

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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TRI-UNION FROZEN PRODUCTS, INC.,
formerly known as EMPRESS INTERNATIONAL,
LTD. and doing business as EMPRESS
INTERNATIONAL,

Plaintiff,

-against-

INGENIERIA ALIMENTARIA del
MATATIPAC, S.A., de C.V. MARCO
ANTONIO RINCON VALDES and
MARCO ANTONIO RINCON
ROMO,

Defendant.
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ORDER ADOPTING R & R
13-CV-1974 (DRH)(AKT)

HURLEY, Senior District Judge:

Presently before the Court is the Report and Recommendation, dated February 10, 2017, of Magistrate Judge A. Kathleen Tomlinson recommending that plaintiff's motion for default judgment be denied without prejudice, and with the right to renew once plaintiff complies with the directives set forth in the Report and Recommendation with respect to damages and attorneys' fees. More than fourteen days have elapsed since service of the Report and Recommendation and no objections have been filed.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both its reasoning and its result. The Court adopts the February 10, 2017 Report and Recommendation of Judge Tomlinson as if set forth herein. Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for default judgment is denied

without prejudice. Any renewed motion for default judgment must comply with the directives set forth in the February 10, 2017 Report and Recommendation.

Dated: Central Islip, N.Y.
March 8, 2017

/s/ Denis R. Hurley
Denis R. Hurley
United States District Judge