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

IRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUNDS,	) ) )
Plaintiffs,	) ) No. 2012 C 5097
v.	) Judge Bucklo
CASTILLO TRUCKING, OF BOURBONNAIS, INC., an Illinois corporation, and FRANK M. CASTILLO, Individually,	) ) Magistrate Judge Denlow )
Defendants.	)

## **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 Castillo Trucking, of Bourbonnais, 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 July 16, 2012 covering the period September, 2010 through April, 2012 and found to be owing:

Pension \$13,257.56 Welfare \$5,892.81

- 3. That Employer was given a copy of the records review and given notice of findings and has made no effort to pay or settle.
  - 4. That the audit including liquidated damages and interest totals \$19,150.37.

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 \_\_\_\_\_\_ day of August, 2012.

Notary Public

NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:07/20/15