

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC-SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 7/25/2018

JOEL VILLAR, PRIMITIVO MARTINEZ,
JUAN CARLOS FLORES, EDWIN
SANCHEZ, RENE PERALTA, EDGAR
CAZAREZ, and LISA BROWN, *on behalf of
themselves and others similarly situated,*

Plaintiffs,

v.

PRANA HOSPITALITY, INC., RAJIV
SHARMA, and ADRIAN SARMIENTO,

Defendants.

No. 14-CV-8211 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

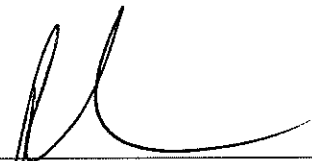
Named Plaintiffs Joel Villar, Primitivo Martinez, Juan Carlos Flores, Edwin Sanchez, Rene Peralta, Edgar Cazarez and Lisa Brown, on behalf of themselves and as representatives of a putative class of similarly situated employees, commenced this action on October 14, 2014, alleging violations of the Fair Labor Standards Act (“FLSA”) and the New York Labor Law (“NYLL”). ECF No. 1. Defendants filed an Answer to the Complaint but, after their counsel withdrew, failed to comply with this Court's May 19, 2016 order directing them to obtain new counsel by June 24, 2016. ECF No. 80. The Court expressly authorized Plaintiffs to move for a default judgment in the event that Defendants failed to comply. ECF No. 80. After granting Plaintiffs' motion for default judgment on August 24, 2016, the Court referred the case to Magistrate Judge Francis for an inquest into damages. ECF Nos. 101-02. Now before the Court is Judge Francis' Report and Recommendation, to which no objections were made.

Having reviewed the thorough, well-reasoned Report for clear error, *see Galeana v. Lemongrass on Broadway Corp.*, 120 F. Supp. 3d 306, 310 (S.D.N.Y. 2014), the Court hereby adopts it in its entirety. The Court enters judgment against Defendants for the amounts stated in the Report. The parties' failure to file written objections, after Judge Francis warned that such failure would result in a waiver of objections for the purposes of appeal, precludes appellate review. *See Caidor v. Onondaga Cty.*, 517 F.3d 601, 604 (2d Cir. 2008).

No later than August 3, 2018, Plaintiffs shall notify the Court whether the remaining plaintiffs who have consented to join the class intend to seek damages from Defendants, or whether this matter should be closed.

SO ORDERED.

Dated: July 25, 2018
New York, New York



Ronnie Abrams
United States District Judge