```
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
--------------------------------x
AXEL RENTAS,
                                    :
             Plaintiff,                  REPORT & RECOMMENDATION
                                    :
       -against-                         10 Civ. 3906 (LTS) (MHD)
                                    :
DRA BLAIN, et al.,
                                    :
             Defendants.
--------------------------------x
TO THE HONORABLE LAURA TAYLOR SWAIN, U.S.D.J.:
```
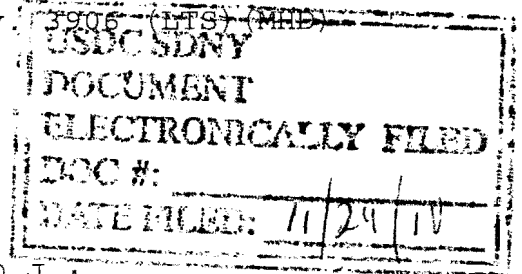
We have received a submission from plaintiff Axel Rentas's newly-retained counsel requesting dismissal of this action, as it is subsumed within a related case now pending before Judge Hellerstein. Defendants do not oppose the request. We respectfully recommend that this action therefore be dismissed with prejudice.

Pursuant to Rule 72 of the Federal Rules of Civil Procedure, the parties shall have fourteen (14) days from this date to file written objections to this Report and Recommendation. Such objections shall be filed with the Clerk of the Court and served on all adversaries, with extra copies to be delivered to the chambers of the Honorable Laura Taylor Swain, Room 755, 500 Pearl Street, New York, New York 10007-1312 and to the chambers of the undersigned, Room 1670, 500 Pearl Street, New York, New York 10007-1312. Failure to file timely objections may constitute a waiver of

those objections both in the District Court and on later appeal to the United States Court of Appeals. See Thomas v. Arn, 474 U.S. 140, 150 (1985), reh'g denied, 474 U.S. 1111 (1986); Small v. Sec'y of Health and Human Services, 892 F.2d 15, 16 (2d Cir. 1989); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72, 6(a), 6(d).

DATED: New York, New York
       November 29, 2010

                      Respectfully submitted,

_____
MICHAEL H. DOLINGER
UNITED STATES MAGISTRATE JUDGE

Copies of the foregoing Report and Recommendation have been mailed today to:

Axel Rentas
P.O. Box 5515
Astoria, NY 11105
PRO SE

Emily Sweet, Esq.
City of New York Law Department
100 Church St
New York, NY 10007
(212) 788-1171
Fax: (212) 788-8877

Joshua P. Fitch, Esq.
Cohen & Fitch, LLP
225 Broadway, Ste. 2700
New York, NY 10007
(212) 374-9115
Fax: (212) 406-6890