UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

CHICAGO REGIONAL COUNCIL OF)
CARPENTERS PENSION FUND, et al.,)
) Case No. 09 CV 3083
Plaintiffs,)
V.) Judge Coar
)
E. SHY ENTERPRISES, INC., et al.,)
)
Defendants.)

MOTION FOR ENTRY OF JUDGMENT

Plaintiffs, the CHICAGO REGIONAL COUNCIL OF CARPENTERS PENSION FUND, ET AL. (collectively "Trust Funds"), by their attorney Kevin P. McJessy, hereby move this Court pursuant to Federal Rules of Civil Procedure 54 to enter a judgment against E. SHY ENTERPRISES, INC., an Illinois corporation ("Defendant"). In support of their motion, Plaintiffs state as follows:

- 1. The Trust Funds filed a complaint against Defendant under ERISA for collection of unpaid contributions, interest and liquidated damages, for attorneys' fees and auditors' fees pursuant to ERISA, the collective bargaining agreements and the trust agreements.
- 2. The amount owed by Defendant based on the audit is \$9,575.15 which includes \$4,801.50 in unpaid contributions, \$543.13 in interest, \$960.30 in liquidated damages, \$1,460.60 in auditors' fees, and \$1,809.62 in attorneys fees as follows:
 - A. \$4,801.50 in unpaid contributions pursuant to the audit; see Decl. of J. Libby, ¶6, Exhibit A; Decl. of J. Egan, ¶3, Exhibit B;
 - B. \$1,460.60 for auditor's fees incurred by the Trust Funds to complete the audit of Defendants' books and records; *see* Decl. of J. Libby, ¶8, Exhibit A; Decl. of J. Egan, ¶2, Exhibit B;

- C. \$543.13 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; Decl. of J. Egan, ¶3, Exhibit B;
- D. \$960.30 in liquidated damages; see Decl. of J. Libby, ¶7, Exhibit A; and
- E. \$1,809.62 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).
- 4. A proposed draft order is attached as Exhibit D.

WHEREFORE, Plaintiffs the Chicago Regional Council of Carpenters' Fund et al.

hereby move this Court to enter judgment in their favor and against Defendant E. SHY

ENTERPRISES, INC. in the amount of \$9,575.15 as follows:

- A. \$4,801.50 in unpaid contributions pursuant to the audit;
- B. \$1,460.60 for auditor's fees of incurred by the Trust Funds to complete the audit of Defendants' books and records;
- C. \$543.13 in interest under ERISA on the amount that is due;
- D. \$960.30 in liquidated damages;
- E. \$1,809.62 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. McJessy
One of their attorneys

Kevin P. McJessy McJessy, Ching & Thompson, LLC 3759 North Ravenswood, Suite 231 Chicago, Illinois 60613 (773) 880-1260 (773) 880-1265 (facsimile) mcjessy@MCandT.com

CERTIFICATE OF SERVICE

I, Kevin P. McJessy, an attorney, certify that I caused the foregoing **Motion for Entry of Judgment** to be served upon

Evan L. Shy, President E. Shy Enterprises, Inc. d/b/a Success Ventures 512 N. McClurg Ct., Ste. 4101 Chicago, IL 60611

via U.S. First Class Mail, postage prepaid, deposited in the United States Mail Depository at 3759 N. Ravenswood, Chicago, Illinois on this 23 day of July 2009.

s/ Kevin P. McJessy Kevin P. McJessy

EXHIBIT A

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

CHICAGO REGIONAL COUNCIL OF)
CARPENTERS PENSION FUND, et al.,)
) Case No. 09 CV 3083
Plaintiffs,)
v.) Judge Coar
)
E. SHY ENTERPRISES, INC., et al.,)
	,)
Defendants.)

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, the Chicago Regional Council of Carpenters Welfare Fund, the Chicago and Northeast Illinois Regional Council of Carpenter Apprentice and Trainee Program and the Labor/Management Union Carpentry Cooperation Promotion 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 a collective bargaining agreements between the employers and the Chicago and Northeast Illinois Regional Council of Carpenters ("Union") and pursuant to the trust agreements creating each of the Trust Funds ("trust agreements").
- 3. On August 1, 2007, Evan Shy, as President of E. SHY ENTERPRISES, INC. ("Defendant"), and the Union entered into a Memorandum of Agreement whereby Defendant agreed to be bound by the applicable collective bargaining agreement and trust agreements.

These agreements require Defendant 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 pursuant to the collective bargaining agreement and trust agreements 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 its books and records for an audit of its contributions to the Trust Funds for the period June 1, 2007 to June 30, 2008 ("Audit Period") to the auditing firm engaged by the Trust Funds, James Egan & Associates, Ltd.
- A copy of the audit prepared for the Trust Funds is attached as Exhibit A-2.
 According to the audit, Defendant owes \$4,801.50 in unpaid contributions for the Audit Period.
- 7. Defendant owes \$543.13 in unpaid interest and \$960.30 in liquidated damages.

 A summary of the calculation of accrued interest and liquidated damages is attached hereto as Exhibit A-3.
- 8. Because Defendant failed to comply with the terms of the Collective Bargaining Agreement and trust agreements, the Trust Funds have had to employ the services of attorneys McJessy, Ching & Thompson, LLC. As a result, the Trust Funds incurred 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.

ohn Libby

EXHIBIT A-1

Memorandum of Agreement

Emp	loyer E. Shy Enterprises, Inc. / Success Ventures	dba	Addres	s 512 N	l. McClurg	g Court, \$4101
City	Chicago	State IL	Zip	60611	Phone	630-993-9600
the U Grund Marsl Winn Bucha Dubu Johns Tama follov	THIS AGREEMENT is ent on") and the Employer, including the following cody, Henderson, Henry, Iroquo all, McHenry, Mercer, Ogleebago. The following counties anan, Butler, Cedar, Cerro Gorque, Fayette, Floyd, Franklin on, Jones, Keokuk, Kossuth, I., Van Buren, Wapello, Wasving counties in Wisconsin: Kenion and the Employer do here	ng its successounties in Illis, Jo Davie, Putnam, in Iowa: Alrdo, Chickar, Grundy, Lee, Linn, Ishington, Wenosha, Milversha, Milvers	sors and a inois: Boo ess, Kane Rock Is. lamakee, saw, Clay Hancock, ouisa, Ma ayne, Wi vaukee, O	ssigns covered by the second state of the seco	vering the u, Carroll, ee, Kendark, Stephe, Bentor on, Davis Howard, I litchell, M	geographic jurisdiction of Cook, De Kalb, DuPage, all, Lake, La Salle, Lee, enson, Whiteside, Will, n, Black Hawk, Bremer, , Delaware, Des Moines, owa, Jackson, Jefferson, Ionroe, Muscatine, Scott, ek, Worth, Wright. The
behali Union	1. The Employer recognizes of its employees who are w					
_	2. The Employer has reviewed ning representative of a major ational jurisdiction of the Union	rity of its en				
emplo execut succes writter Agreer shall o	3. The Employer and the Union by the Agreements negotiated yers and employer associations ion of this Memorandum Agreements which are incomposed in notice by certified mail to the ment at least three (3) calendary continue in full force and effect are incorporated by reference.	between the sign including a reement and orporated he Chicago Remonths prior	e Chicago all Area A d ending orein (see egional Co or to the ex	Regional greement on the exattached luncil of inpiration of the control of the co	Council of s for the properties of the council of t	of Carpenters and various period beginning (N) to the lates of an enterior provides to terminate or with the preemont, the Alignment I substantent Adriaments
	4. The Employer agrees to boutions are required to be made and regulations adopted by the T	e under the	Agreemen			The second secon
	ness Whereof the parties have <u>t</u> , 2007.	executed th	is Memora	andum of	Agreeme	nt on this <u>First</u> day of E. S. P.
EMPI	OYER				O REGIO	ONAL COUNCIL S
EVA	N SHY			Hay	Lien	and.
Presi	dent		•	Authorize Represent	ed Regiona	I Couffeil

Print Name and Title

EXHIBIT A-2

James Egan & Associates, Ltd. Certified Public Accountants Discrepancy Summary By Reporting Period

Benefit Hours

Report on the Compliance of	Covering the Period of
Account Number 24547	June, 2007 To June, 2008
E SHY ENTERPRISES, INC DBA SUCCESS VENTURES	Page Number 1 of 8
512 N MCCLURG CT #4101 CHICAGO, IL. 60611 (630)993-9600	Total Discrepancies This Report
	291.00 Hours

Reporting Period	Discrepancy Contr Hours R		
June, 2007 July, 2007 August, 2007 September, 2007 March, 2008	93.00 16. 80.00 16. 73.00 16.	.50 .50 .50	1,534.50 1,320.00 1,204.50
Report Sub-Total Liquidated Damages (1) Grand Total Due	291.00	\$ \$	4,801.50 960.30 5,761.80

Benefit Hours

Liquidated Damages

Report on the Compliance of	Covering The Period of
Account Number 24547	June, 2007 To June, 2008
E SHY ENTERPRISES, INC DBA SUCCESS VENTURES 512 N MCCLURG CT #4101 CHICAGO, IL. 60611	Page Number 2 of 8
(630)993-9600	Total Discrepancies This Report
	291.00 Hours

	August, 2007 September, 20	07 07	1,204.50	15 14 13		57.22		•	
	August, 2007 September, 20	07 07	1,320.00 1,204.50	14 () () () () () () () () () (05.92 57.22		•	
	=		-		-			h jaji	
-	=		-		-				
	June . 2007		660,00			77,53		er i i i heliye Me Turkum bir viri	
			gagnor al d e	Periods					
	Reporting Per	iod	Dollars	Periods	Damag	es: 121	Reporti	a Period	
			i corenare	Compounding	Comp		Donna	I (3)	

^{(2) 1.5 %} Compounded per Month (or portion thereof)
(3) Total Damages Not To Exceed The 20% ERISA Limitation

Benefit Hours

Legend of Discrepancy Codes Encountered

Report on the Compliance of	Covering the Period of
Account Number 24547	June, 2007 To June, 2008
E SHY ENTERPRISES, INC DBA SUCCESS VENTURES 512 N MCCLURG CT #4101 CHICAGO, IL. 60611	Page Number 3 of 8
(630) 993-9600	Total Discrepancies This Period
	291.00 Hours

Repor	t Sub-Total dated Damages (1)	\$ 4,801.50 960.30
L02Q L03	Hours Worked Prior To Reporting Omission - Reported Individual	660.00 82.50
102	Hours Worked Prior To Reporting	1,534.50
101	SIGNATORY EMPLOYER - PAYROLL Clerical Error	 2,524.50

Benefit Hours

40.00

Detailed Discrepancy Hours By Period

Report on the Compliance of	Covering the Period of
Account Number 24547	June, 2007
E SHY ENTERPRISES, INC DBA SUCCESS VENTURES	Page Number
512 N MCCLURG CT #4101 CHICAGO, IL. 60611	4 of 8
(630) 993-9600	Total Discrepancies This Period
[Actual Hours Compensated In Period]	40.00 Hours
Number Employee Name Reported 1st	tual Bours Compensated In Period Cap Discrepancy 2nd 3rd 4th 5th Total Hours Bours Cod 0.00 0.00 40.00* 0.00 40.00 175.00 40.00 102
	0.00 40.00 40.00 0.00 0.00 40.00
	Total Items Listed This Period : 1

<*> - Hours were calculated by dividing quarterly wages (UC3/40) by the appropriate wage rate.

Benefit Hours

Detailed Discrepancy Hours By Period

Report on the Compliance of Covering the Period of Account Number July, 2007 24547 E SHY ENTERPRISES, INC DBA Page Number SUCCESS VENTURES 512 N MCCLURG CT 5 of 8 CHICAGO, IL. 60611 (630) 993-9600 Total Discrepancies This Period 93.00 Hours [Actual Hours Compensated In Period] - - Actual Hours Compensated In Period Social Security Hours Discrepancy Hours Code Reported Total Hours :349-68-2256 BARRAZA, LUIS 10:00 40.00 17.00 17.00 0.00 0.00 57.00 175.00 57.00 102 359-58-4692 OUSLEY JR, WILLIE L 0.00 0.00 0.00 0.00 36.00 0.00 36.00 175.00 36.00 102 0.00 Total Hours This Page 17.00

Total Items Listed This Period :

Total Difference In Hours This Period :

93.00

Benefit Hours

Detailed Discrepancy Hours By Period

Re	eport on the Comp	liance of		Cov	ering	the Peri	od of		
*	Account Number	24547			August	2007		# - 1 1	
	HY ENTERPRISES, I	NC DBA			Page	Number	}		,
512	N MCCLURG CT #4 CAGO, IL. 60611	101			6 (of 8	•		
	9) 993-9600			Total D	iscrepa	ncies T	his Pe	riod]
·	Actual Hours Compensated I	n Period]			80.00	Hours			
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ar 19 11 11 11 11 11 11 11 11 11 11 11 11	Employee Name	માં કર્યા કે મોટી કે મુખ્યાં કે કે જાણે છે છે જે ' મેટી મોટી જો	g set and intend on the Fire Till	april yelet serenjaran b	Y (Bali4_4-Be), 168 Y β €	115 TV 41 100 F 1844	한 선생님은 내가 되었다.	urs	2
35-60-9692	BARRAZA, ALFREDO	72.00 40.00	. 0.00 8ó.t	0 40.00	0.00	160.00, 175.	0 0	88.00	101
349-68-2256 59-58-4692	BARRAZA, LUIS OUSLEY JR, WILLIE L	56.00 0.00 168.00 40.00	0.00 32.0 0.00 72.0			72.00 175.			101 101
	Total Hours This Page		0.00	112.00		376.00		80.00	
				e Listed This					**********

Total Items Listed This Period :

Total Difference In Hours This Period : 80.00

Benefit Hours

Detailed Discrepancy Hours By Period

Report on t	he Compliance of	Covering the Period of
Account N	umber 24547	September, 2007
E SHY ENTERPR SUCCESS VENTU 512 N MCCLURG CHICAGO, IL. (630)993-9600	CT #4101 60611	Page Number 7 of 8 Total Discrepancies This Period
[Actual Hours C	pupensated In Period]	73.00 Hours
# Telegraphics and Winds and Advisor Telegraphics and a contract the residence of	Control of the service of the control of the contro	ciual Hours Commensated In Period - Cap Discrepancy 2nd 3rd 4th 5th Total Hours Hours Code
349-68-2256 BARRAZA, LUIS	143.00 24.00	40:00 32:00 40:00 0:00 136:00 175:00 40:00 101 32:00 32:00 40:00 0:00 128:00 175:00 (15:00) 101 40:00 32:00 -0:00 96:00 175:00 48:00 101
Total Hours T	nis Page 287.00 1	12.00 80.00 360.00 73.00 73.00

Total Items Listed This Period: 3

Total Difference In Hours This Period :

73.00

Benefit Hours

Detailed Discrepancy Hours By Period

Report on the Compliance of	Covering the Period of
Account Number 24547	March, 2008
E SHY ENTERPRISES, INC DBA SUCCESS VENTURES	Page Number
512 N MCCLURG CT #4101 CHICAGO, IL. 60611	8 of 8
(630) 993-9600	Total Discrepancies This Period
[Actual Hours Compensated In Period]	5.00 Hours
ocial Security	Actual Hours Compensated in Period - Cap Discrepancy 2nd 3rd 4th 5th Total Hours Hours Code
335-60-9692 BARRAZA, ALFREDO 0.00 0.00	0-00 - 5.00 0.00 - 70-00 5.00 175.00 5.00 5.00
1 (4) (4) (1 (4) (4) (4) (4) (4) (4) (4) (4) (4) (4)	0.00 5.00 5.00 5.00
	Make? Thomas Villa Mills Make I

Total Items Listed This Period :

Total Difference In Hours This Period :

5.00

EXHIBIT A-3

Summary of Contributions, Liquidated Damages & Interest Due For The Reporting Period(s) Specified Below Computed Through July 10, 2009

Employer Information

File Number 99000

Name ESCROW EMPLOYER

Address

City, State , . 00000-0000

Telephone

Page Number 1 of 3 Reference Number: 9-64 Date Printed: 07/10/2009

Renort:	ina Peria	De d Con	Linguent	Liquidated Damages (1)	Interest(1)	πotal Due
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June, 2	2007	\$	660.00 \$	297.62	\$ 83.42	\$ 1,041.04
July, 2	2007		1,534.50	659.07	182.29	2,375.86
August,	2007		1,320.00	539.06	146.84	2,005.90
Septemb	oer, 2007	7	1,204.50	466.82	125.25	1,796.57
March,	2008		82.50	22.19	5.33	110.02
ana ii in seesa iya sa	· partier publication (1915–1914)		a kalaka ka	THE HERVIN THE LANGE BALL SANGE OF THE PARTY		
Grand 1	<pre>Potal (3)</pre>) \$	4,801.50 \$	960.30	\$ 543.13	\$ 6,304.93

Computation of Liquidated Damages For The Reporting Period(s) Specified Below Computed Through July 10, 2009

Employer Information

File Number

99000

Name

ESCROW EMPLOYER

Address

City, State

. 00000-0000

Telephone

Page Number 2 of 3
Reference Number: 9-64
Date Computed: 07/10/2009

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ı														TOTAL		
1				Con	tributio	13	Computation	Campound!	ng	E E	mpute	ď		amage	s Por	
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	 June,			5	660.00	•	660.00	25	\$.62	>		297.62	ļ
	July,	2007			1,534.50		1,534.50	24			659	.07			659.07	
		200		•	1.320.00		1.320.00	23				0,06	*.		539.06	
		•				iacionini Partonini	1,204.50	22.	rankam.		ΛE	do:			465 80	
ı	Septe	mer,	2007		1,204.30		11.503.30			en limite			CCHRISTIN	essentation of the second		
1	March				82.50		82.50	16			 	2.19	<u> </u>		22.19	
	Total	(3)		S	4,801.50								10 0 5 3		960.30	
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^{(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 July 10, 2009

Employer Information -

File Number 99000

Name ESCROW EMPLOYER

Address

City, State ,

. 00000-0000

Telephone

Page Number 3 of 3 Reference Number: 9-64 Date Computed: 07/10/2009

						Total
	Contributions	Computation	Delinquent Perio	a 🗀 🖽	Computed	Interest For
Reporting Pariod	Due	Base	From To	Days	Interest (3) R	eporting Period
June, 2007	\$ 660.00	\$ 660.00	07/21/2007 - 07/10/200	721 Ş	B3.42	\$ 83.42
July, 2007	1,534.50	1,534.50	08/21/2007 - 07/10/200	000	182.29	182.29
August, 2007	1,320-00	1,320.00	09/21/2007 - 07/10/2009	659	146.84	146.84
September, 2007	1,204.50	1,204.50	10/21/2007 - 07/10/200	629	125:25	125,25
March, 2008	62.50	82.50	04/21/2008 - 07/10/200	9 446	5.33	5.33

EXHIBIT B

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

CHICAGO REGIONAL COUNCIL OF CARPENTERS PENSION FUND, et al.,)
Plaintiffs.) Case No. 09 CV 3083
v.)) Judge Coar
E. SHY ENTERPRISES, INC.,)
Defendants.))

DECLARATION OF JAMES EGAN

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

- 1. I am a principal in the Certified Public Accounting firm of James Egan & Associates, Ltd., ("Egan"). I am familiar with the billings to the Chicago Regional Council of Carpenters Pension Fund, the Chicago Regional Council of Carpenters Welfare Fund, the Chicago and Northeast Illinois Regional Council of Carpenters Apprentice and Trainee Program, and the Labor/Management Union Carpentry Cooperation Promotion Fund (collectively "the Trust Funds"), including fees and expenses incurred in connection with Egan's auditing the books and records of employers who are signatory to the collective bargaining agreement with the Chicago and Northeast Illinois Regional Council of Carpenters.
- 2. In connection with efforts to obtain and conduct an audit of the books and records of E. Shy Enterprises, Inc. ("Defendant"), the Trust Funds incurred \$1,460.60 in fees and expenses through July 17, 2009. These efforts were comprised of communications with the Defendants, review and analysis of the Defendants' books and records, creation and revision of the audit report, and follow-up communications with the Trust Funds and its agents. Egan's rate

for its auditors was \$67.00 per hour. A breakdown of the fees and costs to the Trust Funds in this matter are attached as Exhibit B-1.

- 3. Egan prepared an audit report based on records produced by Defendants which is attached as Exhibit B-2.
- 4. The audit fees and expenses charged to the Trust Funds in this matter are consistent with Egan's regular charges for services to the Trust Funds on similar matters.
- 5. I have personal knowledge of the matters stated in this declaration and could testify competently to them.

FURTHER AFFIANT SAYETH NOT

James 12

EXHIBIT B-1

Chicago Regional Council of Carpenters Pension, Welfare and Apprentice Fund Invoice for Audits Submitted during the Month of October, 2008

Invoice #: 00101210

Employer Account #: 24547 Employer Name: E Shy Enterprises Inc dba Success Ventures	Charged Hours	Rate	Invoice Amount
James E. Santor			•
Assigned Administrative Duties	0.30	67.00	20.10
Technical Review	3.60	67.00	241.20
Meetings/Consultations- Employer	0.30	67.00	20.10
Supervisory Review	0.30	67.00	20.10
	4.50		301.50
Joshua L. Wyrick			
Technical Review	0.50	67.00	33.50
	0.50		33.50
John S. Conklin			
Post Review Adjustments	0.50	67.00	33.50
Pre-Engagement Planning	0.30	67.00	20 10
Conclude Workpapers and/or Report(s)	6.10	67.00	408.70
Establish Employee Categories	0.40	67.00	26.80
Compile & Verify Individuals' Hours/Wage	1.40	67.00	93.80
Reconcile Individuals' Wages	0.40	67.00	26.80
Compile Payments (Disbursements)	0.70	67.00	46.90
Review Contracts/Invoices/Waivers/etc.	0.20	67.00	13.40
Review General Ledgers/Financial Stmts	0.20	67.00	13.40
Meetings/Consultations- Client/Rep	0.20	67.00	13.40
Meetings/Consultations- Employer	2.10	67.00	140.70
Travel Time	2.50	67.00	167.50
	15.00	•	1,005.00
Katherine A. Lopez			-
Preparation- Audit Report(s)	0.10	67.00	6.70
Correspondence- Employer	0.20	67.00	13.40
	0.30	~~	20.10
Marc D. Pugh			
Prepare Discrepancy Workpapers	0.20	67.00	13.40
Meetings/Consultations- Client/Rep	0.30	67.00	20.10
Meetings/Consultations- Employer	0.70	67.00	46.90
• • • • • • • • • • • • • • • • • • • •	1.20	-	80.40

Chicago Regional Council of Carpenters Pension, Welfare and Apprentice Fund Invoice for Audits Submitted during the Month of October, 2008

Invoice #: 00101210

Employer Account #: 24547 Employer Name: E Shy Enterprises Inc dba Success Ventures	Charged Hours	Rate	Invoice Amount
Marc E. Ragona		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
Conclude Workpapers and/or Report(s)	0.10	67.00	6.70
Meetings/Consultations- Employer	0.20	67.00	13.40
	0.30		20.10
Total Charges for E Shy Enterprises Inc dba Success Ventures	21.80		1,460.60

Detail Time Charges during the period of 7/1/2008 through 7/17/2009

	t Number: 85018 ient Name: E Shy Enterprises Inc dba Success Ventures	Charged Hours	Bil Rate	ling Amount
James E	. Santor			
	Assigned Administrative Duties			
08/15/2008	Assign Due Date/Update Projected Submission	0.20	67.00	13.40
08/22/2008	Adjust Due Date/Update Projected Submission	0.10	67.00	6.70
		0.30		20.10
, story	Technical Review			
10/17/2008	Technical Review	0.20	67.00	13.40
10/17/2008	Technical Review	2.00	67.00	134.00
10/20/2008	Review Adjustments	1.40	67.00	93.80
10/20/2000		3.60		241.20
	Meetings/Consultations- Employer	2.00		
09/18/2008	Phone Call/Les (Co)/Cancel & Reschedule Appointment	0.30	67.00	20.10
09/18/2008	Thone Cau Les (Co)/Cancer & Reschedine Appointment	0.30	07.00	20.10
	Constitution Desiration	0.30		∠ 0.1.0
	Supervisory Review	0.20	67.00	20.30
10/23/2008	Supervisory Review	0.30	67.00	20.10
		0.30		20.10
Joshua I	L. Wyrick			
-	Technical Review			
10/14/2008	Preliminary review	0.50	67.00	33.50
* .7		0.50		33.50
John S.	Conklin			
	Post Review Adjustments			
10/17/2008	Technical Review Adj	0.50	67.00	33.50
		0.50		33.50
	Pre-Engagement Planning			
09/22/2008	Download Files, Directions, Preplanning	0.30	67.00	20.10
		0.30		20.10
	Conclude Workpapers and/or Report(s)			
09/22/2008	Upload Files, Time Entry	0.20	67.00	13.40
09/22/2008	Conclude Disbursement Wrkprs	0.90	67.00	60.30
09/22/2008	Prepare and send Doc Request	0.30	67.00	20.10
10/06/2008	Conclude Wrkprs	1.60	67.00	107.20
	Conclude Wrkprs. Procedures	0.10	67.00	6.70
10/07/2008	Conclude Wrkprs. Procedures	0.10	67.00	6.70
10/07/2008	Conclude Wrkprs Conclude Wrkprs	0.10	67.00	60.30
10/08/2008	Conclude Wrkprs	0.90	67.00	26.80
10/10/2008	Conclude Wrkprs	0.40	67.00	13.40
10/13/2008	Conclude Wrkprs, Submit for Review			93.80
10/14/2008	Continue respes, Suomi for Neview	1.40	67.00	
•		6.10		408.70

Detail Time Charges during the period of 7/1/2008 through 7/17/2009

	t Number: 85018 lent Name: E Shy Enterprises Inc dba Success V	/entures	Charged Hours	Bi Rate	lling Amoun
John S.	Conklin				
	Establish Employee Categories				
10/01/2008	Enter SUTAs		0.30	67.00	20.10
10/10/2008	Enter SUTA		0.10	67.00	6.70
			0.40		26.80
	Compile & Verify Individuals' Hours/Wage		and the same		
09/22/2008	Enter Payroll		0.40	67.00	26.80
10/01/2008	Enter Payroll		1.00	67.00	67:00
10,01,200			1.40		93.80
	Reconcile Individuals' Wages		2		
10/01/2008	Reconcile Wages		0.40	67.00	26.80
10/01/2008	The office of ages	and the second	0.40	07.00	26.80
	Compile Payments (Disbursements)		0.40		20.00
09/22/2008	Review Disbursements		0.70	67.00	46.90
09/22/2008	Review Disoursements		0.70	07.00	46.90
	Design Contract Musician Whiteway lots	•	U. / U		40.70
00/00/0000	Review Contracts/Invoices/Waivers/etc.		0.20	67.00	12.40
09/22/2008	Review Invoices		0.20	67.00	13.40
			0.20		13.40
	Review General Ledgers/Financial Stmts.				
10/10/2008	Review Bank Statements		0.20	67.00	13.40
. 7.			0.20		13.40
	Meetings/Consultations- Client/Rep				
08/19/2008	Meeting John Libby - Appointment		0.10	67.00	6.70
08/22/2008	Call TF - Appointment		0.10	67.00	6.70
			0.20		13.40
	Meetings/Consultations-Employer				
08/05/2008	Attempt to Schedule Appt		0.10	67.00	6.70
08/18/2008	Attempt to Schedule Appt		0.10	67.00	6.70
08/19/2008	Attempt to schedule appt		0.10	67.00	6.70
08/21/2008	Attempt to Schedule Appt		0.10	67.00	6.70
08/22/2008	Set up Appointment		0.50	67.00	33.50
09/22/2008	Meeting with Contact		0.10	67.00	6.70
09/22/2008	Meeting with Contact		0.20	67.00	13.40
09/29/2008	Doc Request		0.20	67.00	13.40
09/30/2008	Doc Réq		0.10	67.00	6.70
10/01/2008	Doc Request		0.10	67.00	6.70
10/03/2008	Doc Request		0.20	67.00	13.40
10/09/2008	Doc Request		0.20	67.00	13.40
10/13/2008	Doc Request		0.10	67.00	6.70
			2.10		140.70

Detail Time Charges during the period of 7/1/2008 through 7/17/2009

	nt Number: 85018 ient Name: E Shy Enterprises Inc dba Su	ccess Ventures	Charged Hours	Rate	Billing Amount
John S.	Conklin				
	Travel Time				
09/22/2008	Travel to Appt	100	1.40	67.00	93.80
09/22/2008	Travel		1.10	67.00	73.70
			2.50		167.50
				.*	
Katheri	ne A. Lopez				
	Preparation- Audit Report(s)				
10/22/2008	Print & collate engagement report	÷	0.10	67.00	6.70
			0.10		6.70
	Correspondence- Employer		ere e		
08/06/2008	Prepare outgoing certified letter		0.10	67.00	6.70
09/02/2008	Logged & prepared outgoing confirmation letter	·	0.10	67.00	6.70
			0.20		13.40
Marc D.	Pugh				1
2.4	Prepare Discrepancy Workpapers				
07/31/2008	Imported hours and setup workpapers.		0.20	67.00	13.40
0//21/2000	, , , ,		0.20	07.00	13.40
	Meetings/Consultations- Client/Rep		0.20		200
08/14/2008	Setup FA with TF.	•	0.30	67.00	20.10
00/14/2000	South 11 min 11 .		0.30	07.00	20.10
	Meetings/Consultations- Employer		0.50		20.10
08/01/2008	Attempted to setup FA.		0.10	67.00	6.70
08/01/2008	Setup tentative FA with company.		0.10	67.00	20.10
08/13/2008	Attempted to setup FA with co.		0.10	67.00	6.70
08/14/2008	Discussed FA with company.		0.10	67.00	13.40
00/10/2000	Discussion 111 min company.		0.70	07.00	46.90
			0.70	•	40.70
Marc E.	Dagana				
Maic E.	Conclude Workpapers and/or Report(s)				
00/15/2000	Update schedule	10.00	0.10	67.00	670
08/15/2008	Opume schedule		0.10	67.00	6.70
•	78.00 .00 .00 .00 .00 .00 .00 .00 .00 .00		0.10		6.70
07/31/0000	Meetings/Consultations-Employer		0.10	C7 00	<i>C</i> 3 0
07/31/2008	Phone call - attempt to schedule appointment		0.10	67.00	6.70
08/14/2008	Phone call - attempt to schedule appointment		0.10	67.00	6.70
			0.20		13.40
		en e			
			21.80		1,460.60

EXHIBIT B-2

Benefit Hours

Discrepancy Summary By Reporting Period

Report on the Compliance of	Covering the Period of
Account Number 24547	June, 2007 To June, 2008
E SHY ENTERPRISES, INC DBA SUCCESS VENTURES	Page Number 1 of 8
512 N MCCLURG CT #4101 CHICAGO, IL. 60611 (630)993-9600	Total Discrepancies This Report
	291.00 Hours

Reporting Period Discrepancy Contril	ntion :	Discrepancy Dollars
が動作。第200万年 第 報告を記し、 16.5 July, 2007 93.00 16.5 August/: 200万 18 第7第7章 第1883章 1803.00 September, 2007 73.00 16.5 March/* 2008 日 1814 日 1815 日 18	(0 (0 대한 편 는 :: (0	1,534.50 1,320.00 1,204.50
Report Sub-Total 291.00 Liquidated Damages (1) Grand Total Due	sp.	4,801.50 960.30 5,761.80

Benefit Hours

	Report on the Compliance of	cod Damages Covering The Period of
	Account Number 24547	June, 2007 To June, 2008
	E SHY ENTERPRISES, INC DBA	Page Number
9	512 N MCCLURG CT #4101 CHICAGO, IL. 60611	2 of 8
	(630) 993-9600	Total Discrepancies This Report
-		291.00 Hours
7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7	Discrepancy Compour Reporting Period Dollhis Paris	ading Compited Damages For
	June 2 2007 2 3 3 4 5 560, 800 4 5 1 4 1	· 医克里特克克特克克特克克克克克克克克克克克克克克克克克克克克克克克克克克克克克
	July, 2007 1,534.50 1	
	Rugher, 2007 1,200.00 1.	
	магсь, 2008. 82.50	a a
	5 Period(s) \$ 4,801.50	\$ 1,133.71 \$ 960.30

^{(2) 1.5 %} Compounded per Month (or portion thereof)(3) Total Damages Not To Exceed The 20% ERISA Limitation

Legend of Discrepancy Codes Encountered

negena or procrape	
Report on the Compliance of	Covering the Period of
Account Number 24547	June, 2007 To June, 2008
E SHY ENTERPRISES, INC DBA SUCCESS VENTURES	Page Number
512 N MCCLURG CT #4101 CHICAGO, IL. 60611	3 of 8
(630)993-9600	Total Discrepancies This Period
	291.00 Hours
Code Discrepancy Description	Amount
SIGNATORY EMPLOYER - PAYROLI 101 Clerical Error	2,524.50
102 Hours Worked Prior To Report 1020 Hours Worked Prior To Report	ing 660.00
103 Omission - Reported Individu	82.50 82.50
Report Sub-Total Liquidated Damages (1)	\$ 4,801.50 960.30 \$ 5,761.80
Grand Total Due	\$ 5,70x.50

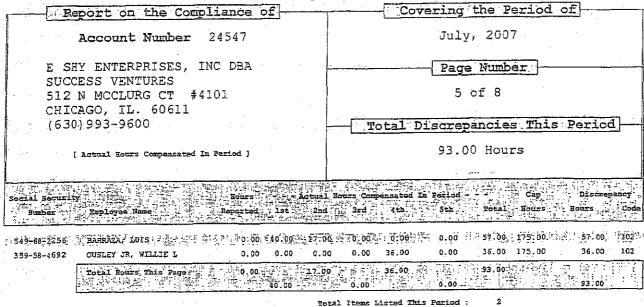
Benefit Hours

Detailed Discrepancy Hours By Period

Ren	port on the Compliance of	Covering the Period of
2	Account Number 24547	June, 2007
li ·	Y ENTERPRISES, INC DBA ESS VENTURES	Page Number
512 1	N MCCLURG CT #4101 AGO, IL. 60611	4 of 8
11	993-9600	Total Discrepancies This Period
	Actual Hours Compensated In Period }	40.00 Hours
Social Security	有数数据 (基本) (4) (4) (4) (4) (4) (4) (4) (4) (4) (4	Hours Compensated in Period 72 Cap Discrepancy Cap Cap
- 349-68-2256	BARRAST, LUIS NELL TOYS S	0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 - 0 -
	Total Hours This Page 0.00 0.00	0.00 - 40.00 40.00 40.00
		

Benefit Hours

Detailed Discrepancy Hours By Period



93.00

James Egan & Associates, Ltd. Certified Public Accountants Detailed Discrepancy Hours By Period

Benefit Hours

80.00

Report on the Compliance of	Covering the Period of
Account Number 24547	August, 2007
E SHY ENTERPRISES, INC DBA SUCCESS VENTURES	Page Number
512 N MCCLURG CT #4101 CHICAGO, IL. 60611	-6 of 8
(630) 993-9600	Total Discrepancies This Period
[Actual Hours Compensated In Period]	80.00 Hours
1 三三三、1970年初15日,1980年1985年1986年2018年18日 1880年18日 1980年18日 1980年1980年1980年18日 1980年18日 1980年18日 1880年18日 1980年18日 1880年18日 1880年18年18日 1880年18日 1880年18日 1880年18年18年18年18年18年18年18年18年18年18年18年18年18年	Hours Commensated in Period Cap Discrepancy Brd 4th Sthi Fotal Hours Hours Code
\$35-60*96\$2: FBARHAZA FOFREDO TE FEET TO 75.000 40.00 FE 0.0	0:4, 100, 00:17, 40, 00, 622, 10, 00; 27, 260,00; 175,00 ; 186,00; 170, 5
359-58-4592 OOSLEY JR. WILLIE I.	
Total Bours This Page: 296.00 0.00	0 112,00 375.00 184.00 80.00
To	tal Thane Richad Whis Pariod : 3

Total Difference In Hours This Feriod :

Benefit Hours

Detailed Discrepancy Hours By Period

R	eport on the Com	pliance o	Ē	*	Cover	ing the P	eriod o	Ē	
	Account Number	24547		*	Sej	ptember,	2007		-
- 1	Y ENTERPRISES, LESS VENTURES	INC DBA		<u> </u>		Page Numb	er		
¥*	N MCCLURG CT # CAGO, IL. 60611	4101				7 of 8			
9	993-9600			To	tal Disc	crepancie	s This: I	Period]
	Actual Hours Compensated	In Period]				73.00 Hou	rs		
Social Securit	Buployee Name	at the property of the second	- Actual		III - C)	fied	Cap , Sours	Discrepa	ncy Code
	or Barraca; "Alfredo", [#5]		and the second s						
349-68-2256 359-98-4692:	BARRAZA, LUIS OUSLEY OR, WILLIE L	143.00				.00 128.00 F00 7 96.00			
• •	Total Rours This Page	287.00		V	90.00	360.00		73.00	

Total Items Listed This Period :

Total Difference In Rours This Period :

73.00

Benefit Hours

Detailed Discrepancy Hours By Period

	Report on the Compliance of	Covering the Period of
X	Account Number 24547	March, 2008
	E SHY ENTERPRISES, INC DBA SUCCESS VENTURES	Page Number
	512 N MCCLURG CT #4101 CHICAGO, IL. 60611	8 of 8
	(630) 993-9600	Total Discrepancies This Period
	[Actual Hours Compensated In Period]	5.00 Hours
Social	Security Actual Boury	L Hours Compensated In Period - Cap Discrepency
Hum	oer 1 Employee Name Reported 1st 2m	3rd 4th 5th Total Bours Sours Code
335-60	9692 BARRAZA, MEREDO 1 3 0 0 0 10 00 10 00 00 00 00 00 00 00 00	6 744 5 0 0 1 4 0 0 0 1 5 0 0 0 1 1 5 0 0 1 1 25 0 0 1 1 25 0 0 1 1 0 3 1
	Total Hours Phis Page 0.00 0.00 0.00	0 200 5.00 5.00 5.00
		and the second s

Total Items Listed This Period :

- -

Fotal Difference In Hours This Period :

5.00

EXHIBIT C

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

CHICAGO REGIONAL COUNCIL OF CARPENTERS PENSION FUND, et al.,)
Plaintiffs,) Case No. 09 CV 3083
v.) Judge Coar
E. SHY ENTERPRISES, INC., et al.,)
Defendants.	<i>)</i>)

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 E. SHY ENTERPRISES, INC. ("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"). I have represented the Trust Funds in matters like this one since 1995.
- 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 \$1,809.62 in fees and expenses to compel Defendant to comply with its 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 \$1,360.00 for 8.5 hours of attorney services. The hourly rate for attorneys at MC&T for ERISA litigation for the Trust Funds is \$160 per hour. The Trust Funds have collectively incurred fees totaling \$48.00 for 0.8 hours of paralegal time. The hourly rate for paralegals at MC&T for ERISA litigation for the Trust Funds 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 \$401.62 in expenses for court costs, process servers, postage and photocopy charges. The costs are detailed in the billing statement attached as Exhibit C-1.
- 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 AFFIANT SAYETH NOT.

Kevin⊅. McJessv

EXHIBIT C-1

				ALL DATES					
Date Entry #	Received From/Paid To Explanation	Chq# Rec#	Ropts	General Disbs	Fees	Bld Inv#		Trust Activity Repts Disbs	Balance
	ago Regional Council of Carpenters				<u> </u>				
0122-ESHY	E SHY Enterprises, Inc. Expense Recovery							Resp Lawyer: KM	ſ
Feb 20/2009 38329	Postage Recovery	00145		0.42		3002	-		-
Feb 20/2009 38747	Lawyer: KM 0.40 Hrs X 160.00 Reviewed correspondence from M.				64.00	3002			
38/4/	Harmon re:				04.00	5002			
	online review of corporate records of E Shy; prepared		•						
	audit demand letter.	÷						*	
Mar 12/2009 38909	Billing on Invoice 3002 FEES 64.00 DISBS		•	0.00		3002			
	0.42			0.00		3002			
Mar 18/2009 39521	Lawyer: KM 0.10 Hrs X 160.00 Reviewed and responded to				16.00	3115			
39321	correspondence from M. Harmon				2.03.00	5115			
	re:			•					
•	. Reviewed			*.	•	in in			
	correspondence from M. Harmon re:					£	ing the state of t	Serry de la companya de la companya La companya de la co	
	16.								
Apr 2/2009 39269	Chicago Regional Council of Carpe PMT -	00696	64.42	-			- : :	4 1	
Apr 8/2009	Billing on Invoice 3115	00030	01.12			355			
39792 May 8/2009	FEES 16.00 Chicago Regional Council of Carpe			0.00		3115	The sale		
40243	PMT -	00709	16.00						
May 21/2009 40528	Lawyer: KM 2.10 Hrs X 160.00 Reviewed audit referral file		· · ·		336.00	3267			<u></u>
40026	materials. Prepared draft				330.00	V =0.	1 2 "		•
14	complaint. Reviewed appearance, summons and civil								
	cover sheets. Prepared	1,				4.			
•	correspondence to M. Harmon					: '			
	re:								•
May 21/2009 40532	Lawyer: SK 0.40 Hrs X 60.00 Prepared appearance, civil				24.00	3267			
40002	cover sheet and summons.				21.00	0201		•	
	Filed complaint and related documents electronically with								
	court.								
May 22/2009	Lawyer: SK 0.20 Hrs X 60.00 Prepared email correspondence				12.00	3267			Tagan Tanah Ta
40539	process server forwarding				12.00	0201			
	complaint and summons for service. Prepared	<i>Y</i>			.*				
	correspondence to J. Libby and								
	M. Harmon				•			er og stateger er till Er og stateger og etter er til er og er	
May 27/2009	Lawyer: SK 0.20 Hrs X 60.00							•	
40609	Reviewed affidavit of service			· -	12.00	3267			
	received from process server. Filed affidavit of service with								
	summons electronically with court.								
May 28/2009	Judicial Attorney Services			e e		1	100		
40633	Process Server recovery	2845	. **	50.00	**	3267			
May 29/2009 40665	Expense Recovery Photocopy Recovery	00151		1.20		3267			
Jun 12/2009	Billing on Invoice 3267			0.00		3267			
41209	FEES 384.00 DISBS 51.20		•	. 0.00		3207			
Jun 30/2009	Capital One Services	2880		350.00		3287			
41516 Jul 9/2009	Filing Fee - Billing on Invoice 3287	2000		330.00				e e,	
41846	DISBS 350.00			0.00		3287	* .		
Jul 10/2009 41898	Lawyer: KM 1.50 Hrs X 160.00 Telephone call with E. Shy re:				240.00				
	follow up on letter with court								
	order and amount due. Telephone call to N. Lagalo								
	re:								
	Reviewed file materials as necessary to prepare letter								
	to E. Shy and to obtain								
	enclosures. Prepared correspondence to E. Shy re:								
	demand for amount due.								
	Prepared correspondence to J. Libby and M. Harmon re:								
	در الأن الانتقالية الانتقالية الانتقالية الانتقالية الانتقالية الانتقالية الانتقالية الانتقالية الانتقالية الا								
Jul 14/2009 41926	Lawyer: KM 0.20 Hrs X 160.00 Telephone call with E. Shy re:				32.00				
- 4.2 4.4	response to demand letter,								
	unable to pay, may make offer shortly and advised him that								
	MC&T will move for judgment.								
Jul 15/2009	Lawyer: KM 1.40 Hrs X 160.00								

McJessy, Ching & Thompson, LLC Page: 2
Client Ledger

					t Ledger DATES				
Date	Received From/Paid To	>	Chq#	Gene	ral	Fees	Bld	Trust Act Repts	tivity Disbs Balance
Entry #			Rec#	Repts	Diabs	224.00	IIIVW ACC	ROPES	DISDS BETAINCE
41955	Appeared in court bef Coar re: status heari					224.00			
Jul 17/2009	Lawyer: KM 2.80 Hrs	x 160.00				440.00		1	
42026	Prepared motion for e final judgment. Prep					448.00		. *	•
	declaration of J. Lib								
	Shy agreement and dam								
	Prepared correspondent	ice to J.					•		
	والمرازي والمستاد المراب								
	Prepared							and the second	•
	declaration of K. McJ attorneys fees and co							,	
	Prepared declaration	of J.							
•	Egan re: auditors' fe Prepared corresponden						2.56		
	Egan re: forwarding p								•
	declaration for his r			•	٠				
	signature. Prepared proposed order. Revi				4 1 1 2 2				
	materials as necessar	y to		200					
•	prepare motion, decla					1			And the second
	and proposed draft or	der.		·			 		
1 :	UNBILL			1	BILLE		- RECEIPTS	= A/R	NCES TRUST
TOTALS PERIOD	CHE + RECOV 0.00 0.00	+ FEES 944.00	= TOTAL 944.00	DISBS 401.62	+ FEES 464.00	+ TAX 0.00	80.42		0.00
END DATE	0.00 0.00	944.00	944.00	401.62	464.00	0.00	80.42		0.00
	UNBILL				BILLE	n		BALAN	ICES
FIRM TOTAL	CHE + RECOV	+ FEES	= TOTAL	DISBS	+ FEES	+ TAX	- RECEIPTS		TRUST
PERIOD	0.00 0.00	944.00	944.00	401.62	464.00	0.00	80.42		0.00
END DATE	0.00 0.00	944.00	944.00	401.62	464.00	0.00	80.42	785.20	0.00
Finished Ver Matters Clients Major Client Client Intro Responsible 1	Lawyer		9.31a 0122-F All All All All		2009 at 04:32:0	JO EW			
Assigned Law	-		All			÷			
Type of Law Select From			All Active	, Inactive,	Archived Matte	ers .			
Matters Sort			Defaul						•
New Page for New Page for			No No						
New Page for No Activity I			Dec 31	/21.99		*.		•	
Firm Totals			No No						•
Totals Only	n - Billed Only		No No					•	
	n - Disbursements		Yes						·
Entries Show	n - Receipts		Yes						
Entries Shows Entries Shows	n - Time or Fees n - Trust	÷	Yes Yes						
	s with Retainer Bal		No	-					
Incl. Matters	s with Neg Unbld Disb		No			•		•	
Trust Account Working Lawye			All All						
Include Corre			No	-			•		
Show Check #	on Paid Payables		Νo						
			No				•		
Show Client A									
Consolidate F	Payments		No No				4.		•
Consolidate I Show Trust Su Show Interest	Payments ummary by Account t		No No No	(0000		•			
Consolidate F Show Trust Su Show Interest Interest Up T	Payments ummary by Account t	onlind to	No No	/2009			4		

EXHIBIT D

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

	IONAL COUNCIL OF PENSION FUND, et al.,)	Case No. 09 CV 3083						
v.	Plaintiffs,))	Judge Coar						
E. SHY ENTERI	PRISES, INC.,)							
	Defendants.)							
	<u>o</u>	RDER							
On motion	n of the Chicago Regional Co	ouncil of Ca	rpenters Pension Fund et al. ("Trust						
Funds") and purs	uant to Federal Rules of Civi	1 Procedure	54, a judgment is hereby entered in						
favor of the Trust	Funds and against defendan	t E. Shy Ent	erprises, Inc. in the amount of						
\$9,575.15 as follo	ows:								
A. \$4	\$4,801.50 in unpaid contributions pursuant to the audit;								
	\$1,460.60 for auditor's fees incurred by the Trust Funds to complete the audit of Defendants' books and records;								
C. \$5	43.13 in interest under ERIS	A on the am	ount that is due;						
D. \$9	60.30 in liquidated damages;	; and							
	E. \$1,809.62 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).								
Plaintiff Trust Fu	nds are also awarded reasona	ible attorney	' fees and costs incurred by the Trust						
Funds in enforcin	g this order, and such other r	relief as this	Court deems appropriate.						
Date			Judge David H. Coar						