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

TRUSTEES OF THE SUBURBAN TEAMSTERS)
OF NORTHERN ILLINOIS PENSION FUND)
Plaintiff,)) No. 09 C 5478
v.) Judge Castillo
)
EUGENE SELDOMRIDGE, Individually and) Magistrate Judge Keys
d/b/a ERICOR METALS, INC., an Illinois)
corporation not in good standing)
)
Defendants.)
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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 Ericor Metals, Inc. an Illinois corporation not in good standing 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 April 29, 2009 covering the period August, 2007 through December, 2008 and found to be owing:

Pension \$13,247.64

- 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 \$13,247.64.
 - 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 26th day of October, 2009.

OFFICIAL SEAL
CAROL COLLINS
Notes Public - State of Illinois
Myconfinesion Expires Jul 20, 2011