

collective bargaining agreements and trust agreements which state the Company must pay contributions to the Funds.

3. The Agreements and Trust Agreements to which the Company is bound require that the Company submit benefit reports and contributions by the fifteenth (15th) day of the following month. Payments which are not received by the twenty-fifth (25th) day of the month after the work was performed are required to pay an additional amount of ten percent (10%) in liquidated damages. The Agreements and the Funds' respective Agreements, also obligate the Company to submit its books and records to the Funds for periodic audits to determine benefit contribution compliance.

4. Singley Construction submitted its books and records to an audit. Pursuant to the audit, the Company owes Twelve Thousand Three Hundred and Four Dollars and fifty five cents (\$12,304.55) in contributions for hours worked from January 1, 2006 through December 31, 2007. In addition, the audit fees for the audit are six hundred and fifty dollars (\$650.00) and pursuant to the Agreements to which Defendant is bound, the Company is liable for this fee. *See Exhibit B.*

5. In addition to the above, the Company owes One Thousand One Hundred and Seventy Nine Dollars and two cents (\$1,179.02) in liquidated damages for May 2006 contributions that were not paid on time. *See Exhibit C.*

6. The Company also owes legal fees and costs in the amount of Two Thousand Three Hundred and Twenty Seven Dollars (\$2,327.00) that the Funds have incurred in trying to collect on these delinquencies.

FURTHER AFFIANT SAYETH NOT

Dated this 18 day of August 2008

By *Jim Farone*
Jim Farone

Sworn and subscribed to before me
This 18 day of August 2008

By *Nancy H Shindel*
Notary Public

