

EXHIBIT B

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

CHICAGO REGIONAL COUNCIL OF CARPENTERS PENSION FUND, et al.,)	CASE NO. 09CV2791
)	
Plaintiff,)	JUDGE CONLIN
)	
vs.)	
)	
MACDONALD CONSTRUCTION SERVICES, INC.,)	
)	
Defendant.)	

DECLARATION OF JOHN LIBBY

Pursuant to U.S.C. § 1746, I, John Libby, do declare under penalty of perjury that the following is true and correct:

1. I am the Audit Supervisor of the Employer Contributions Department for the Chicago Regional Council of Carpenters Pension Fund and the Chicago Regional Council of Carpenters Welfare Fund (collectively, the "Trust Funds"), and in such capacity I am authorized to make this Declaration on behalf of the Trust Funds.
2. The Defendant executed an Agreement with the Chicago Regional Council of Carpenters ("Union") 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 Agreement and the Collective Bargaining Agreements, the Defendant agreed to be bound by the provisions of the Agreements and Declarations of Trust, which created the Plaintiffs' Trust Funds.
4. The Plaintiffs audited the books and records of the Defendant, MACDONALD CONSTRUCTION SERVICES, INC., to verify that all contributions were submitted. The audit revealed that the Defendant breached the provisions of the Collective Bargaining Agreement by underpaying contributions that are owed to the Trust funds based upon the hours worked by employees and/or measured by the hours worked by subcontractors during the period of July 2006 through March 2008. The contributions owed to the Trust Funds as a consequence of this breach are

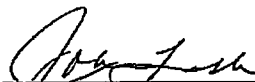
\$4,248.50.

5. The Defendant owes liquidated damages on the unpaid ERISA contributions in the amount of \$849.70 for the period July 2006 through March 2008 pursuant to the Collective Bargaining Agreements, the Trust Agreements and 29 U.S.C. §1132(g)(2)(C)(ii).

6. Because of Defendant's failure to pay contributions in a timely manner, interest is owed on the recently paid contributions. The interest calculation is based on the ERISA Section awarding such interest, 29 U.S.C. § 1132(g)(2) and because the relevant Trust Agreements do not specify the rate of interest, the calculations were done pursuant to Section 6621 of the Internal Revenue Code. The amount of interest owed is \$780.36.

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.

Date: 6/19/09



John Libby, Audit Supervisor

Summary of Contributions, Liquidated Damages & Interest Due
 For The Reporting Period(s) Specified Below
 Computed Through June 11, 2009

Employer Information

File Number 23213
 Name MACDONALD CONSTRUCTION
 Address SERVICES INC
 City, State LAKE IN THE HLS, IL. 60156-0000
 Telephone

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 Reference Number: 9-72
 Date Printed: 06/11/2009

Reporting Period	Delinquent Contributions	Liquidated Damages (1)	Interest (1)	Total Due
September, 2006	\$ 2,378.00	\$ 1,508.79	\$ 456.21	\$ 4,343.00
November, 2006	1,218.00	745.39	214.45	2,177.84
December, 2006	652.50	367.41	109.70	1,129.61
Grand Total (3)	\$ 4,248.50	\$ 2,621.59	\$ 780.36	\$ 5,878.56

(1) See Attached Computation
 (3) Total Damages Capped at 20.00% in Accordance With ERISA Limitation
 Total Amount Due : \$ 5,878.56 If Paid by June 11, 2009

Computation of Liquidated Damages
 For The Reporting Period(s) Specified Below
 Computed Through June 11, 2009

Employer Information

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Reporting Period	Contributions Due	Computation Base	Compounding Period	Computed Damages (2)	Total (3) Damages For Reporting Period
September, 2006	\$ 2,378.00	\$ 2,378.00	33	\$ 1,508.79	\$ 1,508.79
November, 2006	1,218.00	1,218.00	33	713.39	713.39
December, 2006	652.50	652.50	30	367.41	367.41
Total (3)	\$ 4,248.50				\$ 2,589.59

(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 June 11, 2009

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Reporting Period	Contributions Due	Computation Base	Delinquent Period From	Delinquent Period To	Days	Computed Interest (3)	Total Interest For Reporting Period
September, 2006	\$ 2,378.00	\$ 2,378.00	10/21/2006	06/11/2009	965	\$ 456.21	\$ 456.21
November, 2006	2,218.00	2,218.00	12/21/2006	06/11/2009	904	214.45	214.45
December, 2006	652.50	652.50	01/21/2007	06/11/2009	873	109.70	109.70
Total	5,248.50						780.36

(3) Compounded Daily per Internal Revenue Code Section 6621