

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, )

a. )

Case No. 16 C 8046

J.J. DAY, INC., )

Defendant. )

Judge Dow

**AFFIDAVIT OF KAREN I. ENGELHARDT**

STATE OF ILLINOIS        )  
                                  )  
COUNTY OF COOK         )

I, Karen I. Engelhardt declare under oath and under the penalty of perjury the following:

1. I am an attorney and a shareholder at the law firm of Allison, Slutsky & Kennedy, P.C., counsel for Laborers’ Pension Fund and the 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. This affidavit is submitted to document attorneys’ fees and costs incurred by the plaintiffs for work performed in connection with the above captioned lawsuit filed under Section 502(a)(3) of the Employee Retirement Income Security Act, 29 U.S.C. § 1132(a)(3), as amended, covering the period from August 9, 2016 through the present.

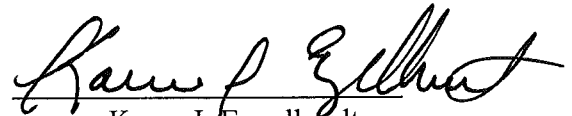
2. For all attorney time from August 9, 2016, forward services were rendered to the

Funds at the rate of \$225.00 per hour for shareholder, \$195.00 per hour for associates, and \$110.00 per hour for clerks/paralegals. In this cause, records for legal work on this matter were kept contemporaneously and are attached hereto as Exhibit 1.

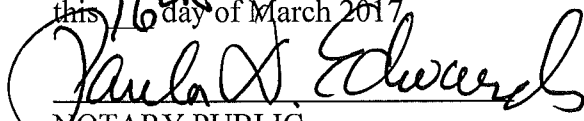
3. Exhibit 1 hereto sets forth the time expended from August 9, 2016, through March 16, 2017 by the firm's attorneys and paralegals in this matter. As set forth in that Exhibit, the Laborers' Funds have incurred legal fees to my firm in this matter in the amount of \$4,998.50.

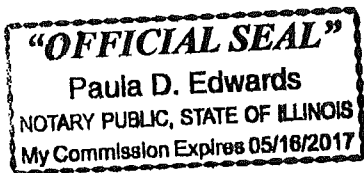
4. In addition, the Plaintiffs have incurred the following costs in the prosecution of this matter totaling \$604.00, which include filing and service fees.

FURTHER AFFIANT SAYETH NOT.

  
Karen I. Engelhardt

Subscribed and sworn to before me  
this 16<sup>th</sup> day of March 2017.

  
NOTARY PUBLIC



Selection Criteria

Slip Classification      Open  
 Clie. Selection        Include: Labrs P&W 1  
 Refe. Selection        Include: JJ Day, Inc.

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
287042	TIME			K. Engelhardt		1.20		225.00	270.00
	8/9/2016			Legal Services		0.00		C@1	
	Billed	G:12210		8/1/2016	Labrs P&W 1	0.00			
			Review file; call w/ P. Wallace; work on complaint; email to C.Wernick	JJ Day, Inc.		0.00			
287085	TIME			Sara Schumann		0.50		195.00	97.50
	8/9/2016			Legal Services		0.00		C@2	
	Billed	G:12210		8/1/2016	Labrs P&W 1	0.00			
			Review assignment; conf. w/K. Engelhardt; emails w/A. Grossi	JJ Day, Inc.		0.00			
287052	TIME			K. Engelhardt		1.20		225.00	270.00
	8/10/2016			Legal Services		0.00		C@1	
	Billed	G:12210		8/1/2016	Labrs P&W 1	0.00			
			Work on complaint; call to Field Department; locale registered agent	JJ Day, Inc.		0.00			
287174	TIME			K. Engelhardt		0.20		225.00	45.00
	8/16/2016			Legal Services		0.00		C@1	
	Billed	G:12210		8/1/2016	Labrs P&W 1	0.00			
			Letter to A. Grossi	JJ Day, Inc.		0.00			
287594	TIME			Andre Smith		0.50		110.00	55.00
	8/18/2016			Legal Services		0.00		C@3	
	Billed	G:12210		8/1/2016	Labrs P&W 1	0.00			
			Draft letter and prepare service to JDS	JJ Day, Inc.		0.00			
287680	TIME			Andre Smith		0.30		110.00	33.00
	8/25/2016			Legal Services		0.00		C@3	
	Billed	G:12210		8/1/2016	Labrs P&W 1	0.00			
			Follow-up service; emails, call	JJ Day, Inc.		0.00			
288731	TIME			Andre Smith		0.50		110.00	55.00
	9/1/2016			Legal Services		0.00		C@3	
	Billed	G:12232		10/11/2016	Labrs P&W 1	0.00			
			Review and e-file summons	JJ Day, Inc.		0.00			

3/16/2017  
12:39 PM

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

Page 2

Slip ID	Dates and Time	Posting Status	Description	Attorney Activity	Client Reference	Units DNB Time	Rate Rate Info	Slip Value
						Est. Time	Bill Status	
						Variance		
288732	TIME			Andre Smith		0.30	110.00	33.00
	9/2/2016			Legal Services		0.00	C@3	
	Billed	G:12232	10/11/2016	Labrs P&W 1		0.00		
	Draft and file appearances			JJ Day, Inc.		0.00		
288097	TIME			K. Engelhardt		0.20	225.00	45.00
	9/8/2016			Legal Services		0.00	C@1	
	Billed	G:12232	10/11/2016	Labrs P&W 1		0.00		
	Call w/ C. Wernick			JJ Day, Inc.		0.00		
288486	TIME			K. Engelhardt		2.00	225.00	450.00
	9/23/2016			Legal Services		0.00	C@1	
	Billed	G:12232	10/11/2016	Labrs P&W 1		0.00		
	Calls w/ J. Mashos, T. Truesdale; draft motion to compel, proposed order, notice of motion			JJ Day, Inc.		0.00		
289226	TIME			K. Engelhardt		1.00	225.00	225.00
	10/5/2016			Legal Services		0.00	C@1	
	Billed	G:12247	11/3/2016	Labrs P&W 1		0.00		
	Court appearance			JJ Day, Inc.		0.00		
289259	TIME			K. Engelhardt		1.10	225.00	247.50
	10/7/2016			Legal Services		0.00	C@1	
	Billed	G:12247	11/3/2016	Labrs P&W 1		0.00		
	Letter to B Isenburg; email to T. Truesdale; Report to Trustees			JJ Day, Inc.		0.00		
289368	TIME			K. Engelhardt		0.20	225.00	45.00
	10/13/2016			Legal Services		0.00	C@1	
	Billed	G:12247	11/3/2016	Labrs P&W 1		0.00		
	Report to Trustees			JJ Day, Inc.		0.00		
289698	TIME			K. Engelhardt		0.10	225.00	22.50
	10/20/2016			Legal Services		0.00	C@1	
	Billed	G:12247	11/3/2016	Labrs P&W 1		0.00		
	Email to T. Truesdale			JJ Day, Inc.		0.00		
289710	TIME			K. Engelhardt		0.40	225.00	90.00
	10/21/2016			Legal Services		0.00	C	
	Billed	G:12247	11/3/2016	Labrs P&W 1		0.00		
	Call w/ B. Isenburg; email to B. Isenburg			JJ Day, Inc.		0.00		
290384	TIME			K. Engelhardt		0.20	225.00	45.00
	11/10/2016			Legal Services		0.00	C@1	
	Billed	G:12275	12/5/2016	Labrs P&W 1		0.00		
	Call to Company, J. Mashos			JJ Day, Inc.		0.00		
290491	TIME			K. Engelhardt		1.90	225.00	427.50
	11/14/2016			Legal Services		0.00	C@1	
	Billed	G:12275	12/5/2016	Labrs P&W 1		0.00		
	Call w/ F. Taffora; prepare spread sheet of employees' hours; email to J. Jorgensen, P.			JJ Day, Inc.		0.00		

3/16/2017  
12:39 PM

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

Page 3

Slip ID	Dates and Time	Posting Status	Description	Attorney Activity	Client Reference	Units DNB Time	Rate Rate Info	Slip Value
						Est. Time	Bill Status	
						Variance		
			Wallace; calls w/ J. Jorgensen, P. Wallace, Delaware County; letter to Delaware County, Indiana					
290715	TIME			K. Engelhardt		0.10	225.00	22.50
	11/16/2016			Legal Services		0.00	C@1	
	Billed	G:12275	12/5/2016	Labrs P&W 1		0.00		
	Call w/ Court clerk			JJ Day, Inc.		0.00		
290974	TIME			K. Engelhardt		0.10	225.00	22.50
	11/29/2016			Legal Services		0.00	C	
	Billed	G:12275	12/5/2016	Labrs P&W 1		0.00		
	Call to Sheriff of Delaware County			JJ Day, Inc.		0.00		
291387	TIME			K. Engelhardt		1.80	225.00	405.00
	12/7/2016			Legal Services		0.00	C@1	
	Billed	G:12295	1/10/2017	Labrs P&W 1		0.00		
	Court appearance; call w/ B. Isenberg; email letter to J. Hammond			JJ Day, Inc.		0.00		
291593	TIME			K. Engelhardt		2.00	225.00	450.00
	12/16/2016			Legal Services		0.00	C@1	
	Billed	G:12295	1/10/2017	Labrs P&W 1		0.00		
	Draft motion for rule to show cause, prepare draft order, notice of motion			JJ Day, Inc.		0.00		
291600	TIME			K. Engelhardt		0.50	225.00	112.50
	12/19/2016			Legal Services		0.00	C@1	
	Billed	G:12295	1/10/2017	Labrs P&W 1		0.00		
	Prepare exhibits and work on filing motion			JJ Day, Inc.		0.00		
292775	TIME			K. Engelhardt		0.10	225.00	22.50
	1/13/2017			Legal Services		0.00	C@1	
	Billed	G:12310	2/3/2017	Labrs P&W 1		0.00		
	Report to Trustees			JJ Day, Inc.		0.00		
292962	TIME			K. Engelhardt		1.40	225.00	315.00
	1/17/2017			Legal Services		0.00	C@1	
	Billed	G:12310	2/3/2017	Labrs P&W 1		0.00		
	Court appearance; revise rule to show cause order; email to Deputy Clerk			JJ Day, Inc.		0.00		
293067	TIME			K. Engelhardt		0.20	225.00	45.00
	1/19/2017			Legal Services		0.00	C@1	
	Billed	G:12310	2/3/2017	Labrs P&W 1		0.00		
	Call w/ Court Deputy clerk; review minute order			JJ Day, Inc.		0.00		
293098	TIME			K. Engelhardt		0.40	225.00	90.00
	1/24/2017			Legal Services		0.00	T	
	Billed	G:12310	2/3/2017	Labrs P&W 1		0.00		
	Email to C. Hoesly			JJ Day, Inc.		0.00		

3/16/2017  
12:39 PM

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

Page 4

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
293110	TIME			K. Engelhardt		0.50	225.00	112.50
	1/25/2017			Legal Services		0.00	C@1	
	Billed	G:12310		Labrs P&W 1	2/3/2017	0.00		
			Letter to Delaware County; call w/ Process Servers; email R. Parisi; request check	JJ Day, Inc.		0.00		
293977	TIME			K. Engelhardt		0.30	225.00	67.50
	2/6/2017			Legal Services		0.00	C@1	
	Billed	G:12323		Labrs P&W 1	3/3/2017	0.00		
			Review sheriff service; email to contacts in Indiana	JJ Day, Inc.		0.00		
293996	TIME			K. Engelhardt		0.30	225.00	67.50
	2/7/2017			Legal Services		0.00	C@1	
	Billed	G:12323		Labrs P&W 1	3/3/2017	0.00		
			Call w/ R. Hicks; email to R. Hicks	JJ Day, Inc.		0.00		
294225	TIME			K. Engelhardt		0.10	225.00	22.50
	2/9/2017			Legal Services		0.00	C@1	
	Billed	G:12323		Labrs P&W 1	3/3/2017	0.00		
			Email to R. Hicks	JJ Day, Inc.		0.00		
294350	TIME			K. Engelhardt		0.10	225.00	22.50
	2/22/2017			Legal Services		0.00	C@1	
	Billed	G:12323		Labrs P&W 1	3/3/2017	0.00		
			Email to K. Curtis	JJ Day, Inc.		0.00		
294550	TIME			K. Engelhardt		0.10	225.00	22.50
	2/27/2017			Legal Services		0.00	C@1	
	Billed	G:12323		Labrs P&W 1	3/3/2017	0.00		
			Call w/ process server	JJ Day, Inc.		0.00		
294652	TIME			K. Engelhardt		0.20	225.00	45.00
	2/28/2017			Legal Services		0.00	C@1	
	Billed	G:12323		Labrs P&W 1	3/3/2017	0.00		
			Email w/ Delaware County sheriff	JJ Day, Inc.		0.00		
294789	TIME			K. Engelhardt		0.30	225.00	67.50
	3/1/2017			Legal Services		0.00	C@1	
	WIP			Labrs P&W 1		0.00		
			Email T. Trusdale; call w/ C. Wernick	JJ Day, Inc.		0.00		
295117	TIME			K. Engelhardt		0.10	225.00	22.50
	3/14/2017			Legal Services		0.00	C@1	
	WIP			Labrs P&W 1		0.00		
			Receive audit report	JJ Day, Inc.		0.00		
295137	TIME			K. Engelhardt		0.10	225.00	22.50
	3/15/2017			Legal Services		0.00	C@1	
	WIP			Labrs P&W 1		0.00		
			Call w/ J. Mashos	JJ Day, Inc.		0.00		

3/16/2017  
12:39 PM

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

Slip ID		Attorney	Units	Rate	Slip Value
Dates and Time		Activity	DNB Time	Rate Info	
Posting Status		Client	Est. Time	Bill Status	
Description		Reference	Variance		
295157	TIME	K. Engelhardt	2.60	225.00	585.00
3/16/2017		Legal Services	0.00	C@1	
WIP		Labrs P&W 1	0.00		
Draft affidavit of J. Mashos; call w/ J. Mashos; draftJJ Day, Inc.			0.00		
Motion for Default, Notice of Motion; Judgment					
Order; affidavit of shareholder fees					
Grand Total					
		Billable	23.10		4998.50
		Unbillable	0.00		0.00
		Total	23.10		4998.50