

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

THE CONSTRUCTION INDUSTRY WELFARE)
FUND OF ROCKFORD, ILLINOIS and;)
THE CONSTRUCTION INDUSTRY)
RETIREMENT FUND OF ROCKFORD,)
ILLINOIS,)

Plaintiffs,)

v.)

MACDONALD CONSTRUCTION SERVICES, INC.)

Defendant.)

CASE NO. 08 C 50149

) Judge Frederick Kapala
) Magistrate Judge Michael
) Mahoney

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 8.65 hours in this matter.
5. The total amount of Legal Fees that was billed was \$1,730.00 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 \$397.65.

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 \$2,127.65.

FURTHER AFFIANT SAYETH NOT

Dated this 5th day of September 2008

By Marc M. Pekay
Marc M. Pekay

Sworn and subscribed to before me
This 5th day of September 2008

By J. Farone
Notary Public

