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★ AUG 28 2013 ★

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

BROOKLYN OFFICE

-----X
**ENRIQUE GUADALUPE, on behalf of himself and
all other persons similarly situated,**

Plaintiffs,

ORDER

- against -

No. 10-cv-3840 (NG) (CLP)

**TRI-STATE EMPLOYMENT, MANAGEMENT &
CONSULTING, INC., et al.,**

Defendants.

-----X
GERSHON, United States District Judge:

The court adopts the unopposed Report and Recommendation of Magistrate Judge Cheryl L. Pollak, dated July 31, 2013, regarding the damage award made to plaintiffs against the defendants who defaulted, Tri-State Employment, Management & Consulting, Inc., and Mitchell Malewany.¹ As recommended by Judge Pollak, plaintiffs are awarded the following damages: (1) \$83,143.65 for unpaid overtime wages; (2) \$65,866.28 in liquidated damages; and (3) \$32,981.48 in attorneys' fees and costs. In specific, plaintiffs are awarded the following amounts: \$29,820.27 to Enrique Guadalupe (\$16,049.90 in unpaid wages and \$13,770.37 in liquidated damages); \$36,029.90 to Gregory Hinton (\$21,265.75 in unpaid wages and \$14,764.15 in liquidated damages); \$8,771.96 to John Marino (\$4,965.50 in unpaid wages and \$3,806.46 in liquidated damages); \$49,123.84 to Jonathan Zuniga (\$28,230.52 in unpaid wages

¹ On October 17, 2012, defendants Anthony Cuccamo and Troubleshooter Towing & Road Service, Inc., notified the court that they had entered into a settlement with plaintiffs, and all claims against those defendants were dismissed with prejudice on December 5, 2012.

and \$20,893.32 in liquidated damages); \$14,237.80 to Wilmon Chislom (\$7,118.90 in unpaid wages and \$7,118.90 in liquidated damages); and \$11,026.16 to Joseph McKay (\$5,513.08 in unpaid wages and \$5,513.08 in liquidated damages).

SO ORDERED.

Nina Gershon

s/Nina Gershon

NINA GERSHON
United States District Judge

Dated: August 27, 2013
Brooklyn, New York