UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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BROADCAST MUSIC, INC., ET AL.,

                Plaintiffs,

   -against-

THE LIVING ROOM STEAK HOUSE,
INC., ET AL.,

                Defendants.

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**MEMORANDUM AND ORDER**
14-CV-06298 (FB) (RER)

*Appearances:*
*For the Plaintiff:*
MARK S. SIDOTI, ESQ.
JONATHON BRUGH LOWER
Gibbons DelDeo Griffinger & Vecchione,
P.C.
One Pennsylvania Plaza
New York, New York 10119

**BLOCK, Senior District Judge:**

On February 26, 2015, Magistrate Judge Reyes issued a Report and

Recommendation ("R&R") recommending that default judgment be entered against

defendant The Living Room Steakhouse, Inc. and Anna Reckovic (collectively,

"Defendants") in the amount of $24,046.90, consisting of $16,000.00 in damages and

$7,500.00 in attorney's fees and $546.90 in costs. *See* R&R at 8, 12. The R&R

provided that failure to object within fourteen days of receipt would preclude appellate

review. *See id.* at 13. Copies of the R&R were mailed to Defendants on March 9,

2015.  To date, no objections have been filed.

If clear notice has been given of the consequences of failure to object, and there are no objections, the Court may adopt the R&R without *de novo* review.  *See Mario v. P & C Food Mkts., Inc.*, 313 F.3d 758, 766 (2d Cir. 2002) ("Where parties receive clear notice of the consequences, failure to timely to object to a magistrate's report and recommendation operates as a waiver of further judicial review of the magistrate's decision.").  The Court will excuse the failure to object and conduct *de novo* review if it appears that the magistrate judge may have committed plain error.  *See Spence v. Superintendent, Great Meadow Corr. Facility*, 219 F.3d 162, 174 (2d Cir. 2000).  Magistrate Judge Reyes' R&R contains no error, let alone plain error.  Accordingly, the Court adopts the R&R without *de novo* review and directs the Clerk to enter judgment in accordance with the R&R.

**SO ORDERED.**

/S/ Frederic Block_____
FREDERIC BLOCK
Senior United States District Judge

Brooklyn, New York
March 17, 2016

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