

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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DATE FILED: 9/15/09

CHLOE, ET AL.,

Plaintiffs,

- against -

MOHAMMED ALEXANDER ZARAFSHAN
A/K/A ALEXANDER ZAR, ET AL.,

Defendants.

1:06-cv-03140-RJH-MHD


ORDER

On July 21, 2009, the Court received a thorough and thoughtful Report and Recommendation (the "Report") from the Honorable Michael H. Dolinger, United States Magistrate Judge for the Southern District of New York, advising that plaintiffs are entitled to recover \$7,200,000.00 in disgorged profits from defendant Mohammed Alexander Zarafshan a/k/a Alexander Zar ("Zar"). The Report also advises that plaintiffs are entitled to an award of attorneys' fees and costs; plaintiffs, however, have since withdrawn their application for attorneys' fees and costs. Mr. Zar is aware of this litigation and has appeared for a deposition, but the Court has not received any objections to the Report to date.

If a party fails to object to a magistrate judge's report and recommendation, a district court's review is ordinarily limited to ascertaining whether clear error appears on the face of the record. *See Nelson v. Smith*, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985). The Court has reviewed the Report and finds no such error. Accordingly, the Court adopts the Report.

SO ORDERED.

Dated: New York, New York
September 14, 2009



Richard J. Holwell
United States District Judge