

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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TRUSTEES OF THE PAVERS AND ROAD
BUILDERS DISTRICT COUNCIL WELFARE,
PENSION, ANNUITY AND APPRENTICESHIP,
SKILL IMPROVEMENT AND SAFETY FUNDS,

Plaintiff,

14 CV 4923 (SJ) (MDG)

-against-

**ORDER ADOPTING
REPORT AND
RECOMMENDATION**

VIF CORP.,

Defendant.

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A P P E A R A N C E S:

Virginia & Ambinder, LLP
40 Broad Street, 7th Fl.
New York, NY 10004
By: Jesse S. Barton
Michael Howard Isaac
Attorneys for Plaintiff

JOHNSON, Senior District Judge:

Presently before the Court is a Report and Recommendation (“Report”) prepared by Magistrate Judge Marilyn D. Go. Magistrate Judge Go issued the Report on September 4, 2015, and directed any objections to the Report to be filed by September 21, 2015, pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). None of the parties filed an objection 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); Fed. R. Civ. P. 72(b). Within fourteen 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).

