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US DISTRICT COURT E.D.N.Y.

★ **AUG 13 2018** ★

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

BROOKLYN OFFICE

-----X
ALIPIA LLONTOY, individually and on behalf of
all others similarly situated,

Plaintiff,

**ORDER ADOPTING REPORT
AND RECOMMENDATION**
17-cv-07366 (AMD) (RER)

-against-

MARTINEZ CLEANING CO. INC., JORGE
MARTINEZ and ELVA MARTINEZ,
jointly and severally,

Defendants.

-----X
Ann M. Donnelly, United States District Judge:

On December 18, 2017, the plaintiff, Alipia Llontoy, filed a class and collective action complaint on behalf of herself and similarly situated employees of the defendants, alleging violations of the Fair Labor Standards Act and the New York Labor Law. The defendants reached a settlement with the named plaintiff, and on July 23, 2018, the parties filed a joint motion for approval of the settlement agreement. (ECF No. 17.)

After reviewing the parties' settlement agreement in accordance with *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015), Magistrate Judge Ramon E. Reyes, Jr. recommended that I approve the parties' settlement agreement. (Minute Order, July 27, 2018.) Judge Reyes ordered the parties to file objections by August 10, 2018. (*Id.*) To date, no objections have been filed.

A district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). Where, as here, no party has objected to the magistrate judge's recommendation, "a district court need only satisfy itself that there is no clear error on the face of the record." *Urena v. New York*, 160 F. Supp. 2d

606, 609-10 (S.D.N.Y. 2001) (quoting *Nelson v. Smith*, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)).

I have reviewed the terms of the parties' settlement agreement and adopt Judge Reyes' recommendation that I approve the settlement. The parties' settlement agreement [17] is approved, and the Clerk of the Court is respectfully directed to close the case.

SO ORDERED.

s/Ann M. Donnelly

Ann M. Donnelly
United States District Judge

Dated: Brooklyn, New York
August 13, 2018