

# Exhibit C

**Exhibit C**

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

TRUSTEES of the IRON WORKERS	)	
TRI-STATE WELFARE PLAN	)	
	)	
Plaintiffs,	)	Case No. 17-cv-6478
	)	
	)	Judge Feinerman
v.	)	
	)	
GES USA, INC.	)	
	)	
Defendant.	)	

SWORN DECLARATION PURSUANT TO 28 U.S.C.A. § 1746

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Daniel P. McAnally declares as follows:

1. I am an associate of the law firm of McGann, Ketterman & Rioux and am licensed to practice law in the State of Illinois and in the U.S. Dist. Court for Northern District of Illinois, Eastern Division.
2. I have personal knowledge of the facts stated herein and if called to testify in this matter, I can competently testify to such facts from my own such knowledge.
3. I have in excess of 24 years experience representing trustees of employee benefit plans, including the prosecution of Federal Court litigation to collect delinquent employer contributions.
4. The Collective Bargaining Agreement and the Trust Agreements under which this action is based provide for the payment of attorneys' fees and costs incurred if the Trust Funds utilize legal counsel to collect unpaid ERISA contributions.
5. I have have devoted 17.00 hours in connection with the this case at the rate of \$195.00 per hour. The total attorney fees billings is \$3,315.00.

6. I have spoken with four other lawyers from four different labor law firms who practice this type of ERISA trust fund litigation. Based on my knowledge and experience, the rates charged by the hour in this case are less than or equal to the usual and customary rates charged by other law firms doing similar work in the United States District Court for the Northern District of Illinois.

7. In addition, the filing fee was \$400.00.

8. I certify that the attached detailed attorney fees and costs totaling \$3,715.00 were necessary and reasonable.

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Declaration is true and correct.

Dated: November 8, 2017

/s/ Daniel P. McAnally

Attorney for the Plaintiffs

Selection Criteria

Slip Classification Open  
Case Selection Include: IW.N10959  
Slip Transaction Typ 1 - 1

Rate Info - identifies rate source and level

Slip ID	ATTORNEY	Units	Rate	Slip Value
Dates and Time	Activity	DNB Time	Rate Info	
Posting Status	Case	Est. Time	Bill Status	
Description	Reference	Variance		
558957	TIME	DPM	195.00	390.00
9/2/2017	Billable	2.00	T@13	
Billed	G:101059 10/2/2017 IW.N10959	0.00		
Review referral from the Iron Workers' Tri-State Welfare; review trust fund claim, agreement between the parties and history of communication between the fund office and the signatory employer; prepare database and load information regarding case facts, history and legal strategy; prepare file for litigation; prepare summary and entry into the litigation status report for presentation to the trustees.		0.00		
558958	TIME	DPM	195.00	438.75
9/4/2017	Billable	2.25	T@13	
Billed	G:101059 10/2/2017 IW.N10959	0.00		
Review the Illinois Secretary of State web site and perform LEXIS research to determine corporate status and registered agent information for legal process; search for related individuals, entities, pending cases and assets.		0.00		
558959	TIME	DPM	195.00	292.50
9/5/2017	Billable	1.50	T@13	
Billed	G:101059 10/2/2017 IW.N10959	0.00		
Prepare complaint, summons, appearance forms and civil cover sheet for Trust Funds' claims and compliance matters pursuant to ERISA Section 1132.		0.00		
558960	TIME	DPM	195.00	48.75
9/7/2017	Billable	0.25	T@13	
Billed	G:101059 10/2/2017 IW.N10959	0.00		
Prepare the complaint, summons, civil cover sheet and appearance for electronic filing; file the documents.		0.00		
558961	TIME	DPM	195.00	146.25
9/9/2017	Billable	0.75	T@13	
Billed	G:101059 10/2/2017 IW.N10959	0.00		
Review email from the U.S. District Court Clerk regarding the electronic filing; download and print		0.00		

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Slip Listing

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Slip ID	Dates and Time	Posting Status	Description	ATTORNEY Activity Case Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
			the complaint, summons, civil cover sheet and attorney appearance; review the complaint; load information regarding the filing date, case number and assigned judge and magistrate into the database; online review of the judge's standing orders regarding pre-trial litigation, motion practice and status hearing dates; review minute clerk contact information; prepare courtesy copy of the complaint for the assigned judge.				
558962	TIME			DPM	0.50	195.00	97.50
	9/9/2017			Billable	0.00	T@13	
	Billed	G:101059	10/2/2017	IW.N10959	0.00		
			Prepare summons for the signatory corporate defendant; include court information; electronically file the summons; communication with the clerk of the court regarding the issuance of the summons; review email from the clerk regarding the completed summons for service; download summons and enclose in file.		0.00		
558963	TIME			DPM	0.50	195.00	97.50
	9/9/2017			Billable	0.00	T@13	
	Billed	G:101059	10/2/2017	IW.N10959	0.00		
			Prepare correspondence to legal process server directing service of the summons and complaint.		0.00		
558964	TIME			DPM	0.50	195.00	97.50
	9/11/2017			Billable	0.00	T@13	
	Billed	G:101059	10/2/2017	IW.N10959	0.00		
			Prepare correspondence to Debbie Trzeciak, Contribution Accounting Manager, Zenith-Ameican regarding the filing of the complaint and legal strategy moving forward.		0.00		
558967	TIME			DPM	0.50	195.00	97.50
	9/21/2017			Billable	0.00	T@13	
	Billed	G:101059	10/2/2017	IW.N10959	0.00		
			Review correspondence from Sandor Jacobson regarding the filing of an Assignment for the Benefit Creditors; review and analyze information.		0.00		
559370	TIME			DPM	0.25	195.00	48.75
	10/1/2017			Billable	0.00	T@13	
	Billed	G:101233	11/1/2017	IW.N10959	0.00		
			Review e-mail sent by the U.S. Dist. Court for the Northern Dist. of Illinois regarding SUMMONS Returned Executed by Trustees of the Iron Workers Tri-State Welfare Plan as to GES USA, Inc. on 9/12/2017, answer due 10/3/2017.; download documents to the file folder; print document and		0.00		

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Slip ID	ATTORNEY	Units	Rate	Slip Value
Dates and Time	Activity	DNB Time	Rate Info	
Posting Status	Case	Est. Time	Bill Status	
Description	Reference	Variance		
enclose in file.				
559371	TIME	DPM	195.00	39.00
10/9/2017		Billable	T@13	
Billed	G:101233 11/1/2017	IW.N10959		
Review e-mail sent by the U.S. Dist. Court for the Northern Dist. of Illinois regarding MINUTE entry before the Honorable Gary Feinerman: Status hearing set for 10/23/2017 at 9:00 a.m.; download documents to the file folder; print document and enclose in file.				
559376	TIME	DPM	195.00	97.50
10/9/2017		Billable	T@13	
Billed	G:101233 11/1/2017	IW.N10959		
Prepare correspondence to Debbie Trzeciak, Contribution Accounting Manager, Zenith-Ameican regarding status of the litigation and request for the fund's updated claim.				
559378	TIME	DPM	195.00	146.25
10/10/2017		Billable	T@13	
Billed	G:101233 11/1/2017	IW.N10959		
Review file for current status; review the court docket; prepare and update status in the litigation status report for presentation to the trustees in the Iron Workers' Tri-State Welfare Delinquency Committee Meeting and at the Iron Workers' Tri-State Welfare Quarterly Board of Trustees' Meeting; note to file regarding same.				
559757	TIME	DPM	195.00	48.75
10/18/2017		Billable	T@13	
Billed	G:101233 11/1/2017	IW.N10959		
Telephone conference with Debbie Trzeciak, Contribution Accounting Manager, Zenith-Ameican regarding the motion for default judgment and request for affidavit.				
559933	TIME	DPM	195.00	19.50
10/19/2017		Billable	T@13	
Billed	G:101233 11/1/2017	IW.N10959		
Review e-mail sent by the U.S. Dist. Court for the Northern Dist. of Illinois regarding MINUTE entry before the Honorable Gary Feinerman: Status hearing set for 10/23/2017 at 9:00 a.m. is re-set for 9:15 a.m. TIME CHANGE ONLY.Mailed ; download documents to the file folder; print document and enclose in file.				

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Slip ID	ATTORNEY	Units	Rate	Slip Value
Dates and Time	Activity	DNB Time	Rate Info	
Posting Status	Case	Est. Time	Bill Status	
Description	Reference	Variance		
559934	TIME	DPM	195.00	97.50
10/20/2017		Billable	T@13	
Billed	G:101233 11/1/2017 IW.N10959	0.50		
Prepare for court status/motion hearing; review file for current status and most recent activity; telephone conversation with trust fund regarding status of the litigation; review court docket to confirm that the case will be called for status.		0.00		
		0.00		
559935	TIME	DPM	195.00	195.00
10/23/2017		Billable	T@13	
Billed	G:101233 11/1/2017 IW.N10959	1.00		
Travel to / from court; attend court appearance at the U.S. District Court for the Northern District of Illinois before Judge Feinerman; telephone conference with the fund office regarding outcome of the court hearing; note to file regarding same.		0.00		
		0.00		
559951	TIME	DPM	195.00	39.00
10/24/2017		Billable	T@13	
Billed	G:101233 11/1/2017 IW.N10959	0.20		
Review e-mail sent by the U.S. Dist. Court for the Northern Dist. of Illinois regarding MINUTE entry before the Honorable Gary Feinerman:Statue hearing held. For the reasons stated on the record, a Civil Rule 55(a) default is entered against Defendant GES USA, Inc. A Civil Rule 55(b) prove-up hearing is set for 11/13/2017 at 9:00 a.m. Plaintiffs shall file their Rule 55(b) motion for default judgment by 11/6/2017. If Defendant wishes to oppose Plaintiffs' Rule 55(b) motion, Defendant must file a written opposition or appear at the 11/13/2017 hearing. If Defendant does not respond or appear, the court will rule on the Rule 55(b) motion at the 11/13/2017 hearing. Plaintiffs shall serve Defendant with a copy of this order and their Rule 55(b) papers via a means that allows for electronic confirmation of delivery.; download documents to the file folder; print document and enclose in file.		0.00		
		0.00		
560187	TIME	DPM	195.00	292.50
10/24/2017		Billable	T@13	
Billed	G:101233 11/1/2017 IW.N10959	1.50		
Prepare affidavit for Debbie Trzeciak, Delinquent Accouts Coordiator in support of the Trust Funds' motion for default judgment; affidavit to support claim for ERISA fringe benefit contributions, and calculation of liquidated damages and interest pursuant to the terms of the trust agreements and Internal Revenue Code; prepare correspondence to Trzeciak regarding the affidavit and request for		0.00		
		0.00		

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Slip ID	Dates and Time	Posting Status	Description	ATTORNEY Activity Case Reference	Units DNB Time Est. Time Variance	Rate Rate Info Bill Status	Slip Value
			execution.				
560188	TIME			DPM	1.00	195.00	195.00
	10/25/2017			Billable	0.00	T@13	
	Billed	G:101233	11/1/2017	IW.N10959	0.00		
			Review file for all entries for the attorney billings and costs incurred; compare with work performed on the file; prepare attorney fee declaration / affidavit and exhibits.		0.00		
560189	TIME			DPM	2.00	195.00	390.00
	10/27/2017			Billable	0.00	T@13	
	Billed	G:101233	11/1/2017	IW.N10959	0.00		
			Prepare motion for default judgment for the trust fund claims and ERISA damages; prepare exhibits; review judge's schedule for hearing date and time; prepare notice of motion and certificate of service.		0.00		
Grand Total				Billable	17.00		3315.00
				Unbillable	0.00		0.00
				Total	17.00		3315.00

*Filing Fee*

*\$ 400-*

*\$ 3,715.00*