

DIF

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JEREMIAH SULLIVAN, in his fiduciary capacity as a : 09-CV-4876 (ARR)(RML)
Trustee for the Pointers, Cleaners & Caulkers Welfare :
Pension & Annuity Funds, and as President of the :
Bricklayers and Allied Craftworkers Local Union No. 1, : NOT FOR
B.A.C.U., AFL-CIO, and the TRUSTEES of the : PRINT OR ELECTRONIC
Bricklayers and Trowel Trades International Pension Fund : PUBLICATION
and the International Masonry Institute, :
Plaintiffs, : ORDER
-against- X

MA GENERAL CONSTRUCTION CORP.,
AMAR SHARMA, and JOHN and/or JANE DOE
FIDIUCIARY,

Defendants.

ROSS, United States District Judge:

The court has received the Report and Recommendation on the instant case dated --- from the Honorable Robert M. Levy, 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, as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Therefore, plaintiffs are awarded (a) \$43,657.40 in unpaid contributions and dues; (b) interest of \$17,438.92; (c) \$7,681.82 in liquidated damages; (d) \$2,775.00 in audit costs; (e) \$6,799.13 in attorney's fees; and (f) \$557.71 in reasonable costs. This brings the total amount owed to \$78,909.98. Plaintiff's request for injunctive relief is denied.

SO ORDERED.

/Signed by Judge Ross/

Allyne R. Ross
United States District Judge

Dated: January 24, 2011
Brooklyn, New York

SERVICE LIST:

Defendants:

MA General Construction Group
53-17 97th Street, 3rd Floor
Corona, NY 11368

MA General Construction Group
148-23 94th Avenue
Jamaica, NY 11435

Amar Sharma
c/o MA General Construction Group
148-23 94th Avenue
Jamaica, NY 11435