Entries Shown - Receipts	Yes
Entries Shown - Time or Fees	Yes
Entries Shown - Trust	Yes
Incl. Matters with Retainer Bal	No
Incl. Matters with Neg Unbld Disb	No
Trust Account	All
Working Lawyer	All
Include Corrected Entries	No
Show Check # on Paid Payables	No
Show Client Address	No
Consolidate Payments	No
Show Trust Summary by Account	No
Show Interest	No
Interest Up To	Feb 2/2010
Show Invoices that Payments Were Applied to	No