

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, and JAMES S.
JORGENSEN, Administrator of the Funds

Plaintiffs,

v.

SALUTE CONCRETE, INC.,

Defendant.

Case No. 13 C 0386

Judge Milton I. Shadur

AFFIDAVIT OF SARA STEWART SCHUMANN

STATE OF ILLINOIS
COUNTY OF COOK

Sara Stewart Schumann, being first duly sworn on oath, deposes and states as follows:

1. I am an associate attorney 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 "Funds") in the action against Salute Concrete, Inc. (the "Company"). This affidavit is submitted to document attorneys' fees and costs incurred by the Laborers' Funds covering the period from December 1, 2012 through August 30, 2013, for work performed in connection with obtaining contributions owed to the Funds.

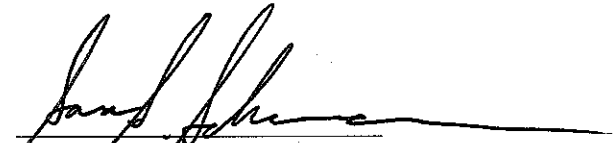
2. Since December 1, 2012, this firm has billed the Laborers' Funds on an hourly basis for collection services rendered to the Funds, at a rate of \$200.00 per hour for shareholders, \$175.00

Exhibit D

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 the fee report is attached hereto.

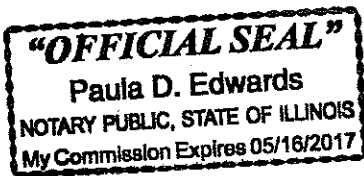
3. This fee report is attached hereto as Exhibit D1 and sets forth the time expended from December 1, 2011 through August 1, 2013, by the firm's attorneys and paralegals in this matter. The billable entries were reviewed, and any duplicate entries were struck. As set forth in Exhibit D1, the Laborers' Funds have incurred legal fees to my firm in this matter in the amount of \$4,480.00

4. In addition, the Laborers' Funds have incurred court costs in the prosecution of this matter totaling \$420.00, which consists of filing fees, and fees for service of process.


Sara Stewart Schumann, Associate
ALLISON, SLUTSKY & KENNEDY, P.C.

Subscribed and sworn to before me
this 30th day of August 2013.


NOTARY PUBLIC



Selection Criteria

Slip Classification Open
 Clie. Selection Include: Labrs P&W 1
 Refe. Selection Include: Salute Construction
 Slip.Transaction Dat 12/1/2012 - Latest

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
233864	1/17/2013	Billed	TIME Call w/ J. Mashos	K. Engelhardt Legal Services Labrs P&W 1 Salute Construction	0.10 0.00 0.00 0.00	200.00 T	20.00
233987	1/17/2013	Billed	TIME Prepare case: summons, appearances, civil covers, exhibit labels and scan documents	Andre Smith Legal Services Labrs P&W 1 Salute Construction	1.00 0.00 0.00 0.00	100.00 T	100.00
233991	1/17/2013	Billed	TIME Draft letter and prepare for service	Andre Smith Legal Services Labrs P&W 1 Salute Construction	0.25 0.00 0.00 0.00	100.00 T	25.00
235541	1/22/2013	Billed	TIME Conf. w/ S. Schumann DUP	K. Engelhardt Legal Services Labrs P&W 1 Salute Construction	0.00 0.00 0.00 0.00	200.00 C@1 Do Not Bill	0.00
234887	2/4/2013	Billed	TIME Letter to J. Mashos	K. Engelhardt Legal Services Labrs P&W 1 Salute Construction	0.10 0.00 0.00 0.00	200.00 T	20.00
234910	2/5/2013	Billed	TIME Call w/ Courtroom deputy clerk	K. Engelhardt Legal Services Labrs P&W 1 Salute Construction	0.30 0.00 0.00 0.00	200.00 T	60.00
234928	2/6/2013	Billed	TIME Report to Trustees	K. Engelhardt Legal Services Labrs P&W 1 Salute Construction	0.20 0.00 0.00 0.00	200.00 T	40.00

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
234949	2/7/2013	Billed	TIME Calls w/ J. Fosco, the Company	K. Engelhardt Legal Services	3/14/2013 Labrs P&W 1 Salute Construction	0.20 0.00 0.00 0.00	200.00 T	40.00
235015	2/8/2013	Billed	TIME Report to Trustees	K. Engelhardt Legal Services	3/14/2013 Labrs P&W 1 Salute Construction	0.10 0.00 0.00 0.00	200.00 T	20.00
235495	2/22/2013	Billed	TIME Conf. w/K. Engelhardt re assignment and review file	Sara Schumann Legal Services	3/14/2013 Labrs P&W 1 Salute Construction	0.50 0.00 0.00 0.00	175.00 C@2	87.50
235892	2/22/2013	Billed	TIME Conf. w/ SS	K. Engelhardt Legal Services	3/14/2013 Labrs P&W 1 Salute Construction	0.10 0.00 0.00 0.00	200.00 T	20.00
235498	2/25/2013	Billed	TIME Conf. w/K. Engelhardt re assignment, call w/J. Fosco, and prepare for court appearance	Sara Schumann Legal Services	3/14/2013 Labrs P&W 1 Salute Construction	0.50 0.00 0.00 0.00	175.00 C@2	87.50
235722	2/27/2013	Billed	TIME Work on file, call w/T. Saviano and J. Fosco	Sara Schumann Legal Services	3/14/2013 Labrs P&W 1 Salute Construction	0.50 0.00 0.00 0.00	175.00 C@2	87.50
235717	2/28/2013	Billed	TIME Court appearance, and call w/T. Saviano	Sara Schumann Legal Services	3/14/2013 Labrs P&W 1 Salute Construction	0.70 0.00 0.00 0.00	175.00 C@2	122.50
236612	3/6/2013	Billed	TIME Write letter to T. Saviano re compliance w/audit, call w/P. Traina	Sara Schumann Legal Services	4/9/2013 Labrs P&W 1 Salute Construction	1.00 0.00 0.00 0.00	175.00 C@2	175.00
238332	4/2/2013	Billed	TIME Court appearance and review file	Sara Schumann Legal Services	5/7/2013 Labrs P&W 1 Salute Construction	0.50 0.00 0.00 0.00	175.00 C@2	87.50
238331	4/3/2013	Billed	TIME Call w/R. Wolf and M. Olbrecht re audit	Sara Schumann Legal Services	5/7/2013 Labrs P&W 1 Salute Construction	0.30 0.00 0.00 0.00	175.00 C@2	52.50

8/30/2013
10:43 AM

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

Page 3

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
238340	TIME			Sara Schumann		1.00	175.00	175.00
	4/10/2013			Legal Services		0.00	C@2	
	Billed	G:11322	5/7/2013	Labrs P&W 1		0.00		
	Call w/T. Saviano, M. Olbrecht re missing information for audit re Messina Construction sub			Salute Construction		0.00		
238405	TIME			Sara Schumann		0.50	175.00	87.50
	4/12/2013			Legal Services		0.00	C@2	
	Billed	G:11322	5/7/2013	Labrs P&W 1		0.00		
	Call and email w/T. Saviano and M. Olbrecht			Salute Construction		0.00		
238326	TIME			Sara Schumann		0.50	175.00	87.50
	4/22/2013			Legal Services		0.00	C@2	
	Billed	G:11322	5/7/2013	Labrs P&W 1		0.00		
	Write quarterly report			Salute Construction		0.00		
238325	TIME			Sara Schumann		0.20	175.00	35.00
	4/23/2013			Legal Services		0.00	C@2	
	Billed	G:11322	5/7/2013	Labrs P&W 1		0.00		
	Call w/M. Olbrecht re audit completion			Salute Construction		0.00		
239353	TIME			K. Engelhardt		0.20	200.00	40.00
	5/1/2013			Legal Services		0.00	T	
	Billed	G:11349	6/10/2013	Labrs P&W 1		0.00		
	Report to Trustees			Salute Construction		0.00		
240001	TIME			Sara Schumann		0.50	175.00	87.50
	5/6/2013			Legal Services		0.00	C@2	
	Billed	G:11349	6/10/2013	Labrs P&W 1		0.00		
	Review summary report of new audit			Salute Construction		0.00		
240036	TIME			Sara Schumann		0.10	175.00	17.50
	5/22/2013			Legal Services		0.00	C@2	
	Billed	G:11349	6/10/2013	Labrs P&W 1		0.00		
	Fax w/J. Fosco			Salute Construction		0.00		
240039	TIME			Sara Schumann		0.50	175.00	87.50
	5/23/2013			Legal Services		0.00	C@2	
	Billed	G:11349	6/10/2013	Labrs P&W 1		0.00		
	Review Salute audit report			Salute Construction		0.00		
241321	TIME			Sara Schumann		0.30	175.00	52.50
	6/13/2013			Legal Services		0.00	C@2	
	Billed	G:11386	7/10/2013	Labrs P&W 1		0.00		
	Review audit findings			Salute Construction		0.00		
241322	TIME			Sara Schumann		1.00	175.00	175.00
	6/14/2013			Legal Services		0.00	C@2	
	Billed	G:11386	7/10/2013	Labrs P&W 1		0.00		
	Write demand letter to T. Saviano, re audit report			Salute Construction		0.00		

8/30/2013
10:43 AM

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
241303	6/20/2013	Billed	TIME Call w/T. Saviano, R. Wolf, and M. Olbrecht	Sara Schumann Legal Services	7/10/2013 Labrs P&W 1 Salute Construction	0.30 0.00 0.00 0.00	175.00 C@2	52.50
241302	6/21/2013	Billed	TIME Review audit w/M. Olbrecht	Sara Schumann Legal Services	7/10/2013 Labrs P&W 1 Salute Construction	0.50 0.00 0.00 0.00	175.00 C@2	87.50
241327	6/25/2013	Billed	TIME Court Appearance	Sara Schumann Legal Services	7/10/2013 Labrs P&W 1 Salute Construction	0.50 0.00 0.00 0.00	175.00 C@2	87.50
241329	6/28/2013	Billed	TIME Calls w/J. Fosco, review audit findings	Sara Schumann Legal Services	7/10/2013 Labrs P&W 1 Salute Construction	0.50 0.00 0.00 0.00	175.00 C@2	87.50
242152	7/1/2013	Billed	TIME Calls w/J. Fosco and call w/M. Olbrecht	Sara Schumann Legal Services	8/19/2013 Labrs P&W 1 Salute Construction	0.30 0.00 0.00 0.00	175.00 C@2	52.50
242160	7/9/2013	Billed	TIME Call w/J. Fosco re audit revisions	Sara Schumann Legal Services	8/19/2013 Labrs P&W 1 Salute Construction	0.20 0.00 0.00 0.00	175.00 C@2	35.00
242571	7/10/2013	Billed	TIME Calls w/J. Fosco re audit revisions	Sara Schumann Legal Services	8/19/2013 Labrs P&W 1 Salute Construction	0.20 0.00 0.00 0.00	175.00 C@2	35.00
242572	7/24/2013	Billed	TIME Work on bond report, conf. w/K. Engelhardt	Sara Schumann Legal Services	8/19/2013 Labrs P&W 1 Salute Construction	0.10 0.00 0.00 0.00	175.00 C@2	17.50
242955	7/29/2013	Billed	TIME Conf. w/ SS,	K. Engelhardt Legal Services	8/19/2013 Labrs P&W 1 Salute Construction	0.10 0.00 0.00 0.00	200.00 C@1	20.00
243003	7/30/2013	Billed	TIME Call w/T. Saviano, calls w/J. Fosco	Sara Schumann Legal Services	8/19/2013 Labrs P&W 1 Salute Construction	0.40 0.00 0.00 0.00	175.00 C@2	70.00

8/30/2013
10:43 AM

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
243495	8/5/2013	TIME	WIP Court appearance; emails to SS	K. Engelhardt Legal Services Labrs P&W 1 Salute Construction	0.80 0.00 0.00 0.00	200.00 C@1	160.00
243776	8/12/2013	TIME	WIP Emails w/K. Engelhardt and call w/J. Fosco	Sara Schumann Legal Services Labrs P&W 1 Salute Construction	0.40 0.00 0.00 0.00	175.00 C@2	70.00
243769	8/14/2013	TIME	WIP Calls w/J. Fosco re audit revisions	Sara Schumann Legal Services Labrs P&W 1 Salute Construction	0.30 0.00 0.00 0.00	175.00 C@2	52.50
243990	8/21/2013	TIME	WIP Call w/J. Fosco, draft motion for damages	Sara Schumann Legal Services Labrs P&W 1 Salute Construction	1.70 0.00 0.00 0.00	175.00 C@2	297.50
244075	8/27/2013	TIME	WIP Review revised audit, call and fax w/J. Fosco	Sara Schumann Legal Services Labrs P&W 1 Salute Construction	0.50 0.00 0.00 0.00	175.00 C@2	87.50
244230	8/28/2013	TIME	WIP Review revised audit and draft motion for damages	Sara Schumann Legal Services Labrs P&W 1 Salute Construction	2.50 0.00 0.00 0.00	175.00 C@2	437.50
244231	8/29/2013	TIME	WIP Write motion for damages, notice of motion and certificate of service, prepare exhibits and draft affidavits, calls and email w/J. Fosco	Sara Schumann Legal Services Labrs P&W 1 Salute Construction	3.50 0.00 0.00 0.00	175.00 C@2	612.50
244265	8/30/2013	TIME	WIP Calls and email w/J. Fosco, conf. w/K. Engelhardt, write motion for damages, prepare all exhibits, affidavits, proposed order and run fee report	Sara Schumann Legal Services Labrs P&W 1 Salute Construction	2.50 0.00 0.00 0.00	175.00 C@2	437.50
Grand Total				Billable	26.45		4590.00
				Unbillable	0.00		0.00
				Total	26.45		4590.00

- 110 -
4,480.00