

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

CHICAGO & VICINITY LABORERS')
DISTRICT COUNCIL PENSION FUND,)
CHICAGO & VICINITY LABORERS')
DISTRICT COUNCIL WELFARE FUND,)
CHICAGO & VICINITY LABORERS')
DISTRICT COUNCIL RETIREE HEALTH) Case No. 22 cv 01568
AND WELFARE FUND, and CATHERINE)
WENSKUS, not individually but as)
Administrator of the Funds,)
Plaintiffs,)
v.)
DIVINE CEMENT INC., an Illinois corporation,)
Defendant.)

DECLARATION OF AMY CAROLLO

I, AMY CAROLLO, declare and state as follows:

1. I am Funds Counsel for Plaintiffs 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 (the "Laborers' Funds"), Plaintiffs in the above-referenced action. This Declaration is submitted in support of the Laborers' Funds' Motion for Default and Entry of Judgment in Sum Certain against Divine Cement Inc.

2. Shareholders of the law firm of Allison, Slutsky & Kennedy, out-of-house
counsel for the Funds, billed the Funds at a rate of \$265.00 per hour for shareholders,
#USA: Direct Counsel Services Inc et al v. Davis Ceweau, Inc. DOC 13 V 3
00 per hour for associates, and \$120.00 for paralegals. Affiant, as in-house counsel for the
, has first-hand knowledge that the foregoing hourly rates have been found reasonable and
been awarded by many courts in collection proceedings.

3. Amy Carollo received a Bachelor of Arts Degree from Illinois State University in 2000, Masters of Science from University of Illinois at Chicago in 2002 and a Juris Doctor from Chicago-Kent College of Law in 2005. She was admitted to the bar of the State of Illinois in November of 2005 and to the bar of the United States District Court for the Northern District in January 2006. In March 2006, she became in-house counsel for the Laborers' Pension Fund and Laborers' Welfare Fund for the Health and Welfare Department of the Construction and General Laborers' District Council of Chicago and Vicinity.

4. Based on the foregoing, \$265.00 represents a fair and reasonable market rate for my in-house legal services to the Funds in this matter.

5. Patrick T. Wallace received a Bachelor of Arts Degree from the University of Illinois at Urbana-Champaign in 1992 and a Juris Doctor Degree from the University of DePaul College of Law in 1995. He was admitted to the bar of the State of Illinois in November 1995 and to the bar of the United States District Court for the Northern District of Illinois in December 1995. He also been admitted to the bar of the United States District Court for the Central District of Illinois. He was admitted to the Trial Bar of the Northern District of Illinois on September 20, 2000. From November 1995 to August 2000 he practiced labor and employment law as an associate at the law firm of Katz, Friedman, Eagle, Eisenstein & Johnson (formerly Katz, Friedman, Schur & Eagle). In September 2000, he became Funds Counsel for the Laborers' Pension Fund and Laborers' Welfare Fund for the Health and Welfare Department of the Construction and General Laborers' District Council of Chicago and Vicinity.

6. Based on the foregoing, \$265.00 represents a fair and reasonable market rate for Patrick T. Wallace's in-house legal services to the Funds in this matter.

7. Sara Stewart Schumann received a Bachelor of Arts Degree from Northeastern Illinois University in 2007 and a Juris Doctor Degree from Illinois Institute of Technology, Chicago-Kent College of Law in December 2010. She was admitted to the bar of the State of Illinois in May 2011 and to the bar of the United States District Court for the Northern District of Illinois in May 2011. From April 2011 to January 2019, she practiced labor and employment law as an associate at the law firm of Allison, Slutsky & Kennedy, P.C. In January 2019, she became Associate Funds Counsel for the Laborers' Pension Fund and Laborers' Welfare Fund for the Health and Welfare Department of the Construction and General Laborers' District Council of Chicago and Vicinity.

8. Based on the foregoing, \$265.00 represents a fair and reasonable market rate for Sara Stewart Schumann's in-house legal services to the Funds in this matter.

9. Exhibit B-1 attached hereto sets forth the time expended to date by in-house counsel on this matter. As set forth in that Exhibit, in-house has expended 12.5 hours totaling \$3,312.50 in attorneys' fees and \$471.00 in expenses totaling \$3,783.50.

I, the undersigned, certify under penalty of perjury that the foregoing is true and correct.

Date: 8/1/22


Digitally signed by Amy
Carollo
Date: 2022.08.01
10:25:34 -05'00'
Amy Carollo

Laborers Pension and Welfare Funds
11465 Cermak Rd.
Westchester, IL 60154

Invoice submitted to:
Divine

July 27, 2022

Invoice #10445

Professional Services

		Hrs/Rate	Amount
7/20/2021	PTW Telephone conference with LG re: report	0.10 265.00/hr	26.50
7/21/2021	ANC review order	0.10 265.00/hr	26.50
10/7/2021	ANC texts with Poracky, review exhibits, Macess to see if audit in yet	0.50 265.00/hr	132.50
3/22/2022	ANC Draft Complaint	1.00 265.00/hr	265.00
3/24/2022	ANC revise complaint; email TM	0.70 265.00/hr	185.50
4/12/2022	ANC telephone message and Telephone conference with L. Green, telephone message from and telephone message to Patricia, emails with TM	0.20 265.00/hr	53.00
4/13/2022	ANC TM email, from and to	0.10 265.00/hr	26.50
4/14/2022	ANC conference with RL, Telephone conference with L. Green	0.20 265.00/hr	53.00
4/19/2022	ANC conference with VA, emails with MC, draft letter and email Judlau	0.30 265.00/hr	79.50
4/20/2022	ANC review checks and audit, conference with RL and TM, draft memo	1.00 265.00/hr	265.00

			Hrs/Rate	Amount
4/21/2022	ANC	review audits, Telephone conference with L. Green, email MC, Telephone conference with same	0.50 265.00/hr	132.50
4/22/2022	ANC	email with TM	0.20 265.00/hr	53.00
4/28/2022	ANC	draft bonding letter, emails with TM, emails with AG	0.30 265.00/hr	79.50
5/2/2022	ANC	email TM, review order, email TM	0.20 265.00/hr	53.00
5/4/2022	ANC	Telephone conference with AG, Telephone conference with MC, review file, conference with RL	0.40 265.00/hr	106.00
5/6/2022	ANC	A. Franz, email (to and from)	0.20 265.00/hr	53.00
5/18/2022	ANC	Telephone conference with MC	0.10 265.00/hr	26.50
	ANC	email Company	0.10 265.00/hr	26.50
5/20/2022	ANC	telephone attempt to L. Green (in meeting)	0.10 265.00/hr	26.50
5/24/2022	ANC	Telephone conference with L. Green, MTF	0.30 265.00/hr	79.50
5/26/2022	ANC	prepare for court, court, email L. Green, L. Green email	1.00 265.00/hr	265.00
5/27/2022	ANC	review order, email TM	0.10 265.00/hr	26.50
6/16/2022	ANC	review V3, telephone message to L. Green	0.10 265.00/hr	26.50
6/20/2022	ANC	Telephone conference with Green, MTF	0.30 265.00/hr	79.50
6/21/2022	ANC	confernce with MC, email to and from Anita, draft letter to Judlau, email Judlau	0.50 265.00/hr	132.50
6/22/2022	ANC	telephone message from and to MC, Telephone conference with MC, Telephone conference with JB	0.30 265.00/hr	79.50
6/27/2022	ANC	emails with SSS	0.20 265.00/hr	53.00

			Hrs/Rate	Amount
6/28/2022	ANC	email L. Green log in instructions, conferences with TM re: court hearing, conferences with SSS	0.30 265.00/hr	79.50
	SSS	Cover status hearing call for A. Carollo, and text and emails afterwards	1.00 265.00/hr	265.00
6/29/2022	ANC	emails to and frm TM	0.20 265.00/hr	53.00
7/11/2022	ANC	draft Motion for Order of Default	0.70 265.00/hr	185.50
7/12/2022	ANC	draft and revise Motion for Order of Default,email TM	0.30 265.00/hr	79.50
7/15/2022	ANC	Telephone conference with JB, Telephone conference with Green, telephone message with JB	0.30 265.00/hr	79.50
7/18/2022	ANC	Green email, review, email JB	0.20 265.00/hr	53.00
7/19/2022	ANC	emails from and to AG	0.10 265.00/hr	26.50
7/20/2022	ANC	Telephone conference with JB	0.10 265.00/hr	26.50
7/26/2022	ANC	email MC, download reports	0.20 265.00/hr	53.00
For professional services rendered				12.50
\$3,312.50				
Additional Charges :				
3/25/2022		Filing fee.		402.00
5/4/2022		Personal Service of Summons and Complaint		69.00
Total additional charges				\$471.00
\$3,783.50				
Total amount of this bill				
\$3,783.50				
Balance due				
\$3,783.50				

Timekeeper Summary

Name	Hours	Rate	Amount
Amy N. Carollo	11.40	265.00	\$3,021.00
Patrick T. Wallace	0.10	265.00	\$26.50
Sara S. Schumann	1.00	265.00	\$265.00