

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,
and THE HIGHWAY, ROAD AND STREET
CONSTRUCTION LABORERS LOCAL
UNION 1010

Plaintiffs,

-against-

M. ALI CONSTRUCTION,

Defendants.

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LASHANN DEARCY HALL, United States District Judge:

On February 10, 2017, United States Magistrate Judge Lois Bloom issued a report and recommendation (the “Report and Recommendation”) (ECF No. 14), which recommended that Plaintiffs Trustees of the Pavers and Road Builders District Council Welfare, Pension, Annuity and Apprenticeship, Skill Improvement and Safety Funds, and the Highway, Road and Street Construction Laborers Local Union 1010’s July 19, 2016 motion for default judgment be granted (*see* Pls.’ Mot., ECF No. 8). Any written objections to the report and recommendation had to be filed with the Clerk of Court within fourteen (14) days of the date of service of the report; responses to any objections were due fourteen (14) days thereafter. *See* Fed. R. Civ. P. 72(b)(2); 28 U.S.C. § 636(b)(1)(C).

No objections have been filed to the report and recommendation. Where no objections to a report and recommendation have been filed, “the district court need only satisfy itself that there is no clear error on the face of the record.” *Estate of Ellington ex rel. Ellington v. Harbrew Imports Ltd.*, 812 F. Supp. 2d 186, 189 (E.D.N.Y. 2011) (quoting *Urena v. New York*, 160 F. Supp. 2d 606, 609-10 (S.D.N.Y. 2001)) (internal quotation marks and citations omitted). The Court has reviewed

ORDER
16-CV-351 (LDH) (LB)

the Report and Recommendation for clear error and, finding none, hereby adopts the Report and Recommendation as the opinion of this Court.

Accordingly, Plaintiffs' motion for default judgment is hereby granted. A default judgment should be entered against defendant M. Ali Construction, Inc., and Plaintiffs should be awarded: (1) \$14,225.87 in delinquent contributions, dues check-offs and other contributions; (2) \$3,988.46 in interest on the delinquent contributions; (3) \$3,988.46 in liquidated damages; (4) \$2,416.00 in attorney's fees; (4) \$471.14 in costs; and (5) \$340.00 reimbursement for the audit conducted by Castiglia, LLP, for a total award of \$25,429.93; plus \$2.98 in daily interest on the delinquent contributions (\$10,895.50) from February 11, 2017, through to the date of this judgment. The Clerk of Court is directed to enter judgment and close this case.

Dated: March 31, 2017
Brooklyn, New York

SO ORDERED:

/s/ LDH
LASHANN DEARCY HALL
United States District Judge