

D/F

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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TRUSTEES OF THE UNITED UNION OF ROOFERS,	:	08-CV-5226 (ARR) (VVP)
WATERPROOFERS, and ALLIED WORKERS	:	
LOCAL 154 WELFARE, PENSION, ANNUITY, and	:	
APPRENTICESHIP and TRAINING FUNDS,	:	<u>NOT FOR</u>
	:	<u>PRINT OR ELECTRONIC</u>
Plaintiff,	:	<u>PUBLICATION</u>
-against-	:	
	:	<u>ORDER</u>
ALL TIGHT ROOFING, INC.,	:	
	:	
Defendant.	:	
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ROSS, United States District Judge:

The court has received the Report and Recommendation on the instant case dated June 21, 2010 from the Honorable Viktor V. Pohorelsky, United States Magistrate Judge. No objections have been filed. Accordingly, the court has reviewed the Report and Recommendation for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord Edwards v. Town of Huntington, No. 05 Civ. 339 (NGG) (AKT), 2007 U.S. Dist. LEXIS 50074, at \*6 (E.D.N.Y. July 11, 2007); McKoy v. Henderson, No. 05 Civ. 1535 (DAB), 2007 U.S. Dist. LEXIS 15673, at \*1 (S.D.N.Y. March 5, 2007). Having reviewed the record, I find no clear error. I hereby adopt the Report and Recommendation, in its entirety, pursuant to 28 U.S.C. § 636(b)(1).

Therefore, defendant is ordered to allow the plaintiff Funds to access pertinent books and records so that the plaintiffs to conduct the necessary audit, after which the Funds shall submit further proof to establish damages and other recovery under ERISA.

Counsel for the plaintiffs shall serve a copy of this Order on the defendants by regular mail and file proof of such service in the record.

SO ORDERED.

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Allyne R. Ross  
United States District Judge

Dated: July 21, 2010  
Brooklyn, New York

SERVICE LIST:

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cc: Magistrate Judge Pohorelsky