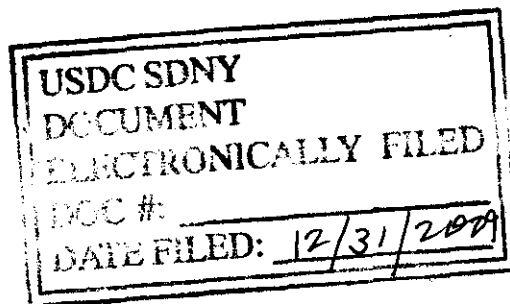


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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THE TRUSTEES OF THE UNITE HERE
NATIONAL HEALTH FUND and THE
TRUSTEES OF THE UNITE HERE
NATIONAL RETIREMENT FUND,

Petitioners,

-against-

AMERICAN LEATHER
PRODUCTS, L.L.C.,

Respondent.

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06 Civ. 5316 (WHP) (DF)

ORDER

WILLIAM H. PAULEY III, District Judge:

This action was referred by Senior District Judge Robert L. Carter to Magistrate Judge Debra Freeman for a report and recommendation. On November 24, 2009, this action was reassigned from Senior District Judge Carter to this Court. On December 9, 2009, Magistrate Judge Freeman issued a report and recommendation (the "Report") recommending that this Court grant Petitioners' motion to confirm the arbitration award and determining that judgment should be entered in Petitioners' favor as follows:

- (1) For the period up to May 25, 2006, the date of Arbitrator's award:
 - a. \$18,827.50 in principal and \$1,087.16 in interest for unpaid contributions to the Health Fund for a total of \$19,914.66; and
 - b. \$2,029.89 in principal and \$238.70 in interest for unpaid contributions to the Retirement Fund, for a total of \$2,268.59;
- (2) Pre-judgment interest on the above amounts, to be calculated at the rate of 11.75%, from May 25, 2006 to the date of the judgment; and

(3) \$350 in litigation costs.

Magistrate Judge Freeman also recommended that Petitioners have a reasonable opportunity to file a separate application for attorney's fees incurred in prosecuting this action. As of this date neither party has submitted any objection to the Report nor requested an extension of time in which to do so.

Accordingly, this Court finds that the Report is not facially erroneous, and affirms and adopts it. Petitioners' motion to confirm the arbitration award (Docket No. 3) is granted. Petitioners are directed to submit a final judgment consistent with the Report by January 8, 2010, so that this case can be closed.

Dated: December 31, 2009
New York, New York

SO ORDERED:


WILLIAM H. PAULEY III
U.S.D.J.

Copy mailed to:

Hon. Debra Freeman

Counsel of Record:
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