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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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EMILY SHIM, JEFFREY SUH, SOO YOUNG
CHOI, SEUNG RYUN CHOI, and ALEX
CHIN,

Plaintiffs,

MEMORANDUM AND ORDER
No. 08-CV-4022(FB)(VVP)

-against-

MILLENNIUM GROUP, MILLENNIUM
(USA), LLC, MILLENNIUM HEALTHCARE
OF FLUSHING, LLC, MILLENNIUM
MEDICAL HEALTHCARE GROUP PLLC,
MILLENNIUM HEALTHCARE USA, LLC,
DANNY VASWANI, JOHN MUFANO, and
JOHNATHAN R. JOHNSON.

Defendants.

-----x
Appearance:

For the Plaintiffs:

LEAH MARY CAMPBELL, ESQ.
JOSHUA D. ARISOHN, ESQ.
MELISSA SAMANTHA GELLER, ESQ.
Dewey & LeBoeuf LLP
1301 Ave of the Americas
New York, NY 10019

STEVEN KYUNG CHOI, ESQ.
YKASEC
136-19 41st Avenue
3rd Floor
Flushing, NY 11354

BLOCK, Senior District Judge:

After a default judgment was entered against all defendants on January 29,

2010, the plaintiffs moved for attorneys' fees and costs. On June 21, 2010, Magistrate Judge Pohorelsky issued a Report and Recommendation (the "R&R") recommending that the plaintiffs be awarded \$34,254.00 in attorneys' fees and \$1,561.64 in costs. *See* R&R at 14. The R&R stated that failure to object within fourteen days would preclude appellate review, *see id.* at 15; no objections have been filed.

If clear notice has been given of the consequences of failure to object, and there are no objections, the Court may adopt the R&R without *de novo* review. *See Mario v. P & C Food Mkts., Inc.*, 313 F.3d 758, 766 (2d Cir. 2002) ("Where parties receive clear notice of the consequences, failure timely to object to a magistrate's report and recommendation operates as a waiver of further judicial review of the magistrate's decision."). The Court will excuse the failure to object and conduct *de novo* review if it appears that the magistrate judge may have committed plain error, *see Spence v. Superintendent, Great Meadow Corr. Facility*, 219 F.3d 162, 174 (2d Cir. 2000); no such error appears here. Accordingly, the Court adopts the R&R without *de novo* review and directs the Clerk to award costs and fees in accordance with the R&R.

SO ORDERED.

s/Frederic Block
FREDERIC BLOCK
Senior United States District Judge

Brooklyn, NY
July 7, 2010