

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JUAN BALLESTEROS and ARIEL
CONTRERAS for and on behalf of all others
similarly situated,

Plaintiffs,

-against-

JMP RESTORATION CORPORATION, et. al.,

Defendant.

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Amon, J.:

On December 13, 2010, Magistrate Judge Viktor V. Pohorelsky issued a Report and Recommendation in the above-captioned matter. No objection to this Report and Recommendation has been filed with the Court. The Court has reviewed the Report and Recommendation and adopts in full the recommendation contained in it, dismissing Juan Ballesteros’s claims without prejudice. Since the remaining plaintiff in this matter has already joined the related action, Marin, et al. V. JMP Restoration Corp., et al., 9-CV-1384 (CBA)(VVP), which encompasses his claims against the defendants, no claims remain pending in this matter. Accordingly, this case is dismissed without prejudice. The Clerk of the Court is directed to enter judgment accordingly and to close the case.

SO ORDERED

Dated: Brooklyn, New York
March 1, 2011

/s/ Carol B. Amon

Carol B. Amon
United States District Judge

ORDER

Civil Action No.
09-CV-4020 (CBA)(VVP)