

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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TRUSTEES OF THE LOCAL 7 TILE
INDUSTRY WELFARE FUND, et al.,

Plaintiff,

ORDER

10-CV-1882 (RRM) (VMS)

- against -

STAR CONSTRUCTION & MARBLE
GRANITE,

Defendant.

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ROSLYNN R. MAUSKOPF, United States District Judge.

By motion filed October 7, 2011, plaintiffs moved for default judgment against defendant seeking attorneys' fees and costs in the amount of \$4,459.90.¹ (Doc. No. 14.) By Order entered October 7, 2011, this Court referred that motion to the assigned Magistrate Judge for a Report and Recommendation.² (ECF Entry of 10/7/11.) On February 7, 2013, Judge Vera M. Scanlon issued a Report and Recommendation (the "R&R") recommending that plaintiffs' motion be granted and that a default judgment in favor of plaintiffs be entered for attorneys' fees and costs of \$4,459.50. (Doc. No. 16.) Judge Scanlon reminded the parties that, pursuant to Rule 72(b), any objection to the R&R was due by February 25, 2013. No party has filed any objection.

¹ On September 23, 2011, this Court adopted the September 6, 2011 R&R issued by the Honorable Andrew L. Carter recommending that plaintiffs' motion for a default judgment be granted with respect to liability, but denied without prejudice with respect to damages and attorneys' fees. (See Doc. No. 13.) The instant motion is plaintiffs renewed motion regarding damages and fees.

² The motion was initially referred to the Honorable Andrew L. Carter. This case was subsequently transferred to the Honorable Vera M. Scanlon, who issued the instant well-reasoned R&R.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007).

Accordingly, it is hereby ORDERED that plaintiffs' motion for a default judgment is GRANTED. A default judgment in the amount of \$4,459.50 for attorneys' fees and costs shall be entered in favor of plaintiffs. The Clerk of Court is respectfully directed to enter Judgment accordingly, and to close this case.

SO ORDERED.

Dated: Brooklyn, New York
March 31, 2013

Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
United States District Judge