

2. Perini is a construction services company offering general contracting, construction management and design/build services to private clients and public agencies. The Company advertises itself as offering general contracting, pre-construction planning and project management services, including the planning and scheduling of the manpower, equipment, materials and subcontractors required for a project. The Company also states that it offers self-performed construction services including sitework, concrete forming and placement and steel erection.

3. On January 17, 2008, the Company shocked investors when it announced that Deutsche Bank had delivered a notice of loan default to the developer of the Cosmopolitan Resort Casino project under construction in Las Vegas. Perini was the general contractor for this project, and admitted that it was unable to determine the financial impact this default notice would have on the Company. Moreover, the Company disclosed that the work which remained to be performed on the project totaled \$1.4 billion.

4. Upon the release of this news, the Company's shares declined \$10.05 per share, or 26.66 percent, to close on January 17, 2008 at \$27.65 per share, on unusually heavy trading volume.

5. The Complaint alleges that, throughout the Class Period, defendants failed to disclose material adverse facts about the Company's financial well-being, business relationships, and prospects. Specifically, defendants failed to disclose or indicate the following: (1) that the Company's projects in Las Vegas were being subject to delays and risked being halted altogether; (2) that the developer of Perini's Las Vegas projects failed to secure financing for the entire project; (3) that the developer of Perini's Las Vegas projects would have to raise the remainder of the money from the sale of residential units at a time when the residential market in

Las Vegas was experiencing a significant downturn; (4) that as a result, the developer of Perini's projects was at risk of default on its construction loan; (5) that the Company's future profit and revenue was heavily dependent on the Las Vegas projects which consisted of 20% of the Company's backlog; (6) that the Company lacked adequate internal and financial controls; and (7) that, as a result of the foregoing, the Company's statements about its financial well-being and future business prospects were lacking in any reasonable basis when made.

6. As a result of defendants' wrongful acts and omissions, and the precipitous decline in the market value of the Company's securities, Plaintiff and other Class Members have suffered significant losses and damages.

JURISDICTION AND VENUE

7. The claims asserted herein arise under and pursuant to Sections 10(b) and 20(a) of the Exchange Act, (15 U.S.C. §§ 78j(b) and 78t(a)), and Rule 10b-5 promulgated thereunder (17 C.F.R. § 240.10b-5).

8. This Court has jurisdiction over the subject matter of this action pursuant to Section 27 of the Exchange Act (15 U.S.C. § 78aa) and 28 U.S.C. § 1331.

9. Venue is proper in this Judicial District pursuant to Section 27 of the Exchange Act, 15 U.S.C. § 78aa and 28 U.S.C. § 1391(b). Many of the acts and transactions alleged herein, including the preparation and dissemination of materially false and misleading information, occurred in substantial part in this Judicial District. Additionally, Perini's principal executive offices are located within this Judicial District.

10. In connection with the acts, conduct and other wrongs alleged in this Complaint, defendants, directly or indirectly, used the means and instrumentalities of interstate commerce, including but not limited to, the United States mails, interstate telephone communications and

the facilities of the national securities exchange.

PARTIES

11. Plaintiff, Marion Rollman, as set forth in the accompanying certification, incorporated by reference herein, purchased Perini's securities at artificially inflated prices during the Class Period and has been damaged thereby.

12. Defendant Perini is a Massachusetts corporation with its principal executive offices located at 73 Mt. Wayte Avenue, Framingham, Massachusetts.

13. Defendant Ronald N. Tutor ("Tutor") was, at all relevant times, the Company's Chief Executive Officer ("CEO"), and Chairman of the Board of Directors.

14. Defendant Robert Band ("Band") was, at all relevant times, the Company's President and Chief Operating Officer ("COO").

15. Defendant Michael E. Ciskey ("Ciskey") was, at relevant times, the Company's Chief Financial Officer ("CFO"), Vice President and Senior Vice President.

16. Defendant Kenneth R. Burk ("Burk") was, at relevant times, the Company's Chief Financial Officer ("CFO") and Senior Vice President.

17. Defendants Tutor, Band, Ciskey and Burk are collectively referred to hereinafter as the "Individual Defendants." The Individual Defendants, because of their positions with the Company, possessed the power and authority to control the contents of Perini's reports to the SEC, press releases and presentations to securities analysts, money and portfolio managers and institutional investors, i.e., the market. Each defendant was provided with copies of the Company's reports and press releases alleged herein to be misleading prior to, or shortly after, their issuance and had the ability and opportunity to prevent their issuance or cause them to be corrected. Because of their positions and access to material non-public information available to

them, each of these defendants knew that the adverse facts specified herein had not been disclosed to, and were being concealed from, the public, and that the positive representations which were being made were then materially false and misleading. The Individual Defendants are liable for the false statements pleaded herein, as those statements were each "group-published" information, the result of the collective actions of the Individual Defendants.

SUBSTANTIVE ALLEGATIONS

Background

18. Perini is a construction services company offering general contracting, construction management and design/build services to private clients and public agencies. The Company advertises itself as offering general contracting, pre-construction planning and project management services, including the planning and scheduling of the manpower, equipment, materials and subcontractors required for a project. The Company also states that it offers self-performed construction services including sitework, concrete forming and placement and steel erection.

19. On May 12, 2005, the Company issued a press release entitled "MGM MIRAGE Selects Perini Building Company as the General Contractor for Key Components of Project CityCenter, Las Vegas' New Mega Project." Therein, the Company, in relevant part, stated:

Perini Building Company, a wholly owned subsidiary of Perini Corporation (NYSE:PCR), has been selected for a multi-billion dollar construction contract from MGM MIRAGE (NYSE:MGM) to build a major portion of Project CityCenter. The estimated value of Perini's construction contract is approximately \$3 billion. Under the current schedule, Perini expects to break ground on Project CityCenter in the summer of 2005 with planned completion of the entire project by the end of 2009.

Project CityCenter is one of the largest building construction programs currently underway in the United States. Project CityCenter's multi-billion dollar urban complex covering 66 acres

is located between the Bellagio and Monte Carlo casino resorts in Las Vegas.

Ehrenkrantz, Eckstut & Kuhn Architects, creator of Battery Park in New York City, developed a master plan that incorporates all of the elements of a high-density, mixed-use urban environment. The pedestrian oriented complex includes a hotel/casino, upscale hotels, residential luxury condominiums, restaurants, retail, and a wide variety of entertainment.

MGM MIRAGE plans for Perini's construction contract to include a 4,000-room hotel tower, casino, convention center, showroom, approximately 500,000 square-feet of retail and restaurants, three branded boutique hotels and numerous residential towers. Perini will also be responsible for constructing the infrastructure, hardscape and landscape.

"This is a world-class project," said Craig Shaw, president of Perini Building Company. "We believe the massive scale and private funding of Project CityCenter will establish new records for a building construction project of any kind in the United States. We are proud to be a part of Las Vegas history in the making."

* * *

Perini Building Company is one of the largest builders of hospitality and gaming projects in the nation. The company has six offices throughout the country. In 2004, Engineering News-Record ranked Perini number 27 out of the top 400 contractors according to construction revenues. Forbes magazine ranked Perini Corporation among the best-managed companies in America in January 2005. Southwest Contractor, a McGraw-Hill publication covering Nevada, Arizona and New Mexico, ranked Perini Building Company as the leading general contractor according to 2004 revenues. The Nevada Contractors Association named Perini Building Company 2004 Contractor of the Year. [Emphasis added.]

**Materially False and Misleading
Statements Issued During the Class Period**

20. The Class Period begins on November 2, 2006. On this day, the Company issued a press release entitled "Perini Corporation Announces Q3 2006 Results." Therein, the Company, in relevant part, stated:

Perini Corporation (NYSE:PCR), a leading building, civil construction and construction management company, today reported results for the third quarter ended September 30, 2006.

Third Quarter Results

Net income was \$9.6 million for the third quarter of 2006, a 60% increase compared to third quarter net income of \$6.0 million in 2005. Diluted earnings per common share were \$0.36 for the third quarter of 2006, as compared to \$0.22 for the third quarter of 2005. The third quarter of 2006 results were favorably impacted by approximately \$10.9 million from profit adjustments on projects in Iraq including savings on project execution and contract closeout, partially offset by the impact of approximately \$6.7 million from downward profit adjustments in civil operations, including a roadway project in Maryland. Also, the third quarter of 2006 results were impacted by a \$4.0 million pretax charge (or \$0.09 per diluted share) related to stock-based compensation expense resulting from restricted stock units granted in April and May of 2006.

Revenues from construction operations were \$773.3 million for the third quarter of 2006, up 103% compared to revenues of \$380.3 million reported for the third quarter of 2005. The increase in revenues is due primarily to the addition of Rudolph and Sletten, and to an increased volume of work in the building segment's hospitality and gaming market as a result of the significant new contract awards received in the latter half of 2005.

Robert Band, President and Chief Operating Officer, stated that, "We are pleased to report a profitable performance for the third quarter of 2006. Our backlog is converting to revenue as expected. In addition, we have added new work to our backlog during 2006 at a faster pace than our revenue burn-off, resulting in a backlog of \$9.0 billion at September 30, 2006. *Given the visibility provided from this backlog, we look forward to what we anticipate will be a record year in 2007 for revenues and earnings per share.*" [Emphasis added.]

21. As a result of this news, shares of the Company's stock increased \$4.16 per share, or 17.19 percent, to close on November 3, 2006 at \$28.36 per share, on unusually heavy trading volume.

22. On February 15, 2007, the Company issued a press release entitled "Perini

Corporation Announces 2006 Results." Therein, the Company, in relevant part, stated:

Corporation (NYSE:PCR), a leading building, civil construction and construction management company, today reported results for the year ended December 31, 2006.

2006 Results

Net income was \$41.5 million for the year ended December 31, 2006, as compared to net income of \$4.0 million in 2005. Diluted earnings per common share were \$1.54 for the year ended December 31, 2006, as compared to \$0.20 for the year ended December 31, 2005. Revenues from construction operations were a record \$3.0 billion for the year ended December 31, 2006, compared to revenues of \$1.7 billion for the year ended December 31, 2005. The increase in revenues is due primarily to the addition of Rudolph and Sletten, and to an increased volume of work in the building segment's hospitality and gaming market as a result of the significant new contract awards received in the latter half of 2005. Net income for the year ended December 31, 2006 was reduced by a \$9.9 million after-tax charge, or \$0.37 per diluted share, as a result of stock-based compensation expense from restricted stock unit awards granted in 2006. The 2005 results were severely impacted by an after-tax charge of \$23.6 million, or \$0.90 per diluted share, relating to the judgment against two Perini joint ventures in the matter of Mergentime Corporation, et al. vs. Washington Metropolitan Area Transit Authority ("WMATA"). The diluted earnings per share calculation for the year ended December 31, 2005 was favorably impacted by \$0.09 per share due to the reversal of a portion of accumulated but unpaid dividends on the Company's \$21.25 Preferred Stock as a result of the settlement of the lawsuit brought by holders of the Company's \$21.25 Preferred Stock.

Robert Band, President and Chief Operating Officer, stated that, *"We are pleased to report a record pretax profit for 2006, led by our building and our management services segments. Our strong backlog of \$7.9 billion entering 2006 converted to revenue as expected during the year. In addition, we have added new work to our backlog during 2006 at a faster pace than our revenue burn-off, resulting in an increased backlog of \$8.5 billion at December 31, 2006. Given the visibility provided from this backlog, we look forward to what we anticipate will be a record year in 2007 for revenues and earnings per share."*

Fourth Quarter Results

Net income was \$19.3 million for the fourth quarter of 2006, as compared to fourth quarter net loss of \$13.9 million in 2005. Diluted earnings per common share were \$0.72 for the fourth quarter of 2006, as compared to a loss per common share of \$0.45 for the fourth quarter of 2005. Revenues from construction operations were \$944.3 million for the fourth quarter of 2006, compared to revenues of \$603.2 million reported for the fourth quarter of 2005. The fourth quarter of 2006 results were reduced by a \$2.4 million after-tax charge, or \$0.09 per diluted share, as a result of stock-based compensation expense from restricted stock unit awards granted in 2006. As with the full year 2005 results, the fourth quarter of 2005 operating results were severely impacted by an after-tax charge of \$23.6 million, or \$0.89 per diluted share, as a result of the WMATA judgment. The diluted loss per share calculation for the fourth quarter of December 31, 2005 was favorably impacted by \$0.09 per share due to the reversal of a portion of accumulated but unpaid dividends on the Company's \$21.25 Preferred Stock.

Backlog at \$8.5 Billion

The backlog of uncompleted construction work at December 31, 2006 was \$8.5 billion, a 7% increase from the backlog of \$7.9 billion reported at December 31, 2005. The December 31, 2006 backlog includes new contract awards added during the fourth quarter of 2006 totaling \$440 million which encompassed all of the Company's operating segments, primarily the Company's building segment which added approximately \$172 million of additional work in the hospitality and gaming market in Las Vegas, Nevada, California and Maryland along with \$122 million of various new awards at Rudolph and Sletten including the healthcare and high-tech markets, and \$85 million in school construction work in Florida.

Financial Condition Remains Strong in 2006

The Company's financial condition strengthened during the year ended December 31, 2006. Working capital increased to \$194.0 million at December 31, 2006 from \$153.3 million at December 31, 2005. The Company improved its solid base of shareholders' equity to \$243.9 million at December 31, 2006, reflecting the outstanding operating results achieved over the past five years. The Company expects to close in the next few days on a new \$125.0 million credit facility that can be expanded to \$175.0 million in the future. The Company believes its strong financial position and credit arrangements are more than sufficient to support the Company's substantial backlog.

Outlook

Looking ahead to 2007, led by continued growth in its building segment and strong profit contributions from all of its operating segments, the Company affirms its initial guidance for 2007 revenues in the range of \$3.8 to \$4.0 billion and diluted earnings per share ranging from \$2.00 to \$2.20. [Emphasis added.]

23. As a result of this news, shares of the Company's stock rose an additional \$6.04 per share, or 19.89 percent, to close on February 16, 2007 at \$36.41 per share, on unusually heavy trading volume.

24. On May 8, 2007, the Company issued a press release entitled "Perini Corporation Announces Q1 2007 Results." Therein, the Company, in relevant part, stated:

Perini Corporation (NYSE:PCR), a leading building, civil construction and construction management company, today reported results for the first quarter ended March 31, 2007.

First Quarter Results

Revenues from construction operations were \$987.4 million for the first quarter of 2007, compared to revenues of \$612.8 million for the first quarter of 2006. The increase in revenues is primarily due to an increased volume of work in the hospitality and gaming market as a result of the significant new contract awards received in the latter half of 2005 which are now well into the construction phase.

Net income was \$22.7 million for the first quarter of 2007, as compared to net income of \$8.1 million for the first quarter of 2006. Diluted earnings per common share were \$0.84 for the first quarter of 2007, as compared to \$0.30 for the first quarter of 2006.

Robert Band, President and Chief Operating Officer, stated that, *"We are pleased to report a strong performance for the first quarter of 2007, led by our building and management services segments. The increase in our revenues and profit primarily reflects the conversion of our substantial building segment backlog into revenues and profit as anticipated, and an exceptionally strong management services segment performance resulting in a significant contribution to our first quarter operating results. In addition, our backlog of \$8.6 billion*

remains near its all-time record level. Given the visibility provided from this backlog, we continue to look forward to what we anticipate will be a record year in 2007 for revenues and earnings per share."

* * *

Outlook

Based on the strong first quarter performance, *the Company increases its guidance for 2007 revenues from a range of \$3.8 to \$4.0 billion to a range of \$4.0 to \$4.2 billion, and diluted earnings per share from a range of \$2.00 to \$2.20 to a range of \$2.40 to \$2.60.* [Emphasis added.]

25. As a result of this news, shares of the Company's stock rose an additional \$4.50 per share, or 9.80 percent, to close on May 9, 2007 at \$50.42 per share, on unusually heavy trading volume.

26. On August 7, 2007, the Company issued a press release entitled "Perini Corporation Announces Q2 2007 Results." Therein, the Company, in relevant part, stated:

Perini Corporation (NYSE:PCR), a leading building, civil construction and construction management company, today reported results for the second quarter ended June 30, 2007.

Second Quarter Results

Revenues from construction operations were \$1.15 billion for the second quarter of 2007, as compared to revenues of \$712 million reported for the second quarter of 2006. The increase in revenues is due primarily to an increased volume of work in the hospitality and gaming market as a result of the significant new contract awards received in the latter half of 2005 which are now well into the construction phase.

Net income was \$27.6 million for the second quarter of 2007, as compared to second quarter net income of \$4.6 million in 2006. Diluted earnings per common share were \$1.01 for the second quarter of 2007, as compared to \$0.16 for the second quarter of 2006.

Robert Band, President and Chief Operating Officer, stated that, *"We are pleased to report the largest quarter for revenues and net income in the 113-year history of the Company, led again by*

our building and management services segments. The increase in our revenues and profit continues to primarily reflect the conversion of our substantial building segment backlog into revenues and profit as anticipated. *In addition, our backlog of \$8.7 billion remains near its all-time record level. Given the visibility provided from this backlog, we continue to look forward to what we anticipate will be a record year in 2007 for revenues and earnings per share."*

* * *

Outlook

As a result of the strong performance in the first six months by the building and management services segments, the Company is increasing its guidance for 2007 revenues from a range of \$4.0 to \$4.2 billion to a range of \$4.1 to \$4.3 billion, and diluted earnings per share from a range of \$2.40 to \$2.60 to a range of \$2.80 to \$3.00. [Emphasis added.]

27. On November 8, 2007, the Company issued a press release entitled "Perini Corporation Announces Q3 2007 Results." Therein, the Company, in relevant part, stated:

Perini Corporation (NYSE:PCR), a leading building, civil construction and construction management company, today reported results for the third quarter ended September 30, 2007.

Third Quarter Results

Revenues from construction operations were \$1.24 billion for the third quarter of 2007, as compared to revenues of \$773 million reported for the third quarter of 2006.

Net income was \$24.0 million for the third quarter of 2007, as compared to third quarter net income of \$9.6 million in 2006. Diluted earnings per common share were \$0.87 for the third quarter of 2007, as compared to \$0.36 for the third quarter of 2006.

* * *

Robert Band, President and Chief Operating Officer, stated that, *"We are pleased to again report, for the eighth consecutive quarter, the largest quarter for revenues, and for nine months the largest net income in the 113-year history of the Company, led again by our building and management services segments.* The increase in our revenues and profit continues to primarily

reflect the conversion of our substantial building segment backlog into revenues and profit as anticipated. In addition, our management services segment continues to deliver outstanding results."

* * *

Outlook

As a result of the strong performance in the first nine months by the building and management services segments, *the Company is increasing guidance for 2007 revenues from a range of \$4.1 to \$4.3 billion to a range of \$4.4 to \$4.6 billion, and diluted earnings per share from a range of \$2.80 to \$3.00 to a range of \$3.30 to \$3.45.*

Based on the current backlog revenues and profitability and the strength of our position in the marketplace, the Company is providing initial guidance for 2008 revenues in the range of \$5.0 to \$5.4 billion, and diluted earnings per share ranging from \$3.50 to \$3.75. [Emphasis added.]

28. Also on November 8, 2007, the Company conducted an earnings conference call with analysts and investors. During the call, Defendant Band stated the following:

Over the last several months the residential construction market has slowed and the credit market environment has fueled concerns over the health of the economy. *But at this point we have not seen an impact on the office building – on the hospitality and gaming and other building projects currently under construction in our backlog.* In fact there is strong and active -- there is a strong and active pipeline of new work prospects available, not only in Las Vegas but also in California, the Northeast and in Florida.

Perini is known for our ability to deliver complex large-scale projects on time and on budget. During the quarter, our Building segment continued its track record of consistent and steady execution on each of our major projects. *Work on each of the main structures at the 66-acre site of our largest project – the \$5.3 billion MGM project CityCenter in Las Vegas – is moving forward on schedule.* We have poured the 28th floor of the 61-story resort Casino. We are up to the 28th floor on the VDara condo hotel and the 15th floor of the Mandarin Tower.

We are currently working on foundations of both Twin Veer Towers and the Harmon Hotel and structural steel erection continues at the retail and entertainment center.

Work at the \$1.8 billion Cosmopolitan Resort and Casino in Las Vegas is also on track. We continue with structural steel erection and have completed all footings and foundations. Within the next month we will begin forming and placing concrete in both Towers. This project is on track for completion at the end of 2009. [Emphasis added.]

29. As a result of the Company's announcement and statements, shares of the Company's stock rose an additional \$2.87 per share, or 5.22 percent, to close on November 9, 2007 at \$57.86 per share, on unusually heavy trading volume.

30. The statements contained in ¶¶ 20, 22, 24 and 26-28 were materially false and misleading when made because defendants failed to disclose or indicate the following: (1) that the Company's projects in Las Vegas were being subject to delays and risked being halted altogether; (2) that the developer of Perini's Las Vegas projects failed to secure financing for the entire project; (3) that the developer of Perini's Las Vegas projects would have to raise the remainder of the money from the sale of residential units at a time when the residential market in Las Vegas was experiencing a significant downturn; (4) that as a result, the developer of Perini's projects was at risk of default on its construction loan; (5) that the Company's future profit and revenue was heavily dependent on the Las Vegas projects which consisted of 20% of the Company's backlog; (6) that the Company lacked adequate internal and financial controls; and (7) that, as a result of the foregoing, the Company's statements about its financial well-being and future business prospects were lacking in any reasonable basis when made.

The Truth Begins to Emerge

31. On January 17, 2008, the Company shocked investors when it issued a press release entitled "Cosmopolitan Resort and Casino Receives Notice of Loan Default." Therein,

the Company, in relevant part, stated:

Perini Corporation (NYSE: PCR), a leading building and civil construction company confirmed that Deutsche Bank, on Wednesday, January 16, 2008 delivered a notice of loan default to the developer of the Cosmopolitan Resort and Casino project under construction in Las Vegas, Nevada.

Perini Building Company, Inc., a wholly-owned subsidiary of Perini Corporation, is the general contractor for the project which is scheduled for completion in December of 2009. Currently, Perini is in discussions with the developer and lender to facilitate an orderly continuation of construction of the project. Pending the outcome of these discussions, the Company is unable to determine the financial impact, if any, at this time. At this time, construction work continues and all current amounts due to Perini have been paid pursuant to the terms of the construction contract. *As of December 31, 2007, work remaining to be performed under the construction contract totaled approximately \$1.4 billion.* [Emphasis added.]

32. On this news, the Company's shares fell \$10.05 per share, or 26.66 percent, to close on January 17, 2008 at \$27.65 per share, on unusually heavy trading volume.

PLAINTIFF'S CLASS ACTION ALLEGATIONS

33. Plaintiff brings this action as a class action pursuant to Federal Rule of Civil Procedure 23(a) and (b)(3) on behalf of a Class, consisting of all those who purchased Perini's securities between November 2, 2006 and January 17, 2008 inclusive (the "Class Period") and who were damaged thereby. Excluded from the Class are defendants, the officers and directors of the Company, at all relevant times, members of their immediate families and their legal representatives, heirs, successors or assigns and any entity in which defendants have or had a controlling interest.

34. The members of the Class are so numerous that joinder of all members is impracticable. Throughout the Class Period, Perini's securities were actively traded on the New York Stock Exchange ("NYSE"). While the exact number of Class members is unknown to

Plaintiff at this time and can only be ascertained through appropriate discovery, Plaintiff believes that there are hundreds or thousands of members in the proposed Class. Record owners and other members of the Class may be identified from records maintained by Perini or its transfer agent and may be notified of the pendency of this action by mail, using the form of notice similar to that customarily used in securities class actions.

35. Plaintiff's claims are typical of the claims of the members of the Class as all members of the Class are similarly affected by defendants' wrongful conduct in violation of federal law that is complained of herein.

36. Plaintiff will fairly and adequately protect the interests of the members of the Class and has retained counsel competent and experienced in class and securities litigation.

37. Common questions of law and fact exist as to all members of the Class and predominate over any questions solely affecting individual members of the Class. Among the questions of law and fact common to the Class are:

- (a) whether the federal securities laws were violated by defendants' acts as alleged herein;
- (b) whether statements made by defendants to the investing public during the Class Period misrepresented material facts about the business, operations and management of Perini; and
- (c) to what extent the members of the Class have sustained damages and the proper measure of damages.

38. A class action is superior to all other available methods for the fair and efficient adjudication of this controversy since joinder of all members is impracticable. Furthermore, as the damages suffered by individual Class members may be relatively small, the expense and

burden of individual litigation make it impossible for members of the Class to individually redress the wrongs done to them. There will be no difficulty in the management of this action as a class action.

UNDISCLOSED ADVERSE FACTS

39. The market for Perini's securities was open, well-developed and efficient at all relevant times. As a result of these materially false and misleading statements, and failures to disclose, Perini's securities traded at artificially inflated prices during the Class Period. Plaintiff and other members of the Class purchased or otherwise acquired Perini's securities relying upon the integrity of the market price of Perini's securities and market information relating to Perini, and have been damaged thereby.

40. During the Class Period, defendants materially misled the investing public, thereby inflating the price of Perini's securities, by publicly issuing false and misleading statements and omitting to disclose material facts necessary to make defendants' statements, as set forth herein, not false and misleading. Said statements and omissions were materially false and misleading in that they failed to disclose material adverse information and misrepresented the truth about the Company, its business and operations, as alleged herein.

41. At all relevant times, the material misrepresentations and omissions particularized in this Complaint directly or proximately caused or were a substantial contributing cause of the damages sustained by Plaintiff and other members of the Class. As described herein, during the Class Period, defendants made or caused to be made a series of materially false or misleading statements about Perini's financial well-being, business relationships, and prospects. These material misstatements and omissions had the cause and effect of creating in the market an unrealistically positive assessment of Perini and its financial well-being, business relationships,

and prospects, thus causing the Company's securities to be overvalued and artificially inflated at all relevant times. Defendants' materially false and misleading statements during the Class Period resulted in Plaintiff and other members of the Class purchasing the Company's securities at artificially inflated prices, thus causing the damages complained of herein.

LOSS CAUSATION

42. Defendants' wrongful conduct, as alleged herein, directly and proximately caused the economic loss suffered by Plaintiff and the Class.

43. During the Class Period, Plaintiff and the Class purchased Perini's securities at artificially inflated prices and were damaged thereby. The price of Perini's securities significantly declined when the misrepresentations made to the market, and/or the information alleged herein to have been concealed from the market, and/or the effects thereof, were revealed, causing investors' losses.

SCIENTER ALLEGATIONS

44. As alleged herein, defendants acted with scienter in that defendants knew that the public documents and statements issued or disseminated in the name of the Company were materially false and misleading; knew that such statements or documents would be issued or disseminated to the investing public; and knowingly and substantially participated or acquiesced in the issuance or dissemination of such statements or documents as primary violations of the federal securities laws. As set forth elsewhere herein in detail, defendants, by virtue of their receipt of information reflecting the true facts regarding Perini, their control over, and/or receipt and/or modification of Perini's allegedly materially misleading misstatements and/or their associations with the Company which made them privy to confidential proprietary information concerning Perini, participated in the fraudulent scheme alleged herein.

45. Additionally, during the Class Period, and with the Company's securities trading at artificially inflated prices, Company insiders sold 5,353,215 shares of the Company's stock for gross proceeds of \$244,465,130, including over \$183 million in gross proceeds received by the Individual Defendants. This trading by Company insiders is evidenced by the following chart:

Date of Trade	Inside Trader	Number of Shares	Price per Share	Gross Proceeds
January 5, 2008	Burk, Kenneth R.	8,113	\$40.50	\$328,576
January 2, 2008	Band, Robert	11,632	\$41.30	\$480,401
January 2, 2008	Shaw, Craig W.	20,000	\$40.32 - \$41.75	\$821,000
December 4, 2007	Tutor, Ronald N.	13,915	\$55.56 - \$56.24	\$778,000
December 4, 2007	Tutor, Ronald N.	37,700	\$55.31 - \$55.55	\$2,090,000
December 4, 2007	Tutor, Ronald N.	19,100	\$55.19 - \$55.3	\$1,055,000
December 4, 2007	Tutor, Ronald N.	13,800	\$55.00 - \$55.19	\$760,000
December 3, 2007	Tutor, Ronald N.	4,700	\$54.81 - \$54.92	\$258,000
December 3, 2007	Tutor, Ronald N.	23,200	\$54.43 - \$54.8	\$1,267,000
December 3, 2007	Tutor, Ronald N.	57,865	\$54.24 - \$54.42	\$3,144,000
December 3, 2007	Tutor, Ronald N.	17,535	\$53.95 - \$54.23	\$948,000
December 3, 2007	Tutor, Ronald N.	23,811	\$53.65 - \$53.94	\$1,281,000
December 3, 2007	Tutor, Ronald N.	20,789	\$53.00 - \$53.64	\$1,108,000
November 30, 2007	Tutor, Ronald N.	45,400	\$53.87 - \$54.50	\$2,460,000
November 30, 2007	Tutor, Ronald N.	17,800	\$53.41 - \$53.87	\$955,000
November 30, 2007	Tutor, Ronald N.	16,000	\$53.00 - \$53.4	\$851,000
November 29, 2007	Tutor, Ronald N.	4,300	\$54.12 - \$54.17	\$233,000
November 29, 2007	Tutor, Ronald N.	29,600	\$53.70 - \$54.11	\$1,596,000

November 29, 2007	Tutor, Ronald N.	20,400	\$53.35 - \$53.69	\$1,092,000
November 29, 2007	Tutor, Ronald N.	22,500	\$53.00 - \$53.32	\$1,196,000
November 28, 2007	Tutor, Ronald N.	42,800	\$53.54 - \$53.98	\$2,301,000
November 28, 2007	Tutor, Ronald N.	36,805	\$53.03 - \$53.53	\$1,961,000
November 28, 2007	Tutor, Ronald N.	43,795	\$52.49 - \$53.02	\$2,310,000
November 28, 2007	Tutor, Ronald N.	26,600	\$51.75 - \$52.44	\$1,386,000
November 27, 2007	Tutor, Ronald N.	23,000	\$51.27 - \$51.72	\$1,184,000
November 27, 2007	Tutor, Ronald N.	37,000	\$50.90 - \$51.26	\$1,890,000
November 15, 2007	Tutor, Ronald N.	1,585	\$56.00 - \$56.04	\$89,000
November 14, 2007	Tutor, Ronald N.	4,300	\$57.41 - \$57.57	\$247,000
November 14, 2007	Tutor, Ronald N.	14,729	\$57.00 - \$57.39	\$842,000
November 14, 2007	Tutor, Ronald N.	16,200	\$56.50 - \$56.98	\$919,000
October 15, 2007	Band, Robert	4,750	\$63.04 - \$63.56	\$301,000
October 15, 2007	Band, Robert	7,750	\$62.00 - \$63.15	\$485,000
September 19, 2007	Tutor, Ronald N.	11,513	\$52.50 - \$52.86	\$607,000
September 19, 2007	Tutor, Ronald N.	15,959	\$52.20 - \$52.5	\$835,000
September 19, 2007	Tutor, Ronald N.	25,828	\$51.91 - \$52.19	\$1,344,000
September 18, 2007	Tutor, Ronald N.	1,200	\$52.41 - \$52.42	\$63,000
September 18, 2007	Tutor, Ronald N.	38,062	\$52.09 - \$52.39	\$1,988,000
September 17, 2007	Tutor, Ronald N.	400,000	\$51.92 - \$51.92	\$20,768,000
September 17, 2007	Band, Robert	12,500	\$51.04 - \$54.19	\$658,000
September 17, 2007	Tutor, Ronald N.	3,855	\$54.27 - \$54.35	\$209,000
September 17, 2007	Tutor, Ronald N.	18,705	\$54.01 - \$54.26	\$1,013,000

September 14, 2007	Tutor, Ronald N.	25,878	\$54.00 - \$54.21	\$1,400,000
September 13, 2007	Tutor, Ronald N.	9,000	\$54.00 - \$54.62	\$489,000
September 11, 2007	Shaw, Craig W.	10,000	\$53.65 - \$55.45	\$546,000
August 15, 2007	Band, Robert	12,500	\$50.45 - \$54.96	\$659,000
July 16, 2007	Band, Robert	12,500	\$71.30 - \$73.49	\$905,000
July 10, 2007	Shaw, Craig W.	10,000	\$62.95 - \$63.89	\$634,000
June 20, 2007	Kennedy, Robert Archambault	1,000	\$60.31	\$60,310
June 20, 2007	Tutor, Ronald N.	4,650	\$62.66 - \$63.26	\$293,000
June 20, 2007	Tutor, Ronald N.	26,980	\$62.32 - \$62.65	\$1,686,000
June 20, 2007	Tutor, Ronald N.	27,860	\$62.00 - \$62.31	\$1,732,000
June 20, 2007	Tutor, Ronald N.	12,550	\$61.54 - \$61.95	\$775,000
June 20, 2007	Tutor, Ronald N.	25,602	\$61.15 - \$61.53	\$1,570,000
June 20, 2007	Tutor, Ronald N.	21,500	\$60.85 - \$61.14	\$1,311,000
June 20, 2007	Tutor, Ronald N.	32,900	\$60.55 - \$60.84	\$1,997,000
June 20, 2007	Tutor, Ronald N.	60,458	\$60.21 - \$60.54	\$3,650,000
June 19, 2007	Tutor, Ronald N.	1,000	\$63.30 - \$63.35	\$63,000
June 19, 2007	Tutor, Ronald N.	17,400	\$62.99 - \$63.29	\$1,099,000
June 19, 2007	Tutor, Ronald N.	31,200	\$62.62 - \$62.97	\$1,959,000
June 19, 2007	Tutor, Ronald N.	37,100	\$62.32 - \$62.61	\$2,317,000
June 19, 2007	Tutor, Ronald N.	30,200	\$62.02 - \$62.31	\$1,877,000
June 19, 2007	Tutor, Ronald N.	70,600	\$61.50 - \$62.01	\$4,360,000
June 15, 2007	Oneglia, Raymond R.	11,000	\$60.88	\$670,000
June 15, 2007	Band, Robert	3,200	\$61.45 - \$61.97	\$197,000
June 15, 2007	Band, Robert	9,300	\$60.70 -	\$569,000

			\$61.59	
June 14, 2007	Oneglia, Raymond R.	73,700	\$60.00 - \$60.05	\$4,424,000
June 13, 2007	Oneglia, Raymond R.	15,300	\$60.00 - \$60.20	\$920,000
June 4, 2007	Oneglia, Raymond R.	100,000	\$57.04 - \$57.30	\$5,717,000
May 31, 2007	Oneglia, Raymond R.	14,200	\$54.54 - \$54.75	\$776,000
May 31, 2007	Oneglia, Raymond R.	34,100	\$54.00 - \$54.53	\$1,850,000
May 30, 2007	Oneglia, Raymond R.	2,100	\$54.31 - \$54.37	\$114,000
May 30, 2007	Oneglia, Raymond R.	49,600	\$54.00 - \$54.30	\$2,686,000
May 23, 2007	Brittain, Willard Woodson Jr.	4,800	\$51.00 - \$51.03	\$245,000
May 22, 2007	Oneglia, Raymond R.	1,200	\$50.10 - \$50.10	\$60,000
May 21, 2007	Oneglia, Raymond R.	89,941	\$50.00 - \$50.25	\$4,508,000
May 18, 2007	Oneglia, Raymond R.	26,800	\$50.00 - \$50.20	\$1,343,000
May 16, 2007	Tutor, Ronald N.	500,000	\$49.38	\$24,690,000
May 15, 2007	Oneglia, Raymond R.	63,200	\$50.00 - \$50.30	\$3,169,000
May 15, 2007	Band, Robert	4,550	\$49.83 - \$50.43	\$228,000
May 15, 2007	Band, Robert	7,950	\$49.85 - \$50.45	\$399,000
May 14, 2007	Oneglia, Raymond R.	3,000	\$51.36 - \$51.5	\$154,000
May 14, 2007	Oneglia, Raymond R.	44,378	\$50.86 - \$51.35	\$2,268,000
May 14, 2007	Oneglia, Raymond R.	31,922	\$50.46 - \$50.84	\$1,617,000
May 14, 2007	Oneglia, Raymond R.	30,400	\$50.00 - \$50.45	\$1,527,000
May 14, 2007	Tutor, Ronald N.	400,000	\$49.05 - \$49.05	\$19,620,000
May 11, 2007	Oneglia, Raymond R.	38,400	\$51.61 - \$51.78	\$1,985,000
May 11, 2007	Oneglia, Raymond R.	88,700	\$51.21 - \$51.60	\$4,560,000

May 8, 2007	Shaw, Craig W.	10,000	\$44.47 - \$46.29	\$454,000
April 16, 2007	Band, Robert	2,200	\$39.31 - \$39.41	\$87,000
April 16, 2007	Band, Robert	10,300	\$39.32 - \$39.90	\$408,000
March 19, 2007	Oneglia, Raymond R.	16,400	\$35.00 - \$35.14	\$575,000
March 19, 2007	Tutor, Ronald N.	400,000	\$33.91	\$13,564,000
March 16, 2007	Oneglia, Raymond R.	141,900	\$35.00 - \$35.37	\$4,993,000
March 15, 2007	Oneglia, Raymond R.	52,000	\$35.00 - \$35.16	\$1,824,000
March 15, 2007	Band, Robert	1,100	\$34.89 - \$34.92	\$38,000
March 15, 2007	Band, Robert	11,400	\$34.83 - \$35.12	\$399,000
March 14, 2007	Kennedy, Robert Archambault	3,000	\$35.03 - \$35.11	\$105,000
March 14, 2007	Oneglia, Raymond R.	600	\$35.29 - \$35.34	\$21,000
March 14, 2007	Oneglia, Raymond R.	68,700	\$35.00 - \$35.34	\$2,416,000
March 13, 2007	Oneglia, Raymond R.	9,400	\$35.07 - \$36.07	\$334,000
March 13, 2007	Oneglia, Raymond R.	16,600	\$35.04 - \$35.78	\$588,000
March 13, 2007	Shaw, Craig W.	900	\$34.63 - \$34.65	\$31,000
March 13, 2007	Shaw, Craig W.	9,100	\$34.70 - \$35.99	\$322,000
March 13, 2007	Tutor, Ronald N.	300,000	\$34.09	\$10,227,000
March 12, 2007	Oneglia, Raymond R.	3,000	\$36.35 - \$36.53	\$109,000
March 12, 2007	Oneglia, Raymond R.	26,400	\$36.00 - \$36.34	\$955,000
February 15, 2007	Band, Robert	3,500	\$30.60 - \$30.75	\$107,000
February 15, 2007	Band, Robert	9,000	\$30.55 - \$30.91	\$277,000
January 16, 2007	Band, Robert	2,300	\$29.55 - \$29.79	\$68,000
January 16, 2007	Band, Robert	10,200	\$29.68 - \$30.71	\$308,000

January 9, 2007	Shaw, Craig W.	10,000	\$29.42 - \$29.72	\$296,000
January 3, 2007	Marashlian, Zohrab B.	5,000	\$30.53	\$153,000
December 15, 2006	Band, Robert	12,500	\$32.30 - \$32.59	\$406,000
December 8, 2006	Shaw, Craig W.	10,000	\$32.20 - \$33.04	\$326,000
November 30, 2006	Tutor, Ronald N.	400,000	\$31.77	\$12,708,000
November 27, 2006	Tutor, Ronald N.	3,086	\$32.32 - \$32.52	\$100,000
November 27, 2006	Tutor, Ronald N.	22,500	\$32.00 - \$32.31	\$723,000
November 24, 2006	Tutor, Ronald N.	5,000	\$32.67 - \$32.70	\$163,000
November 24, 2006	Tutor, Ronald N.	15,000	\$32.25 - \$32.65	\$487,000
November 22, 2006	Tutor, Ronald N.	300	\$32.80 - \$32.82	\$9,843
November 22, 2006	Tutor, Ronald N.	35,214	\$32.46 - \$32.78	\$1,149,000
November 21, 2006	Tutor, Ronald N.	48,000	\$32.57 - \$32.72	\$1,567,000
November 21, 2006	Tutor, Ronald N.	50,000	\$32.43 - \$32.69	\$1,628,000
November 20, 2006	Tutor, Ronald N.	10,100	\$32.22 - \$32.43	\$326,000
November 20, 2006	Tutor, Ronald N.	25,500	\$32.41 - \$32.80	\$831,000
November 17, 2006	Tutor, Ronald N.	10,300	\$32.46 - \$32.60	\$335,000
November 15, 2006	Band, Robert	12,500	\$31.90 - \$32.21	\$401,000
November 10, 2006	Marashlian, Zohrab B.	37,700	\$31.00 - \$31.70	\$1,182,000
November 9, 2006	Marashlian, Zohrab B.	5,000	\$31.00 - \$31.08	\$155,000
November 8, 2006	Marashlian, Zohrab B.	23,800	\$31.00 - \$31.00	\$738,000
November 7, 2006	Oneglia, Raymond R.	26,200	\$30.38 - \$30.55	\$798,000
November 7, 2006	Oneglia, Raymond R.	27,900	\$29.92 - \$30.36	\$841,000
November 7, 2006	Oneglia, Raymond R.	95,900	\$29.64 - \$29.91	\$2,855,000
November 7, 2006	Shaw, Craig W.	10,000	\$29.58 -	\$297,000

			\$29.87	
	TOTAL:	5,353,215		\$244,465,130

**Applicability of Presumption of Reliance:
Fraud On The Market Doctrine**

46. At all relevant times, the market for Perini's securities was an efficient market for the following reasons, among others:

- (a) Perini's securities met the requirements for listing, and were listed and actively traded on the NYSE, a highly efficient and automated market;
- (b) As a regulated issuer, Perini filed periodic public reports with the SEC and the NYSE;
- (c) Perini regularly communicated with public investors via established market communication mechanisms, including through regular disseminations of press releases on the national circuits of major newswire services and through other wide-ranging public disclosures, such as communications with the financial press and other similar reporting services; and
- (d) Perini was followed by several securities analysts employed by major brokerage firms who wrote reports which were distributed to the sales force and certain customers of their respective brokerage firms. Each of these reports was publicly available and entered the public marketplace.

47. As a result of the foregoing, the market for Perini's securities promptly digested current information regarding Perini from all publicly-available sources and reflected such information in the price of Perini's securities. Under these circumstances, all purchasers of Perini's securities during the Class Period suffered similar injury through their purchase of

Perini's securities at artificially inflated prices and a presumption of reliance applies.

NO SAFE HARBOR

48. The statutory safe harbor provided for forward-looking statements under certain circumstances does not apply to any of the allegedly false statements pleaded in this Complaint. Many of the specific statements pleaded herein were not identified as "forward-looking statements" when made. To the extent there were any forward-looking statements, there were no meaningful cautionary statements identifying important factors that could cause actual results to differ materially from those in the purportedly forward-looking statements. Alternatively, to the extent that the statutory safe harbor does apply to any forward-looking statements pleaded herein, defendants are liable for those false forward-looking statements because at the time each of those forward-looking statements was made, the particular speaker knew that the particular forward-looking statement was false, and/or the forward-looking statement was authorized and/or approved by an executive officer of Perini who knew that those statements were false when made.

FIRST CLAIM
Violation of Section 10(b) of
The Exchange Act and Rule 10b-5
Promulgated Thereunder Against All Defendants

49. Plaintiff repeats and realleges each and every allegation contained above as if fully set forth herein.

50. During the Class Period, defendants carried out a plan, scheme and course of conduct which was intended to and, throughout the Class Period, did: (i) deceive the investing public, including Plaintiff and other Class members, as alleged herein; and (ii) cause Plaintiff and other members of the Class to purchase Perini's securities at artificially inflated prices. In furtherance of this unlawful scheme, plan and course of conduct, defendants, and each of them,

took the actions set forth herein.

51. Defendants (i) employed devices, schemes, and artifices to defraud; (ii) made untrue statements of material fact and/or omitted to state material facts necessary to make the statements not misleading; and (iii) engaged in acts, practices, and a course of business which operated as a fraud and deceit upon the purchasers of the Company's securities in an effort to maintain artificially high market prices for Perini's securities in violation of Section 10(b) of the Exchange Act and Rule 10b-5. All defendants are sued either as primary participants in the wrongful and illegal conduct charged herein or as controlling persons as alleged below.

52. Defendants, individually and in concert, directly and indirectly, by the use, means or instrumentalities of interstate commerce and/or of the mails, engaged and participated in a continuous course of conduct to conceal adverse material information about Perini's financial well-being, business relationships, and prospects, as specified herein.

53. These defendants employed devices, schemes and artifices to defraud, while in possession of material adverse non-public information and engaged in acts, practices, and a course of conduct as alleged herein in an effort to assure investors of Perini's value and performance and continued substantial growth, which included the making of, or the participation in the making of, untrue statements of material facts and omitting to state material facts necessary in order to make the statements made about Perini and its business operations and future prospects in light of the circumstances under which they were made, not misleading, as set forth more particularly herein, and engaged in transactions, practices and a course of business which operated as a fraud and deceit upon the purchasers of Perini's securities during the Class Period.

54. Each of the Individual Defendants' primary liability, and controlling person

liability, arises from the following facts: (i) the Individual Defendants were high-level executives and/or directors at the Company during the Class Period and members of the Company's management team or had control thereof; (ii) each of these defendants, by virtue of their responsibilities and activities as a senior officer and/or director of the Company, was privy to and participated in the creation, development and reporting of the Company's internal budgets, plans, projections and/or reports; (iii) each of these defendants enjoyed significant personal contact and familiarity with the other defendants and was advised of, and had access to, other members of the Company's management team, internal reports and other data and information about the Company's finances, operations, and sales at all relevant times; and (iv) each of these defendants was aware of the Company's dissemination of information to the investing public which they knew or recklessly disregarded was materially false and misleading.

55. The defendants had actual knowledge of the misrepresentations and omissions of material facts set forth herein, or acted with reckless disregard for the truth in that they failed to ascertain and to disclose such facts, even though such facts were available to them. Such defendants' material misrepresentations and/or omissions were done knowingly or recklessly and for the purpose and effect of concealing Perini's financial well-being, business relationships, and prospects from the investing public and supporting the artificially inflated price of its securities. As demonstrated by defendants' overstatements and misstatements of the Company's financial well-being, business relationships, and prospects throughout the Class Period, defendants, if they did not have actual knowledge of the misrepresentations and omissions alleged, were reckless in failing to obtain such knowledge by deliberately refraining from taking those steps necessary to discover whether those statements were false or misleading.

56. As a result of the dissemination of the materially false and misleading information

and failure to disclose material facts, as set forth above, the market price of Perini's securities was artificially inflated during the Class Period. In ignorance of the fact that market prices of Perini's securities were artificially inflated, and relying directly or indirectly on the false and misleading statements made by defendants, or upon the integrity of the market in which the securities trades, and/or in the absence of material adverse information that was known to or recklessly disregarded by defendants, but not disclosed in public statements by defendants during the Class Period, Plaintiff and the other members of the Class acquired Perini's securities during the Class Period at artificially high prices and were damaged thereby.

57. At the time of said misrepresentations and omissions, Plaintiff and other members of the Class were ignorant of their falsity, and believed them to be true. Had Plaintiff and the other members of the Class and the marketplace known the truth regarding the problems that Perini was experiencing, which were not disclosed by defendants, Plaintiff and other members of the Class would not have purchased or otherwise acquired their Perini securities, or, if they had acquired such securities during the Class Period, they would not have done so at the artificially inflated prices which they paid.

58. By virtue of the foregoing, defendants have violated Section 10(b) of the Exchange Act and Rule 10b-5 promulgated thereunder.

59. As a direct and proximate result of defendants' wrongful conduct, Plaintiff and the other members of the Class suffered damages in connection with their respective purchases and sales of the Company's securities during the Class Period.

SECOND CLAIM
Violation of Section 20(a) of
The Exchange Act Against the Individual Defendants

60. Plaintiff repeats and realleges each and every allegation contained above as if

fully set forth herein.

61. The Individual Defendants acted as controlling persons of Perini within the meaning of Section 20(a) of the Exchange Act as alleged herein. By virtue of their high-level positions, and their ownership and contractual rights, participation in and/or awareness of the Company's operations and/or intimate knowledge of the false financial statements filed by the Company with the SEC and disseminated to the investing public, the Individual Defendants had the power to influence and control and did influence and control, directly or indirectly, the decision-making of the Company, including the content and dissemination of the various statements which Plaintiff contends are false and misleading. The Individual Defendants were provided with or had unlimited access to copies of the Company's reports, press releases, public filings and other statements alleged by Plaintiff to be misleading prior to and/or shortly after these statements were issued and had the ability to prevent the issuance of the statements or cause the statements to be corrected.

62. In particular, each of these defendants had direct and supervisory involvement in the day-to-day operations of the Company and, therefore, is presumed to have had the power to control or influence the particular transactions giving rise to the securities violations as alleged herein, and exercised the same.

63. As set forth above, Perini and the Individual Defendants each violated Section 10(b) and Rule 10b-5 by their acts and omissions as alleged in this Complaint. By virtue of their positions as controlling persons, the Individual Defendants are liable pursuant to Section 20(a) of the Exchange Act. As a direct and proximate result of defendants' wrongful conduct, Plaintiff and other members of the Class suffered damages in connection with their purchases of the Company's securities during the Class Period.

WHEREFORE, Plaintiff prays for relief and judgment, as follows:

- (a) Determining that this action is a proper class action under Rule 23 of the Federal Rules of Civil Procedure;
- (b) Awarding compensatory damages in favor of Plaintiff and the other Class members against all defendants, jointly and severally, for all damages sustained as a result of defendants' wrongdoing, in an amount to be proven at trial, including interest thereon;
- (c) Awarding Plaintiff and the Class their reasonable costs and expenses incurred in this action, including counsel fees and expert fees; and
- (d) Such other and further relief as the Court may deem just and proper.

JURY TRIAL DEMANDED

Plaintiff hereby demands a trial by jury.

Dated: September 11, 2008

Respectfully submitted,

By: /s/ David Pastor
David Pastor (BBO #391000)
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(617) 742-9700
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Radnor, PA 19087
(610) 667-7706
(610) 667-7056 (fax)

Attorneys for Plaintiff

Morton C. Rollman
MORTON C. ROLLMAN

Executed this 27th day of September 2008.

I declare under penalty of perjury that the foregoing is true and correct.

(wages) directly relating to the representation of the class as ordered or approved by the Court.

beyond the Plaintiff's pro rata share of any recovery, except such reasonable costs and expenses (including but

7. Plaintiff will not accept any payment for serving as a representative party on behalf of the class

described below: NONE

served as a representative party for a class in an action filed under the federal securities laws except as

6. During the three years prior to the date of this Certification, Plaintiff has not sought to serve or

other entities, and/or any beneficial owners.

5. Plaintiff has completed authority to bring a suit to recover for investment losses on behalf of

other entities, and/or any beneficial owners.

(Please list additional parties and date information on a separate sheet of paper, if necessary.)

Type of Security (Common stock, preferred, option, or bond)	Number of Shares	Bought (B)	Sold (S)	Date	Price per share
Common stock	100	(B)		6/8/07	\$55.95
Common Stock	100	(B)		1/2/08	\$40.49

the subject of this section during the Class Period is as follows:

4. Plaintiff's purchase and sale transaction(s) in the Fernal Corp. (NYSE: FCR) security that is

as part of a group, including providing testimony or deposition and trial, if necessary.

3. Plaintiff is willing to serve as a representative party on behalf of the class, either individually or

Plaintiff's counsel or in order to participate in any private action.

2. Plaintiff did not purchase the security that is the subject of this action in the disposition of

1. Plaintiff has reviewed the Complaint and authorizes his filing.

1. Morton C. Rollman, ("Plaintiff") declares, as to the claims asserted under the federal securities laws, that:

CERTIFICATION

CIVIL COVER SHEET

JS 44 (Rev. 11/04)

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

MARION ROLLMAN

(b) County of Residence of First Listed Plaintiff Berks (PA)
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number) 617-742-9700
David Pastor - Gilman and Pastor, LLP
225 Franklin Street, 16th fl., Boston, MA 02110

DEFENDANTS PERINI CORPORATION
RONALD N. TUTOR, ROBERT BAND,
MICHAEL E. CISKEY and KENNETH R. BURK

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
 3 Federal Question (U.S. Government Not a Party)
 2 U.S. Government Defendant
 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONSUMER	TORTS	DOMESTIC REMEDY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input checked="" type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISON REVISIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	PROPER RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
 2 Removed from State Court
 3 Remanded from Appellate Court
 4 Reinstated or Reopened
 5 Transferred from another district (specify)
 6 Multidistrict Litigation
 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

15 U.S.C. 78j(b)

Brief description of cause:

Securities Fraud

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ _____

CHECK YES only if demanded in complaint:

JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE GORTON

DOCKET NUMBER 08-11449-NMG

DATE

SIGNATURE OF ATTORNEY OF RECORD

September 11, 2008

/s/ David Pastor

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Rollman v. Perini Corporation

1. Title of case (name of first party on each side only) _____

2. Category in which the case belongs based upon the numbered nature of suit code listed on the civil cover sheet. (See local rule 40.1(a)(1)).

- I. 160, 410, 470, R.23, REGARDLESS OF NATURE OF SUIT.
- II. 195, 368, 400, 440, 441-444, 540, 550, 555, 625, 710, 720, 730, 740, 790, 791, 820*, 830*, 840*, 850, 890, 892-894, 895, 950. *Also complete AO 120 or AO 121 for patent, trademark or copyright cases
- III. 110, 120, 130, 140, 151, 190, 210, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 370, 371, 380, 385, 450, 891.
- IV. 220, 422, 423, 430, 460, 510, 530, 610, 620, 630, 640, 650, 660, 690, 810, 861-865, 870, 871, 875, 900.
- V. 150, 152, 153.

3. Title and number, if any, of related cases. (See local rule 40.1(g)). If more than one prior related case has been filed in this district please indicate the title and number of the first filed case in this court.

Isham v. Perini Corp., et al., No. 08-11449-NMG

4. Has a prior action between the same parties and based on the same claim ever been filed in this court?

YES NO

5. Does the complaint in this case question the constitutionality of an act of congress affecting the public interest? (See 28 USC §2403)

YES NO

If so, is the U.S.A. or an officer, agent or employee of the U.S. a party?

YES NO

6. Is this case required to be heard and determined by a district court of three judges pursuant to title 28 USC §2284?

YES NO

7. Do all of the parties in this action, excluding governmental agencies of the united states and the Commonwealth of Massachusetts ("governmental agencies"), residing in Massachusetts reside in the same division? - (See Local Rule 40.1(d)).

YES NO

A. If yes, in which division do all of the non-governmental parties reside?

Eastern Division Central Division Western Division

B. If no, in which division do the majority of the plaintiffs or the only parties, excluding governmental agencies, residing in Massachusetts reside?

Eastern Division Central Division Western Division

8. If filing a Notice of Removal - are there any motions pending in the state court requiring the attention of this Court? (if yes, submit a separate sheet identifying the motions)

YES NO

(PLEASE TYPE OR PRINT)

ATTORNEY'S NAME David Pastor - Gilman and Pastor; LLP

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TELEPHONE NO. 617-742-9700