

EXHIBIT 1

TRUSTEES OF THE DISTRICT COUNCIL NO. 14 METAL POLISHERS 401(k) RETIREMENT PLAN FUND; and TRUSTEES OF THE CHICAGO PAINTERS AND DECORATORS WELFARE FUND,

No. 16 C 5983

Judge Der-Yeghiayan

JOHN CICHY, Individually and d/b/a  
LAKESIDE RESTORATIONS, LAKE SIDE  
RESTORATION, LAKESIDE MARBLE  
RESTORATIONS, LAKESIDE MARBLE  
RESTORATIONS, INC.; and LAKESIDE  
MARBLE RESTORATIONS, INC., a dissolved  
Illinois corporation,

Defendants.

Magistrate Judge Schenkier

RICHARD WOLF, upon being first duly sworn on oath, states as follows:

1. Affiant is the principal of RICHARD J. WOLF AND COMPANY, INC., an accounting firm ("the company").
2. The Plaintiffs requested the company to perform a fringe benefit fund contribution compliance audit of the books and records of John Cichy et al for the Plaintiff Funds for the period from November 1, 2015 through October 31, 2016.
3. The audits encompassed an examination of payroll records and comparisons to amounts reported to the Funds.
4. The audit report disclosed that a total of \$31,295.58 in contributions are owed to the Funds.
5. According to the Collective Bargaining Agreement and Trust Agreements

establishing the Funds, liquidated damages are owed on delinquent contributions. I have computed the amount of liquidated damages owed to be \$4,694.33.

6. The Collective Bargaining Agreement also requires that in the event there is an audit deficiency, the audit costs are to be borne by the employer. The company charged the Funds the amount of \$787.50 to complete the audit.

7. The total owed on the audit is \$36,777.41, which does not include attorneys' fees or court costs.

8. I am competent to testify to the truth of the foregoing statements, and if called to testify, would state as set forth herein.

  
RICHARD WOLF

Subscribed and sworn to before me

this 17<sup>th</sup> day of May, 2016.



NOTARY PUBLIC

