

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CHICAGO REGIONAL COUNCIL OF)	
CARPENTERS PENSION FUND, <i>et al.</i> ,)	
)	
Plaintiffs,)	14 CV 04513
v.)	
)	Judge Lee
COMMERCIAL CORPORATE SERVICES,)	
INC., <i>et al.</i> ,)	
)	
Defendants.)	

PLAINTIFFS’ MOTION FOR DEFAULT AND FOR FINAL JUDGMENT

Plaintiffs, the CHICAGO REGIONAL COUNCIL OF CARPENTERS PENSION FUND, *ET AL.* (collectively “Trust Funds”), by their attorney Kevin P. McJessey, hereby move this Court pursuant to Federal Rules of Civil Procedure 54, 55 and 58 to enter an order of default and for final judgment against COMMERCIAL CORPORATE SERVICES, INC.

(“COMMERCIAL”). In support of their motion, Trust Funds state as follows:

1. The Trust Funds filed a complaint against COMMERCIAL under the Employee Retirement Income Security Act (“ERISA”) because COMMERCIAL is the alter ego of CLEVELAND CORPORATE SERVICES, INC., a dissolved Illinois corporation (“CLEVELAND”). CLEVELAND was signatory to the Area Agreement with the Chicago Regional Council of Carpenters (“Union”).

2. Whether to treat a non-signatory company as an alter ego of the signatory company and therefore be bound by the collective bargaining agreement depends on numerous factors, including the following: (1) common employees; (2) common management and supervision of employees; (3) common business purpose and customers; (4) common operations; (5) common equipment; (6) common ownership; and (7) whether there is an intent by the

signatory company to circumvent its collective bargaining agreement obligations. Although no individual factor is dispositive in determining whether an alter-ego relationship exists, “the Seventh Circuit considers *unlawful motive or intent to avoid collective bargaining agreement obligations to be the [most] critical elements of the inquiry.*” *Trustees of Pension Funds of Local 701 v. Favia Elec.*, 995 F.2d 785, 789 (7th Cir. 1993).

3. As alleged in Trust Funds’ complaint in this action, COMMERCIAL is the alter ego of CLEVELAND in that COMMERCIAL assumed the single, major customer of CLEVELAND, engaged in the same work as CLEVELAND using the same equipment, had the same management and control as CLEVELAND, and operated out of the same location as CLEVELAND. As also alleged, COMMERCIAL was formed for the sole purpose of avoiding liability for unpaid fringe benefit contributions of CLEVELAND; its Articles of Incorporation being filed the same day a judgment was entered against CLEVELAND and in favor of the Trust Funds. *See* Complaint ¶¶17-22, 35-39, 44-52, 60-62, Docket Report Document No. 1.

4. The summons and complaint in this action were served on COMMERCIAL and this Court entered an order directing COMMERCIAL to file its answer or responsive pleading on or before February 26, 2015. *See* Exhibit A, Notification of Docket Entry dated February 5, 2015.

5. This Court should enter an order of default against COMMERCIAL pursuant to Federal Rule of Civil Procedure 55(a) because COMMERCIAL has failed to answer or otherwise plead.

6. Accordingly, Trust Funds hereby submit this motion for default and for entry of final judgment against COMMERCIAL.

7. The amount owed by COMMERCIAL is \$93,590.79 as follows.

- A. Commercial owes \$61,437.78 in unpaid contributions pursuant to the audit. *See* Decl. of J. Libby, ¶7, Exhibit B; The Trust Funds collected \$10,000.00 from a bond posted to secure payment of CLEVELAND fringe benefit contributions.
 - B. Commercial owes \$2,736.00 for auditor’s fees of incurred by the Trust Funds to complete the audit. *See* Decl. of J. Libby, ¶9, Exhibit B; *Trustees of the Chicago Plastering Institute Pension Trust v. Cork Plastering Co.*, 570 F.3d 890, 902 (7th Cir. Ill. 2009) (“ERISA itself grants the district court authority to award the plaintiffs their reasonable attorney’s fees and costs . . . This court, among others, has construed the latter provision to include an award of audit costs.”); *Moriarty ex rel. Local Union No. 727, I.B.T. Pension Trust v. Svec*, 429 F.3d 710, 721 (7th Cir. 2005).
 - C. Commercial owes \$5,930.04 in interest pursuant to 29 U.S.C. § 1132(g)(2)(B) on the amount that is due. *See* Decl. of J. Libby, ¶8, Exhibit B; 29 U.S.C. § 1132(g)(2)(B); 29 U.S.C. § 1132(g)(2)(C).
 - D. Commercial owes \$12,287.55 in liquidated damages pursuant to 29 U.S.C. § 1132(g)(2)(C). *See* Decl. of J. Libby, ¶8, Exhibit B; 29 U.S.C. § 1132(g)(2)(B).
 - E. Commercial owes \$21,199.42 in reasonable attorneys’ fees and costs the Trust Funds incurred pursuant to 29 U.S.C. § 1132(g)(1) and/or § 1132(g)(2)(D). *See* Decl. of J. Libby, ¶10, Exhibit B; Decl. of K. McJessy, ¶5, Exhibit C; 29 U.S.C. § 1132(g)(1) and (g)(2)(D). *See also* *Trustees of the Chicago Plastering Institute Pension Trust v. Cork Plastering Co.*, 570 F.3d 890, 902, 903 (7th Cir. Ill. 2009); *Chicago Regional Council of Carpenters Pension Fund v. RCI Enterprises, Inc.*, 2011 U.S. Dist LEXIS *6-7 (N.D. Ill., July 20, 2011) (Feinerman, J.); *Board of Trustees of the Rockford Pipe Trades Indus. Pension Fund v. Fiorenza Enters.*, 2011 U.S. Dist. LEXIS 28209, 21-22 (N.D. Ill. Mar. 18, 2011).
8. The Trust Funds are also entitled to recover attorneys’ fees incurred to enforce or collect the amounts due. *See Free v. Briody*, 793 F.2d 807, 808-09 (7th Cir. 1986) (holding that union-affiliated fringe benefit funds are entitled to collect attorneys’ fees for work incurred to collect on a judgment rendered under ERISA).

9. A draft order is attached as Exhibit D.

WHEREFORE, Plaintiffs the Chicago Regional Council of Carpenters’ Fund et al. hereby move this Court to enter judgment in their favor and against Defendant, COMMERCIAL CORPORATE SERVICES, INC., in the amount of \$93,590.79, and additional relief as follows:

- A. \$51,437.78 in unpaid contributions pursuant to the audit;

- B. \$2,736.00 for auditor's fees of incurred by the Trust Funds to complete the audit;
- C. \$5,930.04 in interest under ERISA on the amount that is due;
- D. \$12,287.55 in liquidated damages;
- E. \$21,199.42 in reasonable attorneys' fees and costs the Trust Funds incurred pursuant to 29 U.S.C. § 1132(g)(1) and/or § 1132(g)(2)(D);
- F. reasonable attorney' fees and costs incurred by the Trust Funds in enforcing this order; and
- G. such other relief as this Court deems appropriate.

CHICAGO REGIONAL COUNCIL OF
CARPENTERS PENSION FUND et al.

By: s/ Kevin P. McJessey
One of their attorneys

Kevin P. McJessey
MCJESSEY, CHING & THOMPSON, LLC
3759 North Ravenswood, Suite 231
Chicago, Illinois 60613
(773) 880-1260
(773) 880-1265 (facsimile)
mcjessey@MCandT.com

Kevin P. McJessey
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3759 North Ravenswood, Suite 231
Chicago, Illinois 60613
(773) 880-1260
(773) 880-1265 (facsimile)
mcjessey@MCandT.com

CERTIFICATE OF SERVICE

I, Kevin P. McJessey, an attorney, certify that I caused the foregoing **Plaintiffs' Motion for Default and for Final Judgment** be served upon

David R. Herzog
Herzog & Schwartz, P.C.
77 W. Washington St.
Suite 1717
Chicago, IL 60602

via the Court's CM/ECF system on this 16th day of March 2015.

s/ Kevin P. McJessey
Kevin P. McJessey

14 CV 04513

Exhibit A

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 6,1
Eastern Division**

Chicago Regional Council of Carpenters Pension
Fund, et al.

Plaintiff,

v.

Case No.:
1:14-cv-04513
Honorable John Z. Lee

Commercial Corporate Services, Inc., et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Thursday, February 5, 2015:

MINUTE entry before the Honorable John Z. Lee: Status hearing held on 2/5/15. For the reasons stated on the record, Plaintiffs' motion to lift stay as to Defendant Commercial Corporate Services [17] is granted. Commercial Corporate Services answer or responsive pleading is due by 2/26/15. Status hearing set for 3/10/15 at 9:00 a.m. at which time the parties are to report on the status of settlement discussions. Mailed notice(ca,)

ATTENTION: This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

For scheduled events, motion practices, recent opinions and other information, visit our web site at www.ilnd.uscourts.gov.

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Exhibit B

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CHICAGO REGIONAL COUNCIL OF)	
CARPENTERS PENSION FUND, <i>et al.</i> ,)	
)	
Plaintiffs,)	14 CV 04513
v.)	
)	
COMMERCIAL CORPORATE SERVICES,)	Judge Lee
INC., <i>et al.</i> ,)	
)	
Defendants.)	

DECLARATION OF JOHN LIBBY

I, John Libby, hereby declare under penalty of perjury pursuant to the laws of the United States, that the statements set forth herein are true and correct to the best of my knowledge, information and belief.

1. I am the Manager, Audits & Collections for the Chicago Regional Council of Carpenters Pension Fund, the Chicago Regional Council of Carpenters Welfare Fund, the Chicago and Northeast Illinois Regional Council of Carpenter Apprentice and Trainee Program, and the Labor/Management Union Carpentry Cooperation Promotion Fund (collectively “the Trust Funds”).

2. As part of my duties, I am responsible for managing the collection of contributions for medical, pension and other benefits due from numerous employers pursuant to collective bargaining agreements between the employers and the Chicago and Northeast Illinois Regional Council of Carpenters (“Union”).

3. The Trust Funds allege in this lawsuit that COMMERCIAL CORPORATE SERVICES, INC. (“Defendant”) is the alter ego of CLEVELAND CORPORATE SERVICES, INC. (“CLEVELAND”). CLEVELAND is signatory to the Area Agreement with the Union.

Therefore, as alleged by the Trust Funds, Defendant is an employer bound by the collective bargaining agreement with the Union. Pursuant to the collective bargaining agreement, Defendant is therefore also bound by the declarations of trust establishing the Trust Funds (collectively "Trust Agreements"). Pursuant to the collective bargaining agreement and the Trust Agreements, Defendant is therefore required to pay fringe benefit contributions to the Trust Funds for work performed by its and CLEVELAND's employees and non-union subcontractors performing work falling within the jurisdiction of the Union.

4. On March 30, 2006, CLEVELAND and the Chicago Regional Council of Carpenters entered into a collective bargaining agreement pursuant to which CLEVELAND agreed to make contributions to the Trust Funds. A true and accurate copy of the parties' Memorandum of Agreement ("Agreement") is attached as Exhibit B-1.

5. Pursuant to the Agreement, CLEVELAND agreed to be bound by the Trust Agreements creating the Trust Funds and the applicable collective bargaining agreement. Pursuant to these agreements, CLEVELAND agreed to submit to a periodic audit of its books and records in order to verify the accuracy of the contributions reported and paid to the Trust Funds.

6. CLEVELAND produced books and records to Legacy Professionals LLP ("Legacy"), an auditing firm engaged by the Trust Funds, to conduct a review of CLEVELAND's fringe benefit contributions for the period January 1, 2011 to September 30, 2012 ("Audit Period").

7. A copy of the audit report prepared by Legacy is attached as Exhibit B-2 ("Audit Report"). According to the Audit Report and based on the records produced by CLEVELAND to Legacy, CLEVELAND owes \$61,437.78 in unpaid contributions.

8. A summary of the revised and updated interest and liquidated damages that have accrued since the date when the contributions were due is attached as Exhibit B-3.

CLEVELAND owes \$5,930.04 in unpaid interest and \$12,287.55 in liquidated damages.

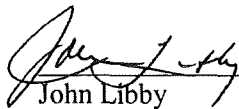
9. The Trust Funds paid Legacy \$2,736.00 in auditors' fees to complete the review of CLEVELAND's fringe benefit contributions for the Audit Period and to produce the Audit Report. These charges are consistent with the charges by Legacy to the Trust Funds for similar matters.

10. The Trust Funds have collected \$10,000 from a wage and fringe benefit bond posted by CLEVELAND.

11. Because CLEVELAND and, therefore, Defendant have failed to comply with the terms of the collective bargaining agreement and related Trust Agreements, the Trust Funds have had to employ the services of McJessy, Ching & Thompson, LLC. As a result, the Trust Funds incurred attorneys' fees and costs.

12. I have personal knowledge of the matters stated in this affidavit and could testify competently to them.

FURTHER AFFIANT SAYETH NOT.


John Libby

3/12/15
Date

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Exhibit B-1

Memorandum of Agreement

Employer Cleveland Corporate Services, Inc. Address 109 Springbrook Trail SOUTH.
City Oswego State IL Zip 60543 Phone 630-859-2611

THIS AGREEMENT is entered into between the Chicago Regional Council of Carpenters ("Union") and the Employer, including its successors and assigns covering the geographic jurisdiction of the Union including the following counties in Illinois: Boone, Bureau, Carroll, Cook, De Kalb, DuPage, Grundy, Henderson, Henry, Iroquois, Jo Daviess, Kane, Kankakee, Kendall, Lake, La Salle, Lee, Marshall, McHenry, Mercer, Ogle, Putnam, Rock Island, Stark, Stephenson, Whiteside, Will, Winnebago. The following counties in Iowa: Allamakee, Appanoose, Benton, Black Hawk, Bremer, Buchanan, Butler, Cedar, Cerro Gordo, Chickasaw, Clayton, Clinton, Davis, Delaware, Des Moines, Dubuque, Fayette, Floyd, Franklin, Grundy, Hancock, Henry, Howard, Iowa, Jackson, Jefferson, Johnson, Jones, Keokuk, Kossuth, Lee, Linn, Louisa, Mahaska, Mitchell, Monroe, Muscatine, Scott, Tama, Van Buren, Wapello, Washington, Wayne, Winnebago, Winneshiek, Worth, Wright. The following counties in Wisconsin: Kenosha, Milwaukee, Ozaukee, Racine, Washington and Waukesha. The Union and the Employer do hereby agree to the following:

1. The Employer recognizes the Union as the sole and exclusive bargaining representative on behalf of its employees who are working within the territorial and occupational jurisdiction of the Union.

2. The Employer has reviewed sufficient evidence and is satisfied that the Union is the exclusive bargaining representative of a majority of its employees presently working within the territorial and occupational jurisdiction of the Union.

3. The Employer and the Union agree to incorporate into this Memorandum Agreement and to be bound by the Agreements negotiated between the Chicago Regional Council of Carpenters and various employers and employer associations, including all Area Agreements for the period beginning with the execution of this Memorandum Agreement and ending on the expiration dates of all Agreements and successor Agreements which are incorporated herein (see attached list). Unless the Employer provides written notice by certified mail to the Chicago Regional Council of its desire to terminate or modify the Agreement at least three (3) calendar months prior to the expiration of such Agreements, all Agreements shall continue in full force and effect through the full term and duration of all subsequent Agreements which are incorporated by reference.

4. The Employer agrees to be bound to the terms of the various Trust Agreements to which contributions are required to be made under the Agreements incorporated in Paragraph 3, including all rules and regulations adopted by the Trustees of each Fund.

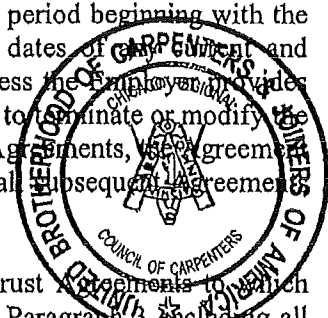
In Witness Whereof the parties have executed this Memorandum of Agreement on this 30th day of March, 2006.

EMPLOYER

Grazia Butera
Grazia Butera, President
Print Name and Title

CHICAGO REGIONAL COUNCIL
OF CARPENTERS

Gary Dumais
Authorized Regional Council
Representative



Agreements

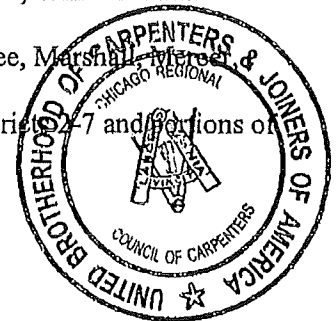
(Central Region)

Mid American Regional Bargaining Association, Cook, Lake and DuPage
Mid American Regional Bargaining Association, Kane, Kendall and McHenry
Mid American Regional Bargaining Association, Will
Kankakee Contractors Association
Residential Construction Employers Council, Cook, Lake and DuPage
Residential Construction Employers Council, Will
Residential Construction Employers Council, Grundy
Woodworkers Association of Chicago (Mill-Cabinet)

(Western Region)

Illinois

Quad City Builders Association, Commercial, Rock Island Mercer, Henry and Henderson
Floor Covering, Rock Island, Mercer, Henry and Henderson
Residential, Henry, Mercer and Henderson
Illinois Valley Contractors' Association, Bureau, LaSalle, Marshall, Putnam and Stark
Window and Door, Boone, Bureau, Carroll, DeKalb, Henderson, Henry, Jo Daviess, LaSalle, Marshall,
Mercer, Ogle, Putnam, Rock Island, Stark, Stephenson, Whiteside and Winnebago
Commercial/Residential, DeKalb, Eastern Ogle and cities in Sandwhich and Somonauk
Residential Construction Employers' Council, DeKalb, Eastern Ogle and cities in Sandwhich and
Somonauk
Residential Construction Employers' Council, Boone, Carroll, Jo Daviess, Lee, Ogle, Stephenson,
Whiteside and Winnebago
Northern Illinois Building Contractors Association Inc., Boone, Carroll, Jo Davies, Lee, Ogle,
Stephenson, Whiteside and Winnebago
Floor Covering, Boone, Carroll, DeKalb, Jo Daviess, Lee, Lee, Ogle, Stephenson, Whiteside and
Winnebago
Millwright, Boone, Bureau, Carroll, DeKalb, Henderson, Jo Daviss, LaSalle, Lee, Marshall, Mercer,
Ogle, Putnam, Rock Island, Stark, Stephenson, Whiteside, and Winnebago
Associated General Contractors of Illinois (Heavy and Highway) Highway Districts 4, 7 and portions of
1 and 8



Iowa

Commercial, Muscatine, Scott, Louisa north of Iowa River
Floorcovering, Louisa north of Iowa River, Muscatine and Scott
Residential, Clinton, Louisa, Muscatine, Scott and Seven southern most townships of Jackson County
including Monmouth, South Fork, Maquoketa, Fairfield, Van Buren, Iowa and Union
Heavy and Highway Associated Contractors Agreement Scott County
Herberger Construction Heavy and Highway
Heavy and Highway Contractors' Association- entire State except Scott County
Commercial Benton, Jones, Linn and Tama
Residential Benton, Jones, Linn and Tama
Commercial, Des Moines, Henry, Lee and Louisa south of Iowa River
Residential, Des Moines, Henry, Lee and Louisa south of Iowa River

Commercial/Residential Dubuque, Delaware, Clayton, and Six Northern Townships in Jackson
Commercial/Residential, Appanoosa, Davis, Jefferson, Keokuk, Mahaska, Monroe, Van Buren,
Wapello, and Wayne
Commercial, Clinton, Seven Southern most townships of Jackson including Monmouth, South Fork,
Maquoketa, Fairfield, Van Buren, Iowa, and Union
Floor Covering, Dubuque, Delaware, Clayton, and six Northern Townships in Jackson Window and
Door, State
Commercial, Ceder, Iowa, Johnson, Poweshiek and Washington
Commercial Interior Systems, Ceder, Iowa, Johnson, Poweshiek and Washington
Residential, Ceder, Iowa, Johnson, Poweshiek and Washington
Commercial, Cerro Gordo, Franklin, Hancock, Kossuth, Winnebago, Worth and Wright, Buchanan,
Independent Contractors of Waterloo (Commercial) Butler, Chicksaw, Fayette, Floyd, Grundy, Howard,
Mitchell, Winneshiek
Millwright, Adair, Allmakee, Appanoosa, Benton, Black Hawk, Boone, Bremer, Buchanan, Butler,
Cedar, Calhoun, Carroll, Cerro Gordo, Chicksaw, Clayton, Clarke, Clinton, Dallas, Davis, Decatur,
Delaware, Des Moines, Dubuque, Emmet, Fayette, Floyd, Franklin, Greene, Grundy, Guthrie, Hamilton,
Hancock, Hardin, Henry, Howard, Humboldt, Iowa, Jackson, Jasper, Jefferson, Johnson, Jones, Keokuk,
Lee, Linn, Lucas, Louisa, Madison, Mahaska, Marion, Marshall, Mitchell, Monroe, Muscatine, Palo
Alto, Pocahontas, Polk, Poweshiek, Ringhold, Scott, Story, Tama, Union, Van Buren, Warren, Wapello,
Washington, Wayne, Webster, Winnebago, Winneshiek, Worth, Wright

(Northern Region)

Commercial Carpenters and Floor Coverers' Agreement (Wisconsin)
Commercial Capenters Agreement, Kenosha/Racine
Millwright Erectors' Agreement
Pile Drivers' Agreement
Insulators Agreement
Overhead Door Agreement

The Employers Acknowledges receipt of a current copy of each agreement under which the company
will be performing work. Each of the agreements are available upon request

It is also understood and agreed that it is the Employers obligation to make a written request for
additional Collective Bargaining Agreement(s) in the event that the Company performs work in areas for
which it has not already obtained a copy of the applicable Agreement.



Shoja Butera
Employer

3/30/06
Date

14 CV 04513

Exhibit B-2

Discrepancy Summary By Month

Account Number:	24170	Audit Period:	January 1, 2011 to September 30, 2012
Employer:	Cleveland Corporate Services	Contact:	Grace Butera
Address:	109 Springbrook Trail So. Oswego, IL 60543	Title:	President
Phone:	630-673-0198	Page:	1 of 22

Reporting Period	Discrepancy Total Hours	Discrepancy Benefit Hours	Contribution Rate	Discrepancy Amount
January 2011	76.25	76.25	22.32	\$1,701.90
February 2011	13.50	13.50	22.32	\$301.32
May 2011	111.50	111.50	22.32	\$2,488.68
June 2011	91.25	91.25	24.32	\$2,219.20
July 2011	40.50	40.50	24.32	\$984.96
August 2011	159.00	159.00	24.32	\$3,866.88
September 2011	76.00	76.00	24.32	\$1,848.32
October 2011	121.25	121.25	24.32	\$2,948.80
November 2011	212.00	212.00	24.32	\$5,155.84
December 2011	118.75	118.75	24.32	\$2,888.00
January 2012	101.75	101.75	24.32	\$2,474.56
February 2012	98.00	98.00	24.32	\$2,383.36
March 2012	364.25	364.25	24.32	\$8,858.56
April 2012	213.25	213.25	24.32	\$5,186.24
May 2012	36.75	36.75	24.32	\$893.76
June 2012	256.75	256.75	25.67	\$6,590.77
July 2012	48.25	48.25	25.67	\$1,238.58
August 2012	91.75	91.75	25.67	\$2,355.22
September 2012	274.75	274.75	25.67	\$7,052.83
Total	2,505.50	2,505.50		
				Discrepancy Amount
				Liquidated Damages
				Total Amount Due
				\$61,437.78
				\$10,113.27
				\$71,551.05

Discrepancy Summary By Error Type

Account Number:	24170	Audit Period:	January 1, 2011 to September 30, 2012
Employer:	Cleveland Corporate Services	Contact:	Grace Butera
Address:	109 Springbrook Trail So. Oswego, IL 60543	Title:	President
Phone:	630-673-0198	Page:	2 of 22

Code	Description	Dollar Amount
	SIGNATORY EMPLOYER: CASH DISBURSEMENTS	
CD3	Omission	\$48,796.28
CD49	Individual Paid Through Cash Disbursements No Invoice Provided	\$12,641.50
Sub-Total Discrepancies From All Listed Codes		\$61,437.78
Liquidated Damages		\$10,113.27
Total Amount Due		\$71,551.05

Liquidated Damages Schedule

Account Number:	24170	Audit Period:	January 1, 2011 to September 30, 2012
Employer:	Cleveland Corporate Services	Contact:	Grace Butera
Address:	109 Springbrook Trail So. Oswego, IL 60543	Title:	President
Phone:	630-673-0198	Page:	3 of 22

Reporting Period	Contributions Due	Compounding Periods	Calculating Percentage	Total Liquidated Damages Owed
January 2011	\$1,701.90	25.00	20.00%	\$340.38
February 2011	\$301.32	24.00	20.00%	\$60.26
May 2011	\$2,488.68	21.00	20.00%	\$497.74
June 2011	\$2,219.20	20.00	20.00%	\$443.84
July 2011	\$984.96	19.00	20.00%	\$196.99
August 2011	\$3,866.88	18.00	20.00%	\$773.38
September 2011	\$1,848.32	17.00	20.00%	\$369.66
October 2011	\$2,948.80	16.00	20.00%	\$589.76
November 2011	\$5,155.84	15.00	20.00%	\$1,031.17
December 2011	\$2,888.00	14.00	20.00%	\$577.60
January 2012	\$2,474.56	13.00	20.00%	\$494.91
February 2012	\$2,383.36	12.00	19.56%	\$466.19
March 2012	\$8,858.56	11.00	17.79%	\$1,575.94
April 2012	\$5,186.24	10.00	16.05%	\$832.39
May 2012	\$893.76	9.00	14.34%	\$128.17
June 2012	\$6,590.77	8.00	12.65%	\$833.73
July 2012	\$1,238.58	7.00	10.98%	\$136.00
August 2012	\$2,355.22	6.00	9.34%	\$219.98
September 2012	\$7,052.83	5.00	7.73%	\$545.18
Total Discrepancies				
	\$61,437.78			
Total Damages this Schedule				\$10,113.27
20% of Discrepancies				\$12,287.56
Assessed Damages				\$10,113.27

Monthly Detail Report

Account Number: 24170

Audit Period: January 1, 2011 to September 30, 2012

Employer: Cleveland Corporate Services

Month: January 2011

Address: 109 Springbrook Trail So.

Page #: 4 of 22

Oswego, IL 60543

Phone: 630-673-0198

Reference Number	Employee / Payee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Capped Hours	Total Hour Difference	Benefit Hour Difference
					Month Jan-11							
	Czischki Tim	CD3	0.00	0.00	76.25						76.25	76.25
Total					76.25	0.00	0.00	0.00	0.00	76.25	76.25	76.25

Total Items Listed in this Period: 1.00

Monthly Detail Report

Account Number: 24170

Audit Period: January 1, 2011 to September 30, 2012

Employer: Cleveland Corporate Services

Month: February 2011

Address: 109 Springbrook Trail So.

Page #: 5 of 22

Oswego, IL 60543

Phone: 630-673-0198

Reference Number	Employee / Payee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Capped Hours	Total Hour Difference	Benefit Hour Difference
					Month Feb-11							
	Czischki Tim	CD3	0.00	0.00	13.50						13.50	13.50
Total					13.50	0.00	0.00	0.00	0.00	13.50	13.50	13.50

Total Items Listed in this Period: 1.00

Monthly Detail Report

Account Number: 24170

Audit Period: January 1, 2011 to September 30, 2012

Employer: Cleveland Corporate Services

Month: May 2011

Address: 109 Springbrook Trail So.

Oswego, IL 60543

Page #: 6 of 22

Phone: 630-673-0198

Reference Number	Employee / Payee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Capped Hours	Total Hour Difference	Benefit Hour Difference
					Month May-11							
	Czischki Tim	CD3	0.00	0.00	72.50						72.50	72.50
200-00-0000	Lewis Mike	CD49	0.00	0.00	14.50						14.50	14.50
300-00-0000	Rapp Dave	CD49	0.00	0.00	24.50						24.50	24.50
Total					111.50	0.00	0.00	0.00	0.00	111.50	111.50	111.50

Total Items Listed in this Period: 3.00

Monthly Detail Report

Account Number: 24170

Audit Period: January 1, 2011 to September 30, 2012

Employer: Cleveland Corporate Services

Month: June 2011

Address: 109 Springbrook Trail So.

Page #: 7 of 22

Oswego, IL 60543

Phone: 630-673-0198

Reference Number	Employee / Payee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Capped Hours	Total Hour Difference	Benefit Hour Difference
					Month Jun-11							
	Czischki Tim	CD3	0.00	0.00	91.25						91.25	91.25
Total					91.25	0.00	0.00	0.00	0.00	91.25	91.25	91.25

Total Items Listed in this Period: 1.00

Monthly Detail Report

Account Number: 24170

Audit Period: January 1, 2011 to September 30, 2012

Employer: Cleveland Corporate Services

Month: July 2011

Address: 109 Springbrook Trail So.

Oswego, IL 60543

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Phone: 630-673-0198

Reference Number	Employee / Payee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Capped Hours	Total Hour Difference	Benefit Hour Difference
					Month Jul-11							
██████████	Czischki Tim	CD3	0.00	0.00	40.50					40.50		40.50
Total					40.50	0.00	0.00	0.00	0.00	40.50		40.50

Total Items Listed in this Period: 1.00

Monthly Detail Report

Account Number: 24170

Audit Period: January 1, 2011 to September 30, 2012

Employer: Cleveland Corporate Services

Month: August 2011

Address: 109 Springbrook Trail So.

Oswego, IL 60543

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Phone: 630-673-0198

Reference Number	Employee / Payee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					Month Aug-11								
200-00-0000	Czischki Tim	CD3	0.00	0.00	125.00					125.00		125.00	125.00
	Lewis Mike	CD49	0.00	0.00	34.00					34.00		34.00	34.00
Total					159.00	0.00	0.00	0.00	0.00	159.00		159.00	159.00

Total Items Listed in this Period: 2.00

Monthly Detail Report

Account Number: 24170

Audit Period: January 1, 2011 to September 30, 2012

Employer: Cleveland Corporate Services

Month: September 2011

Address: 109 Springbrook Trail So.

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Oswego, IL 60543

Phone: 630-673-0198

Reference Number	Employee / Payee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					Month Sep-11								
	Czischki Tim	CD3	0.00	0.00	76.00					76.00		76.00	76.00
Total					76.00	0.00	0.00	0.00	0.00	76.00		76.00	76.00

Total Items Listed in this Period: 1.00

Monthly Detail Report

Account Number: 24170

Audit Period: January 1, 2011 to September 30, 2012

Employer: Cleveland Corporate Services
 Address: 109 Springbrook Trail So.
 Oswego, IL 60543

Month: October 2011

Phone: 630-673-0198

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Reference Number	Employee / Payee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Capped Hours	Total Hour Difference	Benefit Hour Difference
					Month Oct-11							
	Czischki Tim	CD3	0.00	0.00	121.25						121.25	121.25
Total					121.25	0.00	0.00	0.00	0.00	0.00	121.25	121.25

Total Items Listed in this Period: 1.00

Monthly Detail Report

Account Number: 24170

Audit Period: January 1, 2011 to September 30, 2012

Employer: Cleveland Corporate Services

Month: November 2011

Address: 109 Springbrook Trail So.

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Oswego, IL 60543

Phone: 630-673-0198

Reference Number	Employee / Payee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Capped Hours	Total Hour Difference	Benefit Hour Difference
					Month Nov-11							
200-00-0000	Czischki Tim	CD3	0.00	0.00	76.00					76.00		76.00
	Lewis Mike	CD49	0.00	0.00	136.00					136.00		136.00
Total					212.00	0.00	0.00	0.00	0.00	212.00		212.00

Total Items Listed in this Period: 2.00

Monthly Detail Report

Account Number: 24170

Audit Period: January 1, 2011 to September 30, 2012

Employer: Cleveland Corporate Services


Month: December 2011

Address: 109 Springbrook Trail So.

Oswego, IL 60543

Page #: 13 of 22

Phone: 630-673-0198

Reference Number	Employee / Payee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Capped Hours	Total Hour Difference	Benefit Hour Difference
					Month Dec-11							
	Czischki Tim	CD3	0.00	0.00	118.75						118.75	118.75
Total					118.75	0.00	0.00	0.00	0.00	118.75	118.75	118.75

Total Items Listed in this Period: 1.00

Monthly Detail Report

Account Number: 24170

Audit Period: January 1, 2011 to September 30, 2012

Employer: Cleveland Corporate Services


Month: January 2012

Address: 109 Springbrook Trail So.

Oswego, IL 60543

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Phone: 630-673-0198

Reference Number	Employee / Payee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Total Hours	Capped Hours	Total Hour Difference	Benefit Hour Difference
					Month Jan-12								
	Czischki Tim	CD3	0.00	0.00	101.75					101.75		101.75	101.75
Total					101.75	0.00	0.00	0.00	0.00	101.75		101.75	101.75

Total Items Listed in this Period: 1.00

Monthly Detail Report

Account Number: 24170

Audit Period: January 1, 2011 to September 30, 2012

Employer: Cleveland Corporate Services

Month: February 2012

Address: 109 Springbrook Trail So.

Oswego, IL 60543

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Phone: 630-673-0198

Reference Number	Employee / Payee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Capped Hours	Total Hour Difference	Benefit Hour Difference
					Month Feb-12							
100-00-0000	Czischki Marianne	CD49	0.00	0.00	39.25						39.25	39.25
	Czischki Tim	CD3	0.00	0.00	58.75						58.75	58.75
Total					98.00	0.00	0.00	0.00	0.00	98.00	98.00	98.00

Total Items Listed in this Period: 2.00

Monthly Detail Report

Account Number: 24170

Audit Period: January 1, 2011 to September 30, 2012

Employer: Cleveland Corporate Services

Month: March 2012

Address: 109 Springbrook Trail So.

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Oswego, IL 60543

Phone: 630-673-0198

Reference Number	Employee / Payee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Capped Hours	Total Hour Difference	Benefit Hour Difference
					Month Mar-12							
200-00-0000	Czischki Tim	CD3	0.00	0.00	284.50						284.50	284.50
	Lewis Mike	CD49	0.00	0.00	79.75						79.75	79.75
Total					364.25	0.00	0.00	0.00	0.00		364.25	364.25

Total Items Listed in this Period: 2.00

Monthly Detail Report

Account Number: 24170

Audit Period: January 1, 2011 to September 30, 2012

Employer: Cleveland Corporate Services


Month: April 2012

Address: 109 Springbrook Trail So.

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Oswego, IL 60543

Phone: 630-673-0198

Reference Number	Employee / Payee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Capped Hours	Total Hour Difference	Benefit Hour Difference	
					Month Apr-12								Total Hours
	Czischki Tim	CD3	0.00	0.00	213.25					213.25		213.25	213.25
Total					213.25	0.00	0.00	0.00	0.00	213.25		213.25	213.25

Total Items Listed in this Period: 1.00

Monthly Detail Report

Account Number: 24170

Audit Period: January 1, 2011 to September 30, 2012

Employer: Cleveland Corporate Services


Month: May 2012

Address: 109 Springbrook Trail So.

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Oswego, IL 60543

Phone: 630-673-0198

Reference Number	Employee / Payee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Capped Hours	Total Hour Difference	Benefit Hour Difference
					Month May-12							
	Czischki Tim	CD3	0.00	0.00	36.75						36.75	36.75
Total					36.75	0.00	0.00	0.00	0.00	36.75	36.75	36.75

Total Items Listed in this Period: 1.00

Monthly Detail Report

Account Number: 24170

Audit Period: January 1, 2011 to September 30, 2012

Employer: Cleveland Corporate Services

Month: June 2012

Address: 109 Springbrook Trail So.

Oswego, IL 60543

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Phone: 630-673-0198

Reference Number	Employee / Payee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Capped Hours	Total Hour Difference	Benefit Hour Difference
					Month Jun-12							
200-00-0000	Czischki Tim	CD3	0.00	0.00	131.25					131.25		131.25
	Lewis Mike	CD49	0.00	0.00	125.50					125.50		125.50
Total					256.75	0.00	0.00	0.00	0.00	256.75		256.75

Total Items Listed in this Period: 2.00

Monthly Detail Report

Account Number: 24170

Audit Period: January 1, 2011 to September 30, 2012

Employer: Cleveland Corporate Services

Month: July 2012

Address: 109 Springbrook Trail So.

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Oswego, IL 60543

Phone: 630-673-0198

Reference Number	Employee / Payee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Capped Hours	Total Hour Difference	Benefit Hour Difference	
					Month Jul-12								Total Hours
██████████	Czischki Tim	CD3	0.00	0.00	48.25					48.25		48.25	48.25
Total					48.25	0.00	0.00	0.00	0.00	48.25		48.25	48.25

Total Items Listed in this Period: 1.00

Monthly Detail Report

Account Number: 24170

Audit Period: January 1, 2011 to September 30, 2012

Employer: Cleveland Corporate Services


Month: August 2012

Address: 109 Springbrook Trail So.

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Oswego, IL 60543

Phone: 630-673-0198

Reference Number	Employee / Payee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Capped Hours	Total Hour Difference	Benefit Hour Difference	
					Month Aug-12								Total Hours
	Czischki Tim	CD3	0.00	0.00	91.75					91.75		91.75	91.75
Total					91.75	0.00	0.00	0.00	0.00	91.75		91.75	91.75

Total Items Listed in this Period: 1.00

Monthly Detail Report

Account Number: 24170

Audit Period: January 1, 2011 to September 30, 2012

Employer: Cleveland Corporate Services

Month: September 2012

Address: 109 Springbrook Trail So.

Oswego, IL 60543

Page #: 22 of 22

Phone: 630-673-0198

Reference Number	Employee / Payee Name	Error Code	Total Hours Reported	Benefit Hours Reported	* * * * * Actual Hours Per Week * * * * *					Capped Hours	Total Hour Difference	Benefit Hour Difference
					Month Sep-12							
200-00-0000	Czischki Tim	CD3	0.00	0.00	215.50						215.50	215.50
	Lewis Mike	CD49	0.00	0.00	59.25						59.25	59.25
Total					274.75	0.00	0.00	0.00	0.00	274.75	274.75	274.75

Total Items Listed in this Period: 2.00

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Exhibit B-3

Interest & Damages Summary

Account Number: 24170

Calculation Date: March 16, 2015

Employer: Cleveland Corporate Services
 Address: 109 Springbrook Trail So
 Oswego, IL 60543

Reporting Period	Delinquency Amount	Interest	Liquidated Damages	Total Due
January 2011	\$1,701.90	\$232.51	\$340.38	\$2,274.79
February 2011	\$301.32	\$40.36	\$60.26	\$401.94
May 2011	\$2,488.68	\$305.98	\$497.74	\$3,292.40
June 2011	\$2,219.20	\$264.76	\$443.84	\$2,927.80
July 2011	\$984.96	\$113.86	\$196.99	\$1,295.81
August 2011	\$3,866.88	\$432.31	\$773.38	\$5,072.57
September 2011	\$1,848.32	\$201.06	\$369.66	\$2,419.04
October 2011	\$2,948.80	\$312.41	\$589.76	\$3,850.97
November 2011	\$5,155.84	\$532.36	\$1,031.17	\$6,719.37
December 2011	\$2,888.00	\$290.27	\$577.60	\$3,755.87
January 2012	\$2,474.56	\$241.46	\$494.91	\$3,210.93
February 2012	\$2,383.36	\$226.46	\$476.67	\$3,086.49
March 2012	\$8,858.56	\$817.06	\$1,771.71	\$11,447.33
April 2012	\$5,186.24	\$464.53	\$1,037.25	\$6,688.02
May 2012	\$893.76	\$77.56	\$178.75	\$1,150.07
June 2012	\$6,590.77	\$554.55	\$1,318.15	\$8,463.47
July 2012	\$1,238.58	\$100.87	\$247.72	\$1,587.17
August 2012	\$2,355.22	\$185.31	\$471.04	\$3,011.57
September 2012	\$7,052.83	\$536.36	\$1,410.57	\$8,999.76
Totals	\$61,437.78	\$5,930.04	\$12,287.55	\$79,655.37

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Exhibit C

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CHICAGO REGIONAL COUNCIL OF)	
CARPENTERS PENSION FUND, <i>et al.</i> ,)	
)	
Plaintiffs,)	14 CV 04513
v.)	
)	Judge Lee
COMMERCIAL CORPORATE SERVICES,)	
INC., <i>et al.</i> ,)	
)	
Defendants.)	

DECLARATION OF KEVIN P. MCJESSY

I, Kevin P. McJessey, hereby declare, under penalty of perjury pursuant to the laws of the United States, that the following statements are true:

1. I am one of the attorneys representing the Chicago Regional Council of Carpenters Pension Fund, the Chicago Regional Council of Carpenters Welfare Fund, the Chicago and Northeast Illinois Regional Council of Carpenter Apprentice and Trainee Program, and the Labor/Management Union Carpentry Cooperation Promotion Fund (collectively “the Trust Funds”) in the above-captioned lawsuit (“Lawsuit”) against Commercial Corporate Services, Inc. (“Defendant”).

2. I am also one of the attorneys who represented the Trust Funds in the lawsuit *Chicago Regional Council of Carpenters Pension Fund et al. v. Cleveland Corporate Services, Inc.*, 12 CV 8974.

3. I have been licensed to practice law in the State of Illinois and the United States District Court for the Northern District of Illinois since 1995. I am an attorney with McJessey, Ching & Thompson, LLC (“MC&T”).

4. As part of my practice, I handle claims under ERISA. I personally represented the Trust Funds throughout the lawsuit against Defendant and throughout this alter-ego Lawsuit against Defendant to collect unpaid fringe benefit contributions.

5. The Trust Funds have incurred \$21,199.42 in fees and expenses to compel Defendant and then, through this alter-ego claim, Defendant to comply with its obligations under the terms of the Collective Bargaining Agreement and applicable trust agreements. A redacted copy of the billing statement from MC&T from the inception of this lawsuit to the present, redacted to protect privileged communications, is attached as Exhibit C-1. The detailed billing statement describes in detail all work performed by MC&T in this matter.

a) The Trust Funds have collectively incurred fees totaling \$16,384.00 for 102.40 hours of attorney services. The substantially reduced hourly rate for attorneys at MC&T for Trust Funds matters is \$160.00 per hour.

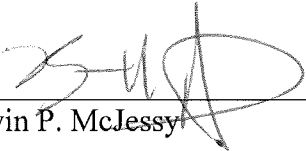
b) The Trust Funds have collectively incurred fees totaling \$738.00 for 12.30 hours of paralegal time. The substantially reduced hourly rate for paralegals at MC&T for Trust Fund matters is \$60.00 per hour.

c) The Trust Funds incurred \$4,077.42 in expenses for the filing fee; process server charges; legal research charges; courier charges; photocopy charges; postage charges; court reporter charges, witness fees and charges for Illinois Secretary of State documents.

6. The attorneys' fees, paralegal fees and costs charged to the Trust Funds in this matter are consistent with MC&T's regular charges for services to the Trust Funds on similar matters and are substantially reduced from MC&T for other clients.

7. I have personal knowledge of the matters stated in this affidavit and could testify competently to them.

FURTHER AFFIANT SAYETH NOT.



Kevin P. McJessey Date

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Exhibit C-1

Date	Received From/Paid To	Chq#	----- General -----		Fees	Bld	----- Trust Activity -----			
Entry #	Explanation	Rec#	Rcpts	Disbs		Inv#	Acc	Rcpts	Disbs	Balance
71259	Filing Fee -	3987		350.00		7279				
Dec 20/2012	LexisNexis									
71280	Legal Research	3990		9.32		7279				
Dec 21/2012	Lawyer: KM 0.30 Hrs X 160.00									
72139	Telephone call with R. Krug regarding complaint filed and need for audit arrangements. (.2) Prepared correspondence to R. Krug forwarding auditors' information. Reviewed correspondence from R. Krug acknowledging receipt of same. (.1)				48.00	7279				
Dec 27/2012	Chicago Regional Council of Carpe									
71305	PMT -	01254	16.00							
Dec 28/2012	Lawyer: KM 0.20 Hrs X 160.00									
71339	Reviewed correspondence from R. Krug, counsel for defendant, regarding difficulty arranging audit. Prepared correspondence to R. Krug responding to same and forwarding contact information for M. Ragona. (.1) Telephone call with M. Ragona to discuss status of contact with Cleveland corporate and that they may be calling to schedule and audit. (.1)				32.00	7279				
Jan 3/2013	Lawyer: KM 0.30 Hrs X 160.00									
72648	Reviewed and responded to correspondence from M. Ragona regarding status of the audit; sending second record request to Grace at Cleveland Corporate. (.1) Reviewed and responded to correspondence from M. Curtain forwarding record request to Cleveland Corporate; reviewed record request. (.2)				48.00	7359				
Jan 7/2013	Billing on Invoice 7182									
71768	FEES 312.00 DISBS 3.84			0.00		7182				
Jan 18/2013	Billing on Invoice 7279									
72343	FEES 80.00 DISBS 444.32			0.00		7279				
Jan 24/2013	Chicago Regional Council of Carpe									
72388	PMT -	01268	315.84							
Jan 28/2013	Lawyer: KM 0.10 Hrs X 160.00									
72821	Reviewed and responded to correspondence from R. Krug dated 1/28/13 regarding court appearance and Cleveland Corporate's cooperation.				16.00	7359				
Jan 31/2013	Lawyer: KM 0.10 Hrs X 160.00									
72850	Prepared correspondence to M. Curtain inquiring on status of audit.				16.00	7359				
Feb 1/2013	Lawyer: KM 0.40 Hrs X 160.00									
73491	Telephone call with Legacy Professionals regarding status of audit, audit proceeding very slow. (.2) Prepared correspondence to R. Krug summarizing the documents that Cleveland Corporate has produced and advising that Cleveland Corporate is not fully cooperating and, therefore, needs to file an appearance. (.2)				64.00	7429				
Feb 5/2013	Chicago Regional Council of Carpe									
72497	PMT -	01278	524.32							
Feb 5/2013	Lawyer: KM 2.70 Hrs X 160.00									
72531	Appeared in court for pre-scheduled status hearing before Judge Gottschall. (1.7) Reviewed and responded to correspondence of 2/4/13 from R. Krug, counsel for Cleveland Corporate, responding to his email asking as to what documents are still due and advising that Cleveland Corporate did not cooperate timely and needs to file an appearance by Friday to avoid motion for default; reviewed file for record request to respond to R. Krug.				432.00	7429				

Client Ledger

ALL DATES

Date	Entry #	Received From/Paid To Explanation	Chq# Rec#	General		Fees	Bld		Trust Activity		
				Rcpts	Disbs		Inv#	Acc	Rcpts	Disbs	Balance
		(.4) Reviewed ECF court order of Judge Gottschall setting next status date and prepared correspondence to R. Krug forwarding same for his information. (.2) Telephone call from R. Krug asking that KPM follow up with auditor because his client produced additional documents today and he wants to know whether the documents are sufficient for audit, and discussed that Cleveland corporate still needs to file an appearance and answer. (.2) Telephone call to M. Curtin (left message) and prepared correspondence to M. Curtin following up on whether Cleveland Corporate produced additional records per R. Krug's request. (.2)									
Feb	5/2013	Expense Recovery									
	73230	Postage Recovery	00259		0.46			7429			
Feb	6/2013	Lawyer: KM 0.40 Hrs X 160.00									
	73522	Telephone call with M. Curtin regarding status of Cleveland Corporate's record production. (.2) Prepared correspondence to R. Krug regarding confirmation that Cleveland Corporate has produced additional records to the auditor but not all requested records have been produced. (.1) Prepared correspondence to M. Curtin forwarding email sent to R. Krug and request to be kept abreast of any further production of records by Cleveland Corporate. Reviewed correspondence from R. Krug advising that he will follow up with his client further today for production of records. (.1)				64.00		7429			
Feb	15/2013	Lawyer: KM 0.20 Hrs X 160.00									
	72646	Telephone call from R. Krug seeking status of audit.				32.00		7429			
Feb	18/2013	Lawyer: KM 0.20 Hrs X 160.00									
	73593	Prepared correspondence to M. Ragona seeking status of audit. Reviewed correspondence from M. Curtin forwarding revised record request list.				32.00		7429			
Feb	19/2013	Lawyer: KM 2.80 Hrs X 160.00									
	73601	Drafted motion for entry of default judgment against Cleveland Corporate; reviewed file documents as necessary to prepare motion. (1.0) Filed motion via court's ECF system. (.2) Appeared in court for status hearing before Judge Gottschall and notice of intent to file motion for entry of default judgment. (1.5) Prepared correspondence to R. Krug forwarding record request and advising of motion for entry of default judgment filed today. (.1)				448.00		7429			
Feb	20/2013	Billing on Invoice 7359									
	73066	FEES 80.00			0.00			7359			
Feb	20/2013	Lawyer: KM 0.10 Hrs X 160.00									
	73088	Reviewed and responded to correspondence from R. Krug asking KPM to resend updated record request by auditor.				16.00		7429			
Feb	26/2013	Lawyer: KM 0.40 Hrs X 160.00									
	73128	Telephone call with M. Curtin regarding status of Cleveland audit--i.e., not all documents were produced but based on those that were produced there are findings. (.2) Telephone call with M. Curtin following up on whether production of the audit report by 3/15/13 is				64.00		7429			

Date	Entry #	Received From/Paid To Explanation	Chq# Rec#	ALL DATES		Fees	Bld Inv#	Trust Activity		Balance
				General	Disbs			Repts	Disbs	
		sufficient and whether he should respond to Cleveland Corporate's inquiry to him about what it should do about the status hearing, he will tell them to appear. (.2)								
Feb	27/2013	73160 Lawyer: KM 1.90 Hrs X 160.00 Reviewed correspondence from R. Krug regarding appearance at hearing by Cleveland Corporate officer. (.1) Appeared in court before Judge Gottschall for status hearing and hearing on motion for entry of default; motion continued to April. (1.6) Prepared correspondence to M. Curtain asking for updated record request even though he is preparing a final audit report based on those records that were produced. (.1) Prepared correspondence to R. Krug with copy to auditor and client regarding results of hearing, not all records produced and notice of completed audit report by 3/15/13, will produce with demand when received. (.1)				304.00	7429			
Feb	28/2013	73208 Expense Recovery Photocopy Recovery	00258		5.88		7429			
Mar	1/2013	73161 Lawyer: KM 0.20 Hrs X 160.00 Reviewed 2/27/13 correspondence from M. Curtain forwarding record request; reviewed record request. Prepared correspondence to R. Krug forwarding record request.				32.00	7492			
Mar	1/2013	73225 Expense Recovery Postage Recovery	00259		2.65		7492			
Mar	11/2013	73308 Chicago Regional Council of Carpe PMT -	01298	80.00						
Mar	11/2013	74092 Lawyer: KM 0.40 Hrs X 160.00 Reviewed court order of Judge Gottschall resetting hearing date and diaried same. Prepared correspondence to R. Krug, counsel for Cleveland advising that hearing set for tomorrow is reset; telephone call to R. Krug concerning same so his client does not show up. (.2) Prepared correspondence to M. Curtain, Legacy Professionals, asking for status of audit. (.1) Reviewed correspondence from M. Curtain advising that the report is complete and has been submitted for review. (.1)				64.00	7492			
Mar	21/2013	73394 US Messenger & Logistics Courier Recovery	4076		14.60		7492			
Mar	27/2013	73804 Billing on Invoice 7429 FEES 1456.00 DISBS 6.34			0.00		7429			
Mar	27/2013	74187 Lawyer: KM 0.10 Hrs X 160.00 Reviewed correspondence from J. Conklin [REDACTED]				16.00	7492			
Mar	31/2013	73912 Expense Recovery Photocopy Recovery	00261		1.08		7492			
Apr	1/2013	74216 Lawyer: KM 0.10 Hrs X 160.00 Reviewed correspondence from R. Krug from 3/28/13 asking about status of audit report.				16.00	7558			
Apr	1/2013	74713 Lawyer: KM 0.60 Hrs X 160.00 Telephone call with J. Conklin [REDACTED] (.1) Reviewed correspondence from J. Conklin [REDACTED]; reviewed copy of audit report. (.3) Prepared correspondence to R. Krug forwarding audit report of Cleveland Corporate. (.1) Reviewed and replied to correspondence from R. Krug advising that he forwarded the				96.00	7558			

Client Ledger

ALL DATES

Date	Received From/Paid To	Chq#	----- General -----		Fees	Bld	----- Trust Activity -----			Balance
Entry #	Explanation	Rec#	Rcpts	Disbs		Inv#	Acc	Rcpts	Disbs	
	audit report to his client. (.1)									
Apr 3/2013 73951	Lawyer: KM 1.80 Hrs X 160.00 Appeared before Judge Gottschall regarding continued hearing on motion for default and status of audit. (1.8)				288.00	7558				
Apr 4/2013 74866	Lawyer: KM 0.10 Hrs X 160.00 Reviewed court order of Judge Gottschall confirming withdrawal of default motion and setting status hearing for 5/1/13 to allow audit comment by defendant. Prepared correspondence to R. Krug forwarding court order.				16.00	7558				
Apr 11/2013 74002	Chicago Regional Council of Carpe PMT -	01313	1462.34							
Apr 18/2013 74240	Billing on Invoice 7492 FEES 112.00 DISBS 18.33			0.00		7492				
Apr 25/2013 75125	PACER PACR	4092		1.30		7558				
Apr 26/2013 74523	Chicago Regional Council of Carpe PMT -	01322	130.33							
Apr 30/2013 74831	Lawyer: KM 0.30 Hrs X 160.00 Telephone call to R. Krug; prepared correspondence to R. Krug regarding whether his client intends to respond to the audit report previously sent to it. (.1) Telephone call to J. Conklin regarding [REDACTED] [REDACTED] [REDACTED] (.1) Reviewed correspondence from J. Conklin forwarding [REDACTED] d i [REDACTED] (.1)				48.00	7558				
May 1/2013 75263	Lawyer: KM 1.60 Hrs X 160.00 Appeared in court for hearing on status before Judge Gottschall; brief conversation with owner of Cleveland Corporate afterward regarding audit report.				256.00	7615				
May 6/2013 75420	Lawyer: KM 0.10 Hrs X 160.00 Reviewed court order from Judge Gottschall setting hearing date for June 12th; diaried court date.				16.00	7615				
May 9/2013 74641	Lawyer: KM 0.10 Hrs X 160.00 Reviewed and responded to correspondence from G. Butera asking for copy of audit report; reviewed emails and file for document requested and for prior email forwarding same document to her attorney.				16.00	7615				
May 13/2013 75213	Expense Recovery Postage Recovery	00264		0.46		7615				
May 17/2013 74903	Billing on Invoice 7558 FEES 464.00 DISBS 1.30			0.00		7558				
May 31/2013 75225	Expense Recovery Photocopy Recovery	00265		0.72		7615				
Jun 6/2013 75262	Lawyer: KM 2.10 Hrs X 160.00 Prepared correspondence to J. Conklin regarding [REDACTED] [REDACTED] [REDACTED] (.1) Reviewed correspondence from J. Conklin [REDACTED] [REDACTED] (.1) Prepared correspondence to J. Conklin regarding [REDACTED] [REDACTED] (.1) Prepared draft of J. Libby declaration to support motion for default judgment. (.5) Prepared declaration of K. McJessy to support claim for damages for attorneys fees and costs. (.3) Prepared revised motion for default judgment; and, reviewed FRCP 55, information from J. Conklin and reviewed file materials				336.00	7678				

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ALL DATES

Date	Received From/Paid To	Chq#	----- General -----		Fees	Bld	----- Trust Activity -----			Balance
Entry #	Explanation	Rec#	Rcpts	Disbs		Inv#	Acc	Rcpts	Disbs	
	for correspondence between K. McJessey and R. Krug or G. Butera to use as exhibits to motion. (1.1)									
Jun 7/2013	75261 Lawyer: KM 0.90 Hrs X 160.00 Telephone call from J. Libby regarding [REDACTED] (2) Reviewed correspondence from J. Conklin [REDACTED] (1) Final review and edits to motion to J. Libby declaration and to K. McJessey declaration. (.6)				144.00	7678				
Jun 10/2013	75296 Lawyer: SK 0.60 Hrs X 60.00 Prepared notice of motion for entry of default judgment (.1). Filed motion for entry of default judgment and exhibits A-G with court (.3). Scheduled and filed notice of motion with court (.1). Prepared correspondence to Judge Gottschall forwarding file-stamped courtesy copies of same (.1).				36.00	7678				
Jun 10/2013	75342 Lawyer: KM 1.10 Hrs X 160.00 Reviewed and responded to correspondence from G. Butera with copy to R. Krug regarding her request to continue status hearing because she is not available on Wednesday. Coordination of filing of motion for entry of default judgment. Telephone call with T. Perdue substitute for R. Johnson this week regarding request to continue hearing to 6/19/13. Reviewed ECF court order of Judge Gottschall continuing hearing if 6/12/13 to 6/19/13. Prepared correspondence to R. Krug and G. Butera forwarding court order. Telephone call from U.S. Messenger Service regarding difficulties in delivering package, no answer at chambers and cannot gain access. Telephone call to Judge's chambers, U.S. Messenger Service advised that they have gained access and were able to deliver the package. Telephone call from Judge Gottschall's secretary confirming that she did receive the courtesy copies.				176.00	7678				
Jun 10/2013	75399 Chicago Regional Council of Carpe PMT -	01344	465.30							
Jun 10/2013	75916 Expense Recovery Postage Recovery	00266		2.92		7678				
Jun 19/2013	75467 Lawyer: KM 1.70 Hrs X 160.00 Appeared in court before Judge Gottschall regarding motion for entry of final judgment. (1.3) Prepared correspondence to client regarding [REDACTED] (1) Prepared proposed draft order of judgment. (2) Prepared correspondence to order submission box forwarding draft order. (1)				272.00	7678				
Jun 19/2013	76101 Lawyer: KM 0.10 Hrs X 160.00 Prepared correspondence to J. Conklin regarding [REDACTED]				16.00	7678				
Jun 20/2013	75646 Billing on Invoice 7615 FEES 288.00 DISBS 1.18			0.00		7615				
Jun 21/2013	75699 UPS Courier - UPS - recovery -	4150		24.25		7678				
Jun 21/2013	75877 Lawyer: KM 0.20 Hrs X 160.00 Reviewed ECF court order of				32.00	7678				

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ALL DATES

Date Entry #	Received From/Paid To Explanation	Chq# Rec#	----- General -----		Fees	Bld Inv#	Trust Activity		Balance
			Rcpts	Disbs			Rcpts	Disbs	
77854	Arrangements to confirm G. Buterra's appointment for citation of Cleveland Corporate.				16.00	7868			
Sep 25/2013 77866	Lawyer: KM 0.30 Hrs X 160.00 Prepared correspondence to G. Buterra demanding production of records before citation examination and postponing citation examination.				48.00	7868			
Sep 26/2013 77576	Lawyer: SK 0.10 Hrs X 60.00 Confer with G. Butera advising of letter from K. McJessy sent via FedEx regarding postponement of 9/27 citation.				6.00	7868			
Sep 26/2013 77870	Lawyer: KM 0.10 Hrs X 160.00 Reviewed Chase Bank response to citation to discover assets, reporting no assets.				16.00	7868			
Sep 30/2013 77688	Expense Recovery Photocopy Recovery	00272		0.60		7868			
Sep 30/2013 77869	Lawyer: KM 0.40 Hrs X 160.00 Telephone call with G. Buterra and reviewed all documents requested by rider to citation and her confirmation that she will obtain documents she has but which have not been produced.				64.00	7868			
Oct 2/2013 77638	Chicago Regional Council of Carpe PMT -	01388	401.64						
Oct 7/2013 77679	Lawyer: KM 0.30 Hrs X 160.00 Reviewed correspondence from G. Butera forwarding documents and advising that still further documents are on their way. Prepared correspondence to J. Conklin [REDACTED]				48.00	7940			
Oct 8/2013 78517	Lawyer: KM 0.10 Hrs X 160.00 Reviewed correspondence from G. Butera forwarding documents responsive to citation.				16.00	7940			
Oct 10/2013 77732	FedEx Courier - Federal Express -	4214		25.19		7940			
Oct 18/2013 77904	Billing on Invoice 7868 FEES 168.00 DISBS 220.60			0.00		7868			
Oct 23/2013 77971	LexisNexis Legal Research	4223		5.31		7940			
Oct 30/2013 78191	Chicago Regional Council of Carpe PMT -	01401	388.60						
Nov 7/2013 78331	JP Morgan Chase N.A. Photocopy Recovery - Response to Citation	4230		75.56		8050			
Nov 12/2013 78396	Lawyer: KM 0.30 Hrs X 160.00 Reviewed file materials and information provided by G. Butera; prepared correspondence to J. Conklin [REDACTED]				48.00	8050			
Nov 20/2013 78683	Billing on Invoice 7940 FEES 64.00 DISBS 30.50			0.00		7940			
Dec 5/2013 79073	Chicago Regional Council of Carpe PMT -	01418	94.50						
Dec 18/2013 79428	Billing on Invoice 8050 FEES 48.00 DISBS 75.56			0.00		8050			
Jan 13/2014 79561	Lawyer: KM 0.20 Hrs X 160.00 Reviewed file for response by G. Butera to set citation date. Prepared correspondence to G. Butera regarding availability for citation during first two weeks of February.				32.00	8160			
Jan 14/2014 80438	Lawyer: KM 0.10 Hrs X 160.00 Reviewed and responded to correspondence from Cleveland Corporate / Grace Butera regarding date of citation and scheduling of same.				16.00	8160			
Jan 15/2014 80322	Lawyer: KM 0.10 Hrs X 160.00 Reviewed and responded to correspondence from G. Butera regarding what to expect at citation and seeking to confirm citation for 2/11/14.				16.00	8160			

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ALL DATES

Date	Received From/Paid To	Chq#	----- General -----		Fees	Bld	----- Trust Activity -----			
Entry #	Explanation	Rec#	Rcpts	Disbs		Inv#	Acc	Rcpts	Disbs	Balance
Jan 20/2014 79789	Chicago Regional Council of Carpe PMT -	01430	123.56							
Jan 20/2014 79986	Billing on Invoice 8109			0.00		8109				
Jan 20/2014 80358	Lawyer: KM 0.10 Hrs X 160.00 Reviewed and responded to correspondence from G. Butera confirming date, time and location of the Citation.				16.00	8160				
Feb 6/2014 80684	Lawyer: KM 1.30 Hrs X 160.00 Reviewed documents produced by Cleveland Corporate to begin preparing for citation examination, including tax returns and a portion of the bank statements produced by bank. (1.2) Prepared correspondence to G. Butera advising that specific documents are missing from production and seeking to follow up on same. (.1)				208.00	8236				
Feb 7/2014 80154	Lawyer: KM 0.40 Hrs X 160.00 Assembled document to prepare for citation examination. Prepared correspondence to L. Helmandtoller/J. Conklin/J. Libby [REDACTED]				64.00	8236				
Feb 10/2014 80702	Lawyer: KM 4.20 Hrs X 160.00 Reviewed correspondence from G. Butera advising that she has produced all records and does not have any of the documents requested which are referred to in KPM's prior correspondence. (.1) Reviewed and responded to correspondence from G. Butera seeking confirmation she will appear for citation tomorrow. (.1) Prepared correspondence to J. Libby [REDACTED] [REDACTED]. Reviewed correspondence from G. Butera confirming appearance for citation. (.1) Telephone call to J. Libby regarding [REDACTED] Prepared correspondence to J. Libby [REDACTED]. (.2) Drafted portion of citation examination outline for G. Butera and assembled exhibits for citation examination; reviewed documents as necessary to prepare for citation examination including review of nearly all detailed daily expenditures, which appear to be personal in nature, as shown on two years worth of bank statements for two accounts at Chase Bank. (3.7)				672.00	8236				
Feb 11/2014 80162	Lawyer: SK 0.30 Hrs X 60.00 Confer with K. McJessy and [REDACTED]; compared WKR Lexis report with G. Butera Lexis report; researched We Keep Running Messenger service.				18.00	8236				
Feb 11/2014 80705	Lawyer: KM 4.70 Hrs X 160.00 Completed preparation for deposition of G. Butera, including finished reviewing detailed bank statements appearing to show use of corporate assets for personal expenses purposes and commingling of funds. (1.2) Conducted citation examination of G. Butera. (3.2) Confer with J. Libby [REDACTED] [REDACTED] [REDACTED]				752.00	8236				

Date	Received From/Paid To	Chq#	General		Fees	Bld	Trust Activity			
Entry #	Explanation	Rec#	Rpts	Disbs		Inv#	Acc	Rpts	Disbs	Balance
81902	FEES 850.00 DISBS 203.87			0.00		8284				
Apr 16/2014	LexisNexis									
81955	Legal Research	4360		21.94		8352				
Apr 21/2014	Chicago Regional Council of Carpe									
81980	PMT -	01464	1053.87							
Apr 22/2014	Lawyer: KM 0.20 Hrs X 160.00									
82295	Telephone call to T. McLean seeking to schedule deposition in Cleveland Corporate matter; prepared correspondence to T. McLean regarding same.				32.00	8352				
Apr 24/2014	Expense Recovery									
82115	Postage Recovery	00287		0.96		8352				
Apr 24/2014	Lawyer: KM 0.10 Hrs X 160.00									
82316	Reviewed and responded to correspondence from T. McLean confirming deposition for 4/14/14. Prepared correspondence to J. Libby				16.00	8352				
Apr 30/2014	Expense Recovery									
82090	Photocopy Recovery	00286		0.72		8352				
Apr 30/2014	PACER									
82374	PACR	4370		0.40		8352				
May 9/2014	Lawyer: KM 0.10 Hrs X 160.00									
82750	Prepared correspondence to J. Libby regarding				16.00	8444				
May 14/2014	Lawyer: KM 7.70 Hrs X 160.00									
82792	Prepared for deposition of T. Osborn, CFO for Henricksen and gathered exhibits for deposition. (2.0) Travel to/from Naperville and conducted deposition of T. Osborn. (5.7)				1232.00	8444				
May 15/2014	Lawyer: KM 0.30 Hrs X 160.00									
82800	Reviewed correspondence from N. Lagalo; reviewed attachments. (.1) Telephone call with J. Libby regarding				48.00	8444				
May 19/2014	Billing on Invoice 8352									
82521	FEES 208.00 DISBS 24.02			0.00		8352				
May 27/2014	Lawyer: KM 2.40 Hrs X 160.00									
82884	LEXIS research and reviewed case authority regarding whether the federal courts have jurisdiction over claims against business owners for fraudulent conveyance and for piercing the corporate veil under section 502 of ERISA or section 301 of Taft-Hartley Act in case where judgment has already been entered against the signatory employer, generally no but exceptions apply; reviewed decisions in Peacock v. Thomas, NECA IBEW v. Ernie, Flynn v. Greg Anthony Construction, Southward v. South Central and Railroad Maintenance v. Kelly Railroad, Hudson Carpenters v. VSR Construction, Board of Trustees v. Universal Enterprises, etc.				384.00	8444				
May 28/2014	Lawyer: KM 2.30 Hrs X 160.00									
82893	Completed additional research on Trust Funds' claims and court jurisdiction, reviewed Central States Pension Fund, Caliber Auto Expense decisions. Started drafting complaint against Commercial Corporate Services, Czischki and Butera for piercing the corporate veil, fraudulent				368.00	8444				

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ALL DATES

Date	Received From/Paid To	Chq#	General	Fees	Bld	Trust Activity	
Entry #	Explanation	Rec#	Rcpts	Disbs	Inv#	Acc	Rcpts
							Disbs
							Balance
May 30/2014	conveyance and alter-ego. Lawyer: KM 4.50 Hrs X 160.00						
82904	Completed drafting complaint against Commercial Corporate, Czischki and Butera for alter ego, fraudulent conveyance and piercing the corporate veil. Prepared correspondence to J. Libby			720.00	8444		
May 31/2014	Expense Recovery						
82625	Photocopy Recovery	00288		74.40	8444		
May 31/2014	Certified Reporting Co.						
82907	Court Reporter - Deposition of Henricksen & Co. - Appearance	4394		175.00	8444		
Jun 6/2014	Chicago Regional Council of Carpe						
82917	PMT -	01476	232.02				
Jun 9/2014	Billing on Invoice 8444						
83168	FEES 2768.00			0.00	8444		
	DISBS 249.40						
Jun 9/2014	Lawyer: KM 6.70 Hrs X 160.00						
83803	Reviewed Illinois case authority on piercing corporate veil and revised draft complaint against Butera, Czischki and Commercial Corporate. Edited and revised complaint and filled in all fraudulent cash transfers; reviewed bank records as necessary to fill in bank transfers. Telephone call with J. Libby regarding			1072.00	8493		
Jun 10/2014	Lawyer: KM 3.20 Hrs X 160.00						
83802	Extensive research on issue of supplemental jurisdiction over claims against River Front Chrysler. Prepared correspondence to J. Libby			512.00	8493		
Jun 12/2014	Lawyer: KM 0.10 Hrs X 160.00						
83676	Reviewed and responded to correspondence from J. Libby			16.00	8493		
Jun 16/2014	Lawyer: SK 0.70 Hrs X 60.00						
83224	Prepared civil cover sheet, K. McJessy appearance, summons to Commercial Corporate, summons to River Front Chrysler Jeep, summons to T. Czischki and summons to G. Butera (.4); filed complaint, civil cover sheet and appearance with court (.3).			42.00	8493		
Jun 16/2014	Lawyer: KM 0.50 Hrs X 160.00						
83805	Final review and edits to complaint; review of documents attendant to complaint prior to filing.			80.00	8493		
Jun 17/2014	Lawyer: KM 0.10 Hrs X 160.00						
83698	Reviewed ECF court order assigning judge and magistrate.			16.00	8493		
Jun 18/2014	Lawyer: SK 0.30 Hrs X 60.00						
83272	Reviewed ECF notice re: judges' assignments and completed summons to the 4 defendants; prepared email correspondence to court clerk forwarding summonses for issuance; prepared email correspondence to J. Libby and J. Conklin			18.00	8493		
Jun 19/2014	LexisNexis						
83258	Legal Research	4401		94.95	8493		
Jun 19/2014	LexisNexis						
83259	Legal Research	4401		10.95	8493		
Jun 19/2014	Lawyer: SK 0.20 Hrs X 60.00						
83273	Reviewed ECF notice and summonses issued to 4 defendants; confer with and prepared email correspondence to process server forwarding summonses and complaint for service.			12.00	8493		
Jun 20/2014	Chicago Regional Council of Carpe						
83298	PMT -	01486	3017.40				

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Date	Entry #	Received From/Paid To Explanation	Chq# Rec#	----- General -----		Fees	Bld Inv#	Trust Activity		Balance
				Rpts	Disbs			Rpts	Disbs	
Jun 20/2014	83722	Lawyer: KM 0.30 Hrs X 160.00 Telephone call with G. Wilcox, represents River Front Chrysler Jeep, regarding introduction, possible defense to claim, G. Butera bought a car, he will obtain documents and forward, car was titled to Grazia Butera. (.2) Reviewed ECF court order of Judge Lee setting initial status hearing for 7/31/14.				48.00	8493			
Jun 23/2014	83526	Lawyer: JS 4.60 Hrs X 160.00 Research on officer buying car with corporation funds and titling car to self when leaving corporation insolvent; voidability of same pursuant to Illinois' Fraudulent Transfer Act; expansion of research to personal items, generally, and then cars as to all states, rather than just Illinois.				736.00	8493			
Jun 23/2014	83729	Lawyer: KM 1.20 Hrs X 160.00 Reviewed documents produced by Gary Wilcox regarding purchase of car by Grazia Butera using funds from Cleveland Corporate. Confer with J. Sopata regarding [REDACTED] [REDACTED] [REDACTED] [REDACTED] Reviewed case authority regarding whether car dealership can assert defense to claim for fraudulent transfer including Cafaro, Ewen, Glaubitz, Bonded Financial, Krol, Field decisions.				192.00	8493			
Jun 24/2014	83324	Lawyer: SK 0.30 Hrs X 60.00 Reviewed process server's affidavit of service of summons and complaint upon defendant T. Czischki and filed same with court; prepared correspondence to Judge Lee forwarding courtesy copy of same.				18.00	8493			
Jun 24/2014	83737	Lawyer: KM 0.10 Hrs X 160.00 Telephone call with G. Wilcox regarding receipt of documents, will discuss with client as to appropriate action.				16.00	8493			
Jun 25/2014	83353	Lawyer: SK 0.20 Hrs X 60.00 Telephone conferences with court reporters for Judge Gottschall and Judge Wood and prepared online order form for court transcripts for hearing held on 2/5/13, 2/19/13, 2/28/13, 4/3/13, 5/1/13, 6/10/13 and 6/19/13.				12.00	8493			
Jun 25/2014	83806	Lawyer: KM 2.50 Hrs X 160.00 Reviewed documents from G. Wilcox. Prepared correspondence to J. Libby [REDACTED] [REDACTED] [REDACTED] [REDACTED] re-reviewed court decision in Palonia and documents from G. Wilcox as necessary to prepare recommendation. (2.0) Telephone call with J. Libby regarding [REDACTED] [REDACTED] Prepared correspondence to J. Libby [REDACTED] [REDACTED] Prepared notice of voluntary dismissal. Prepared correspondence to G.				400.00	8493			

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ALL DATES

Date Entry #	Received From/Paid To Explanation	Chg# Rec#	----- General -----		Fees	Bld ----- Trust Activity -----		Balance
			Rcpts	Disbs		Inv#	Acc	
84037	Court Reporter - Court Transcripts 2/5/13, 2/19/13, 2/27/13, 4/3/13, 5/1/13, 6/19/13	4435		116.80			8560	
Jul 31/2014	Expense Recovery							
84079	Photocopy Recovery	00293		21.60			8560	
Jul 31/2014	Midwest Investigations							
84114	Process Server recovery - Service of summons and complaint upon Commercial Corporate, G. Butera, T. Czischki (personal) with stake out time	4439		220.00			8560	
Jul 31/2014	US Messenger & Logistics							
84122	Courier Recovery	4440		15.92			8560	
Aug 14/2014	Lawyer: KM 0.80 Hrs X 160.00							
84927	Prepared initial status report to Court; reviewed court's standing order for form of initial status report.				128.00		8614	
Aug 15/2014	Lawyer: SK 0.20 Hrs X 60.00							
84400	Filed status report with court and prepared correspondence to Judge Lee forwarding courtesy copy of same.				12.00		8614	
Aug 15/2014	Lawyer: KM 0.30 Hrs X 160.00							
84409	Reviewed correspondence from D. Herzog regarding bankruptcy of Grazia Butera and review of status report. (.1) Reviewed correspondence from D. Herzog regarding approval of status report provided that notation of bankruptcy filing of Butera is included. (.1) Made minor revisions to status report and arranged with S. Keating to file same with Court. (.1)				48.00		8614	
Aug 15/2014	Billing on Invoice 8560							
84477	FEES 196.00 DISBS 1007.89			0.00			8560	
Aug 19/2014	Chicago Regional Council of Carpe							
84593	PMT -	01510	3779.92					
Aug 20/2014	Lawyer: KM 1.10 Hrs X 160.00							
84668	Appeared in court for status hearing on answers of defendants, court advised of bankruptcy filing of G. Butera and prior filing of T. Czischki, case stayed for 30 days. Reviewed ECF Court order of Judge Lee setting hearing for 9/30/14 and all matters stayed until then.				176.00		8614	
Aug 22/2014	Lawyer: KM 0.40 Hrs X 160.00							
84915	Reviewed notice of First Meeting of Creditors for G. Butera bankruptcy. Prepared correspondence to J. Libby and B. Scalabrino [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] Reviewed and responded to correspondence from B. Scalabrino [REDACTED] [REDACTED] [REDACTED]				64.00		8614	
Aug 29/2014	Chicago Regional Council of Carpe							
84718	PMT -	01518	1203.89					
Aug 31/2014	Expense Recovery							
84766	Photocopy Recovery	00294		4.56			8614	
Sep 5/2014	Lawyer: KM 1.20 Hrs X 160.00							
85459	Reviewed correspondence from B. Scalabrino regarding [REDACTED] [REDACTED] [REDACTED] [REDACTED]. Prepared correspondence to B. Scalabrino copied to C. Muniz and J. Libby and J. Conklin [REDACTED] [REDACTED] [REDACTED] [REDACTED] reviewed file documents to prepare responses				192.00		8677	

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ALL DATES

Date	Received From/Paid To	Chq#	----- General -----		Fees	Bld	----- Trust Activity -----			
Entry #	Explanation	Rec#	Repts	Disbs		Inv#	Acc	Repts	Disbs	Balance
Oct 8/2014 85318	Lawyer: KM 1.40 Hrs X 160.00 Reviewed correspondence from C. Muniz [REDACTED]. [REDACTED]. Edited and revised requests and prepared notes on issues in litigation that may prompt additional requests; reviewed prior correspondence and documents related to Commercial litigation and Cleveland litigation to form document requests.				224.00	8741				
Oct 10/2014 86068	Lawyer: KM 0.10 Hrs X 160.00 Reviewed correspondence from C. Muniz [REDACTED]; briefly reviewed motion.				16.00	8741				
Oct 20/2014 85659	Billing on Invoice 8677 FEES 754.00 DISBS 29.92			0.00		8677				
Oct 30/2014 85873	PACER PACR	4509		9.40		8741				
Nov 14/2014 86224	Chicago Regional Council of Carpe PMT -	01537	783.92							
Nov 14/2014 86294	Billing on Invoice 8741 FEES 240.00 DISBS 9.40			0.00		8741				
Nov 21/2014 86472	Chicago Regional Council of Carpe PMT -	01540	249.40							
Dec 4/2014 87366	Lawyer: KM 1.30 Hrs X 160.00 Appeared in court for hearing before Judge Lee regarding bankruptcy and stay proceedings. Reviewed ECF court order of Judge Lee confirming next hearing date set for 2/5/15.				208.00	8876				
Dec 9/2014 87018	Billing on Invoice 8813 FEES 208.00			0.00		8813				
Jan 20/2015 87541	Billing on Invoice 8876 FEES 208.00			0.00		8876				
Feb 4/2015 87791	Lawyer: SK 0.40 Hrs X 60.00 Prepared notice of motion for CRCC motion to lift stay; filed notice and motion to lift stay with court.				24.00					
Feb 4/2015 87814	Lawyer: KM 1.60 Hrs X 160.00 LEXIS research on applicability of stay to parties other than debtor and motion to lift stay. (.8) Drafted motion to lift bankruptcy stay. (.8)				256.00					
Feb 5/2015 87813	Lawyer: KM 1.30 Hrs X 160.00 Appeared in court for hearing on status of bankruptcy and presented motion to lift bankruptcy stay as to defendant Commercial Corporate Services.				208.00					
Feb 10/2015 87835	Chicago Regional Council of Carpe PMT -	01571	208.00							
Feb 17/2015 88133	Billing on Invoice 8942			0.00		8942				
Feb 28/2015 88425	Expense Recovery Photocopy Recovery	00308		3.00						
Feb 28/2015 88546	LexisNexis Legal Research - January, February 2015	4624		10.20						
Mar 12/2015 88587	Lawyer: SK 0.40 Hrs X 60.00 Prepared attorney appearance for J. Sopata and filed same electronically with court; prepared correspondence to Judge Lee's deputy forwarding courtesy copy of same.				24.00					

TOTALS	UNBILLED				BILLED				BALANCES	
	CHE	+ RECOV	+ FEES	= TOTAL	DISBS	+ FEES	+ TAX	- RECEIPTS	= A/R	TRUST
PERIOD	10.20	3.00	512.00	525.20	4064.22	16610.00	0.00	20674.22	0.00	0.00
END DATE	10.20	3.00	512.00	525.20	4064.22	16610.00	0.00	20674.22	0.00	0.00

FIRM TOTAL	UNBILLED				BILLED				BALANCES	
	CHE	+ RECOV	+ FEES	= TOTAL	DISBS	+ FEES	+ TAX	- RECEIPTS	= A/R	TRUST
PERIOD	10.20	3.00	512.00	525.20	4064.22	16610.00	0.00	20674.22	0.00	0.00
END DATE	10.20	3.00	512.00	525.20	4064.22	16610.00	0.00	20674.22	0.00	0.00

14 CV 04513

Exhibit D

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CHICAGO REGIONAL COUNCIL OF)
CARPENTERS PENSION FUND, *et al.*,)
)
Plaintiffs,) 14 CV 04513
v.)
) Judge John Z. Lee
COMMERCIAL CORPORATE SERVICES,)
INC., *et al.*,)
)
Defendants.)

FINAL JUDGMENT

Pursuant to Federal Rules of Civil Procedure 54,55 and 58, a final judgment is hereby entered in favor of the Chicago Regional Council of Carpenters Pension Fund *et al.* (“Trust Funds”) and against defendant Commercial Corporate Services, Inc. in the amount of \$93,590.79 as follows:

- A. \$51,437.78 in unpaid contributions;
- B. \$2,736.00 for auditor’s fees incurred by the Trust Funds to complete the audit;
- C. \$5,930.04 in interest;
- D. \$12,287.55 in liquidated damages; and
- E. \$21,199.42 in reasonable attorneys’ fees and costs the Trust Funds incurred in this action.

The Trust Funds shall also recover reasonable attorney’ fees and costs incurred by the Trust Funds in enforcing this order and any such further relief as this Court deems appropriate.

Date

Judge John Z. Lee