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

THE CONSTRUCTION IN	DUSTRY WELFARE)
FUND OF ROCKFORD, ILLINOIS; THE CONSTRUCTION INDUSTRY)
)
RETIREMENT FUND OF I	ROCKFORD,)
ILLINOIS; AND BRICKLAY	ERS and ALLIED	j
CRAFTWORKERS LOCAL 6, ILLINOIS,)
	Plaintiffs,)) CASE NO. 08 C 50065
V.) Judge: Kapala) Magistrate Judge: Mahoney
MASONRY STRUCTURES An Illinois Corporation	S, INC.,))
	Defendant.)

AFFIDAVIT OF MARC PEKAY

NOW COMES, Marc M. Pekay, who upon my oath affirms and says:

- 1. I am the attorney who represents the Construction Industry Welfare Fund of Rockford, Illinois and The Construction Industry Retirement Fund of Rockford, Illinois (hereinafter collectively referred to as the "Funds" or the "Plaintiffs"). My office is located at 30 N. LaSalle Street, Suite 2426, Chicago, Illinois 60602.
- 2. I am admitted to the federal bar and have regularly represented trust funds in matters involving collection of fringe benefits.
- 3. My billing fee for myself and other associates in my office is \$200.00 per hour
- 4. I have spent 26.6 hours in this matter.

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5. The total amount of Legal Fees that was billed was \$5,327.50 most of which has already been paid by the Funds.

- 6. In addition to legal fees, the cost of filing this lawsuit and having the Company served with the lawsuits is \$499.53.
- 7. Therefore, the total amount of Legal Fees and Costs that was billed by the Law Offices of Marc M. Pekay and most of which has been paid by the Funds is \$5,827.03. FURTHER AFFIANT SAYETH NOT

Dated this 1376 day of January 2009

By Marc M. Pelay Marc M. Pekay

Sworn and subscribed to before me This $\sqrt{3}$ day of January 2009

By While Store

"OFFICIAL SEAL"
Idala Heather Strouse
Notary Public, State of Illinois
My Commission Exp. 03/26/2009