

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

**TRUSTEES OF THE AUTOMOBILE )  
MECHANICS INDUSTRY HEALTH )  
AND WELFARE AND PENSION )  
FUNDS OF THE AUTOMOBILE )  
MECHANICS AND AEROSPACE )  
WORKERS AFL-CIO, LOCAL 701, )**

**Plaintiffs, )**

**vs. )**

**SMR MOBILE SERVICES, INC., )**

**Defendant. )**

**2010-CV-02908  
Hon. James R. Holderman  
Susan R. Cox**

**DECLARATION OF PAUL NEUMANN**

Paul Neumann, pursuant to the laws of the State of Illinois and the laws of perjury and this court, and pursuant to 28 U.S.C. § 1746, states as follows:

1. I am the Comptroller of the fringe benefit funds of the Automobile Mechanics Health and Welfare and pension Funds of Local 701 of the Automobile Mechanics and Aerospace Workers AFL-CIO Local 701.


2. Part of my job duties and responsibilities are to enforce the collective bargaining agreements and to make sure signatory contractors and employers pay the proper fringe benefit contributions per the union contracts they have signed.

3. When they don't pay what they are supposed to pay we keep track of the delinquencies and turn the files over to the attorneys for collection.

4. Even after the files are turned over to the attorneys we still keep track of growing delinquencies.

5. After we turned over the SMR Mobile Services file, they continued to be behind in their contributions. Between the time that we did the motion for a judgment in a sum certain and now, we found out that their delinquency had grown substantially and in fact they now owe what is shown on the attached sheet I, which is \$80,952 in unpaid health and welfare contributions plus penalties, and \$33,801 in unpaid pension contributions and penalties for a total owed right now as of August 25, 2010, of \$114,753.00.

I hereby declare that the above is true and correct to the best of my knowledge and ability.

  
Paul Neumann

August 25, 2010

**ATTACHED SHEET I**



3/26/10-Called Platt and he said that they are in the process of getting a judgement.					
4/23/10-Called Platt for update and he said that they are still in discovery, working towards a judgment.					
7/9/10-Called Platt for an update and he said that a judgment should be coming shortly. They are still in business and we should still send them remittance reports. Platt says that the company has slightly changed it's name slightly and if it is not incorporated then there may be personal liability involved.					
8/17/10-Called Platt for an update and he said that he is about to file for an injunction on the company.					
8/20/10-Called Platt for update and he said that they have a judgement order against them for 88k, but I called and left a message with his assistant to let him know that they actually owe about 115k. Platt also said that they are waiting on an order of injunction to serve the company with, but he may serve them with a draft order. He believes that they are operating at an actual physical location.					