

EXHIBIT 2

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

TRUSTEES OF THE CHICAGO PAINTERS AND)
DECORATORS PENSION FUND, TRUSTEES OF THE)
CHICAGO PAINTERS AND DECORATORS WELFARE)
FUND, TRUSTEES OF THE CHICAGO PAINTERS AND)
DECORATORS SAVINGS FUND, TRUSTEES OF THE)
CHICAGO PAINTERS AND DECORATORS)
APPRENTICESHIP FUND, TRUSTEES OF THE)
CHICAGO PAINTERS AND DECORATORS)
SCHOLARSHIP FUND, AND TRUSTEES OF THE)
CHICAGO PAINTERS AND DECORATORS)
JOINT COOPERATION TRUST FUNDS,) No. 16 CV 7533
)
Plaintiffs,) Judge:
)
v.) Magistrate Judge
)
REGENCY GROUP OF ILLINOIS, INC., an)
Illinois corporation, and JOSEPH CAMPISI, Individually.)
)
Defendants.)

COMPLAINT

Plaintiffs, TRUSTEES OF THE CHICAGO PAINTERS AND DECORATORS
PENSION, FUND, TRUSTEES OF THE CHICAGO PAINTERS AND DECORATORS
WELFARE FUND, TRUSTEES OF THE CHICAGO PAINTERS AND DECORATORS
SAVINGS FUND, TRUSTEES OF THE CHICAGO PAINTERS AND DECORATORS
APPRENTICESHIP FUND, TRUSTEES OF THE CHICAGO PAINTERS AND
DECORATORS SCHOLARSHIP FUND, AND TRUSTEES OF THE CHICAGO PAINTERS
AND DECORATORS JOINT COOPERATION TRUST FUND, by their attorneys, DONALD
D. SCHWARTZ, JAMES R. ANDERSON, GRANT R. PIECHOCINSKI and ARNOLD AND

KADJAN, complain against the Defendants, **Regency Group of Illinois, Inc.** (“**Regency Group**”), an Illinois corporation, and **Joseph Campisi**, individually, as follows:

FACTS COMMON TO ALL COUNTS

Jurisdiction and Venue

1. This Court has subject matter jurisdiction pursuant to Section 301 of the National Labor Relations Act, as amended, 29 U.S.C. 185(a), and Section 502 of the Employee Retirement Security Act (ERISA) of 1974, as amended, 29 U.S.C. Section 1132(e)(1), 1145 and 28 U.S.C. Section 1331.

2. The Northern District of Illinois is the proper venue pursuant to 29 U.S.C. Section 1132(e) as the Plaintiffs Funds are administered here in this judicial district.

The Parties

3. The Plaintiffs are the Trustees of the Chicago Painters and Decorators Pension Fund, Trustees of the Chicago Painters and Decorators Welfare Fund, Trustees of the Chicago Painters and Decorators Savings Fund, Trustees of the Chicago Painters and Decorators Apprenticeship Fund, Trustees of the Chicago Painters and Decorators Scholarship Fund, and Trustees of the Chicago Painters and Decorators Joint Cooperation Trust Fund Welfare, (“the Funds”), and have standing to sue pursuant to 29 U.S.C. Section 1132(d)(1).

4. The Funds have been established pursuant to Collective Bargaining Agreements previously entered into between the Painters' District Council No. 14 and its affiliated locals (the “Union”), and certain employer associations whose employees are or were covered by one or more Collective Bargaining Agreements with the Union.

5. The Funds are maintained and administered in accordance with and pursuant to the provisions of the National Labor Relations Act, 29 U.S.C. Section 186 et. seq., and the Employee Retirement Security Act, 29 U.S.C. Section 1001, et. seq., and also pursuant to the terms and provisions of the Collective Bargaining Agreements and Declarations of Trust ("Trust Agreements") which established the Funds.

6. Regency Decorating Service, Inc. (**"Regency Decorating"**) a dissolved Illinois corporation, was an employer engaged in an industry affecting commerce which, on or about **June 20, 1987**, entered into a Collective Bargaining Agreement with the Union ("Labor Agreement"), whereby Regency agreed to be bound by the provisions of the Labor Agreement and any subsequent agreements negotiated between the Union and certain employer associations.

7. Pursuant to the provisions of the Labor Agreement, signatory employers such as **Regency Decorating** were bound to the Trust Agreements and required to make periodic contributions to the Funds for each hour worked by its bargaining unit employees working within the occupational and jurisdictional scope described therein at the rate and in the manner specified by the Labor Agreement and the Trust Agreements.

9. Plaintiffs brought suit to compel an audit against **Regency Decorating** and against Defendant, **Regency Group of Illinois, Inc.** (**"Regency Group"**), as **Regency Decorating's** alter ego, in Northern District of Illinois case number 14 C 2893.

10. **Regency Decorating** and **Regency Group** defaulted in 14 C 2893, admitting Plaintiffs' alter ego allegations against them, and complied with the Court's resulting audit order. See Ex. A.

11. This Court, ultimately, entered an ERISA delinquency judgment against **Regency**

Group, as **Regency Decorating**'s alter ego, in case number 14 C 2893. See Ex. A.

12. As **Regency Decorating**'s alter ego, **Regency Group** is bound to **Regency Decorating**'s Labor Agreement and the Trust Agreements.

13. **Regency Group** has, further, affirmed, adopted, and ratified the Labor Agreement and Trust Agreements by submitting fringe benefit fund contributions on behalf of painting employees who performed painting work, by using the fringe benefit report forms submitted to the Funds in the name of **Regency Decorating**.

Count I: Audit of Regency Group

14. Plaintiffs reallege paragraphs one through thirteen of this Complaint as though fully set forth herein.

15. **Regency Group** has breached the provisions of the Labor Agreement and Trust Agreements by failing to pay all of the contributions and other charges due and owing for the period beginning October 1, 2014 through the present.

16. Under the terms of the Labor Agreement and Trust Agreements, **Regency Group** must produce its books and records to Plaintiffs' auditor for the purpose of determining the extent of its compliance or non-compliance with its contribution obligations.

WHEREFORE, Plaintiffs pray for relief as follows:

A. That Defendant **Regency Group** be ordered to produce books and records for a fringe benefit fund contribution compliance audit for the period from October 1, 2014 through the present;

B. That judgment be entered in favor of Plaintiffs and against the Defendant for all amounts found to be due and owing on the audit;

20. **Joseph Campisi** is empowered to enter agreements and sign checks on behalf of **Regency Group**.

21. **Joseph Campisi** has the capacity to designate persons who may enter into agreements on behalf of **Regency Group** and to sign checks on the company's behalf.

WHEREFORE, Plaintiffs pray for relief as follows:

A. That judgment be entered in favor of Plaintiffs and against Defendant **Joseph Campisi** for \$30,000.00, plus all amounts found to be due and owing on the audit of **Regency Group**, in excess of that amount;

B. That this Court grant Plaintiffs such other and further relief as it may deem appropriate under the circumstances.

Respectfully submitted,

S/ James R. Anderson
One of Plaintiffs' attorneys

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EXHIBIT A

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

TRUSTEES OF THE CHICAGO PAINTERS AND)
DECORATORS PENSION FUND, et al,)
Plaintiffs,) No. 14 C 2893
v.) Judge Ellis
REGENCY DECORATING, INC., a dissolved Illinois)
corporation; JOHN CAMPISI, Individually and d/b/a) Magistrate Judge Cole
REGENCY DECORATING, INC., REGENCY GROUP)
OF ILLINOIS, INC., an Illinois corporation, and)
JOSEPH CAMPISI, Individually.)
Defendants.)

JUDGMENT ORDER

This cause, coming to be heard upon Plaintiffs' Motion for Judgement in a Sum Certain, all parties having notice,

IT IS HEREBY ORDERED THAT:

1. The Defendants are in default.
2. Final judgment is entered in favor of Plaintiffs and against the Defendants REGNEY DECORATING, INC., REGNEY GROUP OF ILLINOIS, INC., JOHN CAMPISI, and JOSEPH CAMPISI, individually in the amount of \$257,480.48. The judgment amount is limited to all amounts owed through the audit period from June 1, 2011 through September 30, 2014.

Enter:



Hon. Sara Ellis

Date

7/12/2016

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