UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ELENA STRUJAN,

Plaintiff,

- against -

08 Civ. 9589 (DAB)(HBP)
ADOPTION OF REPORT
AND RECOMMENDATION

COLUMBIA UNIVERSITY, JOHN DOE and
JANE DOE,

Defendants.

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DEBORAH A. BATTS, United States District Judge.

This matter is before the Court upon the August 31, 2009 Report and Recommendation of United States Magistrate Judge Henry B. Pitman ("Report").

Pursuant to 28 U.S.C. § 636(b)(1)(C), upon the issuance of a United States Magistrate Judge's Report and Recommendation and "[w]ithin ten days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations." 28 U.S.C. § 636(b)(1)(C); see also Fed. R. Civ. P. Rule 72(b). Despite having being advised of this procedure in Magistrate Judge Pitman's August 31, 2009 Report and Recommendation, to date, neither Plaintiff nor Defendants have filed any objections.

Where no timely objection to a Report and Recommendation has been made, "a district court need only satisfy itself that there is no clear error on the face of the record." Nelson v. Smith,

618 F. Supp. 1186, 1189 (S.D.N.Y. 1985). The court may then accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1)(C); see also Local Civil Rule 72.1(d).

Plaintiff has not responded to Magistrate Judge Pitman's Report and Recommendation, but has instead requested the permission of this Court to amend her Complaint to identify a John Doe Defendant and to add additional Defendants, including the Teachers College. In recommending that this Court grant summary judgment for Defendant Columbia University, Magistrate Judge Pitman noted that "the area of decision-making at issue in this case - admission to the masters program - is under exclusive jurisdiction of Teachers College and that Columbia has no role in deciding which applicants are admitted." (Report at 11.)

Having reviewed the Report and Recommendation, and finding no clear error on the face of the record, it is hereby ORDERED AND ADJUDGED as follows:

1. The Report and Recommendation of United States Magistrate Judge Henry B. Pitman, dated August 31, 2009, be and the same hereby is, APPROVED, ADOPTED, and RATIFIED by the Court in its entirety;

2. Pursuant to Magistrate Judge Pitman's recommendations, Defendant's Motion for Summary Judgment is GRANTED. As such, all

claims asserted by Plaintiff against Defendant Columbia University are dismissed; and

3. Plaintiff is hereby GRANTED permission to amend her Complaint. Plaintiff has thirty (30) days from the date of this Order to file her Amended Complaint.

SO ORDERED

DATED: New York, New York
September 16, 2009

Deborah A. Batts

DEBORAH A. BATTS
United States District Judge