Kelly v. Vesnaver et al Doc. 55

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK -----X STEVEN KELLY,

ORDER ADOPTING R&R 16-CV-883 (DRH)(SIL)

Plaintiff.

-against-

PAUL VESNAVER, *Individually*, PAUL VESNAVER, *as an Attorney/Principal in the Law Firm of Paul Vesnaver, PC*, JOHN TIDROW, *Individually*, GENESIS PARTNERS LLC, MATTHEW OLUGBENGA AWORENI, *Individually*, and HONEYFIELD INVESTMENTS LTD.,

Defendants.
 X

## **HURLEY, Senior District Judge:**

Presently before the Court is the Report and Recommendation, dated April 11, 2017 ("R&R"), of Magistrate Judge Steven I Locke recommending that (1) the Motion to Quash Service of Process pursuant to Federal Rule of Civil Procedure 12(b)(5) be denied as to Defendant John Tidrow; (2) the Motion to Quash Service of Process pursuant to Federal Rule of Civil Procedure 12(b)(5) be granted as to Defendants Bruce Klein, Matthew Olugbenga Aworeni, and Honeyfield Investments Ltd.; and (3) Plaintiff be given 30 days to properly serve Defendants Bruce Klein, Matthew Olugbenga Aworeni, and Honeyfield Investments Ltd. 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. The Court therefore adopts the April 11, 2017 Report & Recommendation of Judge Locke

as if set forth herein. Accordingly,

IT IS HEREBY ORDERED that (1) the Motion to Quash Service of Process pursuant to

Federal Rule of Civil Procedure 12(b)(5) is denied as to Defendant John Tidrow; (2) the Motion

to Quash Service of Process pursuant to Federal Rule of Civil Procedure 12(b)(5) is granted as to

Defendants Bruce Klein, Matthew Olugbenga Aworeni, and Honeyfield Investments Ltd.; and (3)

Plaintiff shall have 30 days from the date of this Order to properly serve Defendants Bruce

Klein, Matthew Olugbenga Aworeni, and Honeyfield Investments Ltd.

Dated: Central Islip, N.Y.

June 1, 2017

/s/ Denis R. Hurley

Denis R. Hurley

United States District Judge