

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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J&J SPORTS PRODUCTION INC.,

Plaintiff,

MEMORANDUM AND ORDER

-against-

15-cv-6504 (FB) (ST)

GPN BAR INC., MICHELE L. FARRELL,
and GREGORY FARRELL,

Defendants.

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*Appearances:**For Plaintiff:*

PAUL J. HOOTEN

Paul J. Hooten & Associates

5505 Nesconset Highway, Suite 203

Mt. Sinai, NY 11766

BLOCK, Senior District Judge:

On December 15, 2016, Magistrate Judge Steven L. Tiscione issued a Report and Recommendation (“R&R”) recommending that plaintiff’s Motion for Default Judgment against defendant GPN Bar Inc. be granted and plaintiff be awarded \$6,000.00 in damages, fees, and costs, and that its Motion for Default Judgment against Gregory Farrell and Michele Farrell be denied and the claims against those individual defendants be dismissed. No objections have been filed to date, and the parties’ opportunity to object has passed.

Where there are no objections, the Court may adopt the R&R without de novo review. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *Mario v. P & C Food Mkts.*,

Inc., 313 F.3d 758, 766 (2d Cir. 2002) (“Where parties receive clear notice of the consequences, failure 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 must 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). No such error appears here. Accordingly, the Court adopts the R&R without de novo review and grants plaintiff’s Motion for Default Judgment against defendant GPN Bar Inc.

SO ORDERED.

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

Brooklyn, New York
February 1, 2017