UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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DR. GERALD FINKEL, as Chairman of the Joint Industry Board of the Electrical Industry,

Plaintiff,

-against-

Metropolitan Sign & Maintenance Corp.,

Defendant.
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09 CV 4416 (SJ) (CLP)

ORDER ADOPTING REPORT AND RECOMMENDATION

APPEARANCES
COHEN, WEISS AND SIMON LLP
330 West 42nd Street, 25th Floor
New York, NY 10036
By: Michael Seth Adler
Attorneys for Plaintiffs

JOHNSON, Senior District Judge:

Presently before the Court is a Report and Recommendation ("Report") prepared by Magistrate Judge Cheryl L. Pollak. Judge Pollak issued the Report on August 12, 2010, and provided the parties with 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). 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 Pollak's recommendations were due on August 30, 2010. No objections to the Report were filed with this Court. Upon review of the recommendations, this Court adopts and affirms Magistrate Judge Pollak's Report in its entirety. The Clerk of the Court is directed to close the case.

SO ORDERED.

Dated: October 4, 2010
Brooklyn, NY

s/b Judge Johnson

Senior United States District Judge