

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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BARBA MENDEZ MIGUEL, Individually and
on BEHALF OF ALL OTHER COLLECTIVE
PERSONS SIMILARLY SITUATED,

Plaintiff,

16-CV-01593 (SJ) (RER)

-against-

MI BELLA PUEBLA CORP., ANTOLIN
TUETLE, GROMEX CORPORATION,
EDUARDO TEUTTLE, CHOLULA PUEBLA
CORP., ERIC ZAQCATELCO, and JOHN
DOES #1-10,

Defendants.

**ORDER ADOPTING
REPORT AND
RECOMMENDATION**

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A P P E A R A N C E S

PARK & SIM LAW GROUP, LLP
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Flushing, NY 11354
By: Sang Joon Sim
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*Attorneys for Plaintiff and the putative
collective Plaintiffs*

JOHNSON, Senior District Judge:

Presently before the Court is a Report and Recommendation (“Report”) prepared by Magistrate Judge Ramon Reyes. Judge Reyes issued the Report on September 6, 2017, and provided the parties with the requisite amount of time to file

any objections. Neither party filed any objections 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). Within 10 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).

In this case, objections to Magistrate Judge Reyes's recommendations were due on September 20, 2017. No objections to the Report were filed with this Court. Upon review of the recommendations, this Court adopts and affirms Magistrate Judge Reyes's Report in its entirety. The Clerk of the Court is directed to close the case.

SO ORDERED.

Dated:October 24, 2017
Brooklyn, NY

/s/
Sterling Johnson, Jr., U.S.D.J.