

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JOHN W. GILDAY, as Executive Director of the  
ELECTRICAL INDUSTRY BOARD OF NASSAU  
AND SUFFOLK COUNTIES, NEW YORK, KEVIN  
Business Manager of LOCAL UNION NO. 25  
INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS and JOHN DOE and  
JANE DOE, beneficiaries of the TRUST FUNDS  
Administered by the ELECTRICAL BOARD OF  
NASSAU AND SUFFOLK COUNTIES, NEW  
YORK,

Plaintiffs,

-against-

SDS TELECOM INC. and SEAN STEVENS,

Defendants.

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**ORDER ADOPTING R & R**  
Civil Action No. 15-6962

**HURLEY, Senior District Judge:**

Presently before the Court is the Report and Recommendation, dated February 28, 2017 (“R&R”), of Magistrate Judge Gary R. Brown recommending that the motion of plaintiffs for a default judgment against defendant SDS Telecom Inc. be granted, the motion for default judgment against defendant Sean Stevens be denied, and that an award of damages against defendant SDS Telecom Inc. be denied, with leave to renew. More than fourteen days have elapsed since service of the R&R 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. Accordingly, this Court adopts the February 28, 2017 Report & Recommendation of

Judge Brown as if set forth herein. Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for a default judgment against defendant SDS Telecom Inc. as to liability is granted, the motion for default judgment against defendant Sean Stevens is denied, and that an award of damages against defendant SDS Telecom Inc. is denied, with leave to renew.

Dated: Central Islip, N.Y.  
March 22, 2017

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