

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

TRUSTEES OF THE PLUMBERS LOCAL
UNION NO. 1 WELFARE FUND,
ADDITIONAL SECURITY BENEFIT
FUND, VACATION & HOLIDAY FUND,
TRADE EDUCATION FUND AND 401(k)
SAVINGS PLAN, and George W. Reilly, as
Business manager of Local Union No. 1. of
the United Association of Journeymen and
Apprentices of the Plumbing and Pipefitting
Industry of the United States and Canada,

07CV5150 (SJ) (SMG)

ORDER ADOPTING
REPORT AND
RECOMMENDATION

Plaintiffs,

-against-

GENERATION II PLUMBING &
HEATING, INC.,

Defendant.

-----X

A P P E A R A N C E S

VIRGINIA & AMBINDER LLP
111 Broadway
14th Floor, Suite 1403
New York, NY 10006
By: Charles R. Virginia
Attorneys for Plaintiffs

JOHNSON, Senior District Judge:

Presently before the Court is a Report and Recommendation (“Report”) prepared by Magistrate Judge Steven M. Gold. Judge Gold issued the Report on September 9, 2009, and provided the parties with more than the requisite amount of

time to file any objections. Neither party filed any objections to the Report. For the reasons stated herein, this Court affirms and adopts the Report 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 10 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, under a *de novo* or any other standard, 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).

The Court is not required to review, under a *de novo* or any other standard, 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 and Human Servs., 892 F.2d 15, 16 (2d Cir. 1989).

In this case, objections to Magistrate Judge Gold's recommendations were due on September 30, 2009. No objections to the Report were filed with this Court.

Therefore, this Court adopts and affirms Magistrate Judge Gold's Report in its entirety. The Clerk of the Court is directed to close the case.

SO ORDERED.

Dated: September 30, 2009
Brooklyn, NY

/s
Senior United States District Judge