

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KALLIOPI SIGALA,

Plaintiff,

-against-

KIRIAKOS SPIKOURIS and SOTIRIS
LAMBROU,

Defendant.

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TOWNES, United States District Judge,

MEMORANDUM & ORDER
00-cv-0983 (SLT) (MDG)

Plaintiff Kalliopi Sigala (“Plaintiff” or “Sigala”) brings the present diversity action against Defendants Kiriakos Spikouris and Sotiris Lambrou for unpaid loans totaling, according to Sigala, \$200,000.00. Spikouris has not been served and has not appeared. On February 22, 2000, Lambrou filed an answer to the complaint. He last appeared at a status conference on February 2, 2007. Since then, he has failed to appear in the action. On July 10, 2012, Sigala moved for a default judgment. On July 13, 2012, this Court referred the matter to Magistrate Judge Marilyn D. Go. This Court adopts Judge Go’s Report and Recommendation in its entirety.

A district court judge may designate a magistrate judge to hear and determine certain motions pending before the Court and to submit to the Court proposed findings of fact and a recommendation as to the disposition of the motion. See 28 U.S.C. § 636(b)(1). Within fourteen days of service of the recommendation, any party may file written objections to the magistrate’s report. See id. Upon de novo review of those portions of the record to which objections were made, the district court judge may affirm or reject the recommendations. See id.

The Court is not required to review the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. See Thomas v. Arn, 474 U.S. 140, 150 (1985). In addition, failure to file timely

objections may waive the right to appeal this Court's Order. See 28 U.S.C. § 636(b)(1); Small v. Sec'y of Health & Human Servs., 892 F.2d 15, 16 (2d Cir. 1989).

In this case, Judge Go recommended that defendant Lambrou's answer be stricken, his counterclaims be dismissed and that Plaintiff's motion for default judgment be granted. A copy of Judge Go's Report and Recommendation was sent to Defendant at the address on file with the Court. It was returned as undeliverable. When a party changes addresses, it is his obligation to notify the Court of his new address. Objections to the Report and Recommendation were due by October 14, 2013. No objections were filed with this Court. Upon review of the recommendation, this Court adopts and affirms the Report and Recommendation of Magistrate Judge Go.

Accordingly, Defendant Lambrou's answer is stricken and his counterclaims are dismissed. Judgment is granted against Lambrou in the amount of \$170,031.72 in damages and \$216,546.38 in pre-judgment interest, for a total of \$386,578.10.

SO ORDERED.

^ SANDRA L. TOWNES
UNITED STATES DISTRICT JUDGE

Brooklyn, New York
Dated: January 22, 2014