

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

|   |  |  |
|---|--|--|
| TRUSTEES OF THE SUBURBAN TEAMSTERS )<br>OF NORTHERN ILLINOIS WELFARE AND )<br>PENSION FUNDS, )<br>)<br><p style="text-align: center;">Plaintiffs,</p> )<br><p style="text-align: center;">v.</p> )<br>)<br>EINFELDT CONSTRUCTION, INC. )<br>an Illinois corporation )<br>)<br><p style="text-align: center;">Defendant.</p> ) | )<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>) | ) Case No.: 09 C 5459<br>) Judge Holderman<br>) Magistrate Judge Mason |
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**AFFIDAVIT**

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

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

2. That an audit of Employer’s books and records was performed on June 25, 2009 covering the period January, 2008 through March, 2009 and found to be owing:

|         |             |
|---------|-------------|
| Pension | \$7,718.90  |
| Welfare | \$10,253.62 |

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

4. That the audit including liquidated damages and interest totals \$17,972.52.


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

FURTHER AFFIANT SAYETH NOT.



RICHARD SIEBERT

SUBSCRIBED AND SWORN  
to before me this 20<sup>th</sup> day of  
October, 2009.



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