

Defendants.

ORDER

report and recommendation to which the objections are made.” Mulosmanaj v. Colvin, No. 14-CV-6122, 2016 WL 4775613, at *2.

This Court has reviewed Magistrate Judge Cott’s thorough and well-reasoned Report and Recommendation, and finds that it is not erroneous on its face. See 28 U.S.C. § 636(b)(1)(C). Plaintiff’s lone objection is also well-taken. Defendants who qualify as employers under the FLSA or NYLL are jointly and severally liable for damages awarded under those statutes. See Moon v. Kwon, 248 F. Supp. 2d 201, 237 (S.D.N.Y. 2002). Because Magistrate Judge Cott found that the Defaulting Defendants were Plaintiffs’ employers within the meaning of the FLSA and NYLL—a finding that this Court hereby adopts—the Defaulting Defendants are jointly and severally liable to Plaintiffs. (See Report & Recommendation, ECF No. 55, at 6.

Accordingly, this Court modifies the Report and Recommendation to hold that the Defaulting Defendants are jointly and severally liable for the damages awarded therein, and otherwise adopts the Report and Recommendation in its entirety. The Clerk of Court is directed to mail a copy of this Order to pro se Defendants Derek Koch and Daniel Koch and note service on the docket.

Dated: April 5, 2017
New York, New York

SO ORDERED:


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