

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

LABORERS' PENSION FUND and	)	
LABORERS' WELFARE FUND OF THE	)	
HEALTH AND WELFARE DEPARTMENT	)	
OF THE CONSTRUCTION AND GENERAL	)	
LABORERS' DISTRICT COUNCIL OF	)	
CHICAGO AND VICINITY, JAMES S.	)	
JORGENSEN,	)	
	)	
Plaintiffs,	)	
	)	No. 09 C 6289
	)	
v.	)	Judge Castillo
	)	
D.L. ANDERSON COMPANY, INC. and	)	
NANCY ANDERSON	)	
	)	
	)	
Defendants.	)	

AFFIDAVIT OF KAREN I. ENGELHARDT

STATE OF ILLINOIS	)
	)
COUNTY OF COOK	)

Karen I. Engelhardt being first duly sworn on oath, deposes and states as follows:

1. I am an attorney and a shareholder at the law firm of Allison, Slutsky & Kennedy, P.C., counsel for plaintiffs Laborers' Pension Fund and Laborers' Welfare Fund of the Health and Welfare Department of the Construction and General Laborers' District Council of Chicago and Vicinity (the "Laborers' Funds") in the action against D.L. Anderson Company, Inc. and Nancy Anderson. This affidavit is submitted to document attorneys' fees and costs incurred by the Laborers' Funds for work performed in connection with obtaining contributions owed for the period from June 2, 2009 to the present.

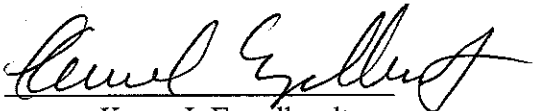
2. Through April 30, 2009, the firm billed the Laborers Funds on an hourly basis for

services rendered to the Funds, at a rate of \$175.00 per hour for shareholders, \$150.00 per hour for associates, and \$75.00 per hour for clerks/paralegals. In May 2009, those rates were increased to \$200.00 per hour for shareholders, \$175.00 per hour for associates, and \$100.00 per hour for clerks/paralegals. In this cause records kept for legal work on this matter were kept contemporaneously and are attached hereto as Exhibit 1.

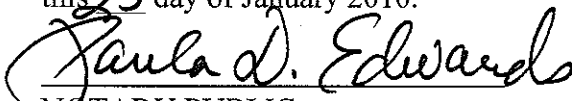
3. Exhibit 1 hereto sets forth the time expended from June 2, 2009 through January 25, 2010, by the firm's attorneys and paralegals in this matter. As set forth in that Exhibit, the Laborers' Funds have incurred legal fees to my firm in this matter in the amount of \$2,137.08.

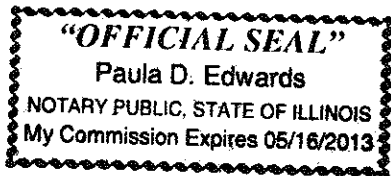
4. In addition, the Laborers Funds have incurred the following costs in the prosecution of this matter totaling \$515.00, which include filing and service fees.

FURTHER AFFIANT SAYETH NOT.

  
Karen I. Engelhardt

Subscribed and sworn to before me  
this 25<sup>th</sup> day of January 2010.

  
NOTARY PUBLIC



Selection Criteria

Slip Classification Open  
 Clie. Selection Include: Labrs P&W 1  
 Refe. Selection Include: D L Anderson  
 Slip.Transaction Dat 6/3/2009 - 1/25/2010

Rate Info - identifies rate source and level

Slip ID	Dates and Time	Posting Status	Description	Attorney Activity Client Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
174587	TIME			Angie Cowan	0.10	175.00	17.50
	7/9/2009			Legal Services	0.00	C@2	
	Billed	G:10138	8/6/2009	Labrs P&W 1	0.00		
	Call w/R. Marcello			D L Anderson	0.00		
174606	TIME			Angie Cowan	0.10	200.00	20.00
	7/10/2009			Legal Services	0.00	C@1	
	Billed	G:10138	8/6/2009	Labrs P&W 1	0.00		
	Call w/R. Marcello			D L Anderson	0.00		
174637	TIME			Angie Cowan	0.20	200.00	40.00
	7/16/2009			Legal Services	0.00	C@1	
	Billed	G:10138	8/6/2009	Labrs P&W 1	0.00		
	Review letter from R. Marcello; left Company a detailed message			D L Anderson	0.00		
174659	TIME			Angie Cowan	0.10	175.00	17.50
	7/27/2009			Legal Services	0.00	C@2	
	Billed	G:10138	8/6/2009	Labrs P&W 1	0.00		
	Call w/R. Marcello			D L Anderson	0.00		
176041	TIME			Angie Cowan	0.20	175.00	35.00
	8/20/2009			Legal Services	0.00	C@2	
	Billed	G:10178	9/11/2009	Labrs P&W 1	0.00		
	Call w/R. Marcello; review installment note			D L Anderson	0.00		
176048	TIME			Angie Cowan	0.40	175.00	70.00
	8/21/2009			Legal Services	0.00	C@2	
	Billed	G:10178	9/11/2009	Labrs P&W 1	0.00		
	Call w/P. Wallace; letter to Company			D L Anderson	0.00		
176055	TIME			Angie Cowan	0.50	175.00	87.50
	8/26/2009			Legal Services	0.00	C@2	
	Billed	G:10178	9/11/2009	Labrs P&W 1	0.00		
	Review fax from Company; fax to R. Marcello; call w/R. Marcello and detailed message for N. Anderson			D L Anderson	0.00		
176069	TIME			Angie Cowan	0.20	175.00	35.00
	8/31/2009			Legal Services	0.00	C@2	
	Billed	G:10178	9/11/2009	Labrs P&W 1	0.00		
	Review letter from P. Wallace			D L Anderson	0.00		

1/25/2010  
12:18 PM

Allison, Slutsky & Kennedy, P.C.  
Slip Listing

Page 2

Slip ID	Dates and Time	Posting Status	Description	Attorney Activity	Client Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
177328	9/1/2009	Billed	TIME G:10198 10/6/2009 Review documents from N. Anderson; left detailed message for N. Anderson	Angie Cowan Legal Services Labrs P&W 1 D L Anderson		0.20 0.00 0.00 0.00	175.00 C@2	35.00
<del>176261</del>	<del>9/3/2009</del>	<del>Billed</del>	<del>TIME G:10198 10/6/2009 Review P. Wallace letter; conf. w/ AG</del>	<del>K. Engelhardt Legal Services Labrs P&amp;W 1 D L Anderson</del>		<del>0.10 0.00 0.00 0.00</del>	<del>200.00 C@1</del>	<del>20.00</del>
<del>177351</del>	<del>9/3/2009</del>	<del>Billed</del>	<del>TIME G:10198 10/6/2009 Conf w/KIE</del>	<del>Angie Cowan Legal Services Labrs P&amp;W 1 D L Anderson</del>		<del>0.10 0.00 0.00 0.00</del>	<del>175.00 C@2</del>	<del>17.50</del>
177394	9/21/2009	Billed	TIME G:10198 10/6/2009 Detailed message to R. Marcello	Angie Cowan Legal Services Labrs P&W 1 D L Anderson		0.10 0.00 0.00 0.00	175.00 C@2	17.50
177395	9/22/2009	Billed	TIME G:10198 10/6/2009 Review reports mailed by Company; letter to R. Marcello	Angie Cowan Legal Services Labrs P&W 1 D L Anderson		0.20 0.00 0.00 0.00	175.00 C@2	35.00
177474	9/25/2009	Billed	TIME G:10198 10/6/2009 Calls w/Dale Anderson	Angie Cowan Legal Services Labrs P&W 1 D L Anderson		0.20 0.00 0.00 0.00	175.00 C@2	35.00
177472	9/28/2009	Billed	TIME G:10198 10/6/2009 Emails to/from R. Marcello; call w/Dale Anderson	Angie Cowan Legal Services Labrs P&W 1 D L Anderson		0.30 0.00 0.00 0.00	175.00 C@2	52.50
177729	10/2/2009	Billed	TIME G:10219 11/6/2009 Report to Trustees	K. Engelhardt Legal Services Labrs P&W 1 D L Anderson		0.10 0.00 0.00 0.00	200.00 C@1	20.00
178801	10/2/2009	Billed	TIME G:10219 11/6/2009 Emails to R. Marcello; work on motion and complaint to reinstate/amend complaint; update reports	Angie Cowan Legal Services Labrs P&W 1 D L Anderson		4.10 0.00 0.00 0.00	175.00 C@2	717.50
178809	10/5/2009	Billed	TIME G:10219 11/6/2009 Calls w/and emails/from R. Marcello; work on motion to reinstate and enforce	Angie Cowan Legal Services Labrs P&W 1 D L Anderson		0.25 0.00 0.00 0.00	175.00 C@2	43.75

1/25/2010  
12:18 PM

Allison, Slutsky & Kennedy, P.C.  
Slip Listing

Slip ID	Dates and Time	Posting Status	Description	Attorney Activity Client Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
178648	10/7/2009	TIME	Billed	Andre Smith Legal Services Labrs P&W 1 D L Anderson	1.00 0.00 0.00 0.00	100.00 C@3	100.00
			Prepare case: summons, appearance, civil cover sheet, exhibit labels and scan documents				
178651	10/9/2009	TIME	Billed	Andre Smith Legal Services Labrs P&W 1 D L Anderson	0.25 0.00 0.00 0.00	100.00 C@3	25.00
			Draft letter and prepare for service				
178814	10/9/2009	TIME	Billed	Angie Cowan Legal Services Labrs P&W 1 D L Anderson	0.20 0.00 0.00 0.00	175.00 C@2	35.00
			Work on summons				
178818	10/15/2009	TIME	Billed	Angie Cowan Legal Services Labrs P&W 1 D L Anderson	0.10 0.00 0.00 0.00	175.00 C@2	17.50
			Call w P. Ducar				
178921	10/28/2009	TIME	Billed	Angie Cowan Legal Services Labrs P&W 1 D L Anderson	0.20 0.00 0.00 0.00	200.00 C@1	40.00
			File summons				
179273	11/3/2009	TIME	Billed	K. Engelhardt Legal Services Labrs P&W 1 D L Anderson	0.10 0.00 0.00 0.00	200.00 C@1	20.00
			Letter to J. Mashos				
179536	11/9/2009	TIME	Billed	K. Engelhardt Legal Services Labrs P&W 1 D L Anderson	0.10 0.00 0.00 0.00	200.00 C@1	20.00
			Letter to Union				
180228	11/9/2009	TIME	Billed	Angie Cowan Legal Services Labrs P&W 1 D L Anderson	0.03 0.00 0.00 0.00	175.00 C@2	5.83
			Review order from Judge				
180229	11/19/2009	TIME	Billed	Angie Cowan Legal Services Labrs P&W 1 D L Anderson	0.20 0.00 0.00 0.00	175.00 C@2	35.00 <del>52.50</del>
			Email from KTE, call w/David Anderson				
182894	1/11/2010	TIME	WIP	Angie Cowan Legal Services Labrs P&W 1 D L Anderson	0.10 0.00 0.00 0.00	175.00 <del>200.00</del> C@1	17.50 <del>20.00</del>
			Call w/R. Marcello				
182895	1/21/2010	TIME	WIP	Angie Cowan Legal Services Labrs P&W 1 D L Anderson	0.10 0.00 0.00 0.00	175.00 <del>200.00</del> C@1	17.50 <del>20.00</del>
			Call w/R. Marcello				

1/25/2010  
12:18 PM

Allison, Slutsky & Kennedy, P.C.  
Slip Listing

Slip ID		Attorney	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
182896	TIME	Angie Cowan	3.00	<del>175.00</del>	<del>600.00</del>
1/25/2010		Legal Services	0.00	200.00	525.00
WIP		Labrs P&W 1	0.00	C@1	
Prepare motion for damages, notice of motion, affidavits, and proposed order; organize exhibits; calls w/R. Marcello		D L Anderson	0.00		
Grand Total					2137.08
		Billable	12.93		<del>2272.08</del>
		Unbillable	0.00		0.00
		Total	12.93		<del>2272.08</del>
					2137.08