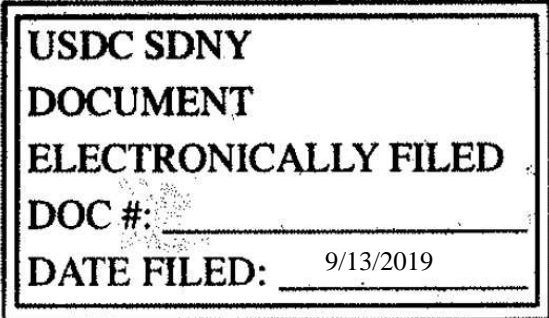


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
:
INTEGR8 FUELS, INC., :
:
:
Petitioner, :
:
-v- :
:
OW BUNKER PANAMA SA, :
:
:
Respondent. :
:
-----X



16-CV-4073 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

Petitioner Integr8 Fuels, Inc. originally commenced this action on June 1, 2016, by filing a petition seeking to compel Respondent OW Bunker Panama SA to arbitrate a dispute between the parties. (Doc. 1.) After Respondent failed to appear, I issued an Order on June 14, 2017, directing that a default judgment be entered against Respondent and affording Petitioner the relief requested. (Doc. 30.) The matter then proceeded to arbitration, resulting in an award favorable to Petitioner. (See Doc. 32.) On January 3, 2019, Petitioner returned to the Court and filed a motion to confirm the arbitration award (the "Petition"). (Doc. 32.) Once again, Respondent failed to respond to the Petition or to otherwise appear. On March 14, 2019, I referred the Petition to Magistrate Judge Debra C. Freeman for a determination as to liability and damages. (See Doc. 35.)

On August 12, 2019, Judge Freeman issued a Report and Recommendation advocating that I confirm the arbitration award. (Doc. 45.) No objections have been filed, the deadline for objections has passed, and no request for an extension has been filed. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

A district court “may 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). When a party submits a timely, specific objection, a district court reviews de novo the parts of the report and recommendation to which the party objected. *Id.*; *see also* Fed. R. Civ. P. 72(b)(3). With regard to a report and recommendation that is not objected to, or the unobjected-to portions of a report and recommendation, a district court reviews the report and recommendation, or the unobjected-to portion thereof, for clear error. *DiPilato v. 7-Eleven, Inc.*, 662 F. Supp. 2d 333, 339 (S.D.N.Y. 2009); *Lewis v. Zon*, 573 F. Supp. 2d 804, 811 (S.D.N.Y. 2008); *Wilds v. United Parcel Serv., Inc.*, 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003).

I have reviewed Judge Freeman’s Report and Recommendation for clear error and find none. Accordingly, I hereby ADOPT the Report and Recommendation, (Doc. 45), in its entirety. The arbitration award determining that Petitioner is entitled to set off its debt of \$1,928,001.14 to Respondent by \$600,395.53, and that Petitioner is entitled to reimbursement of its legal fees and costs totaling \$88,772.09, as well as reimbursement of the arbitrators’ fees totaling \$22,825.00, (*see* Doc. 45, at 5), is affirmed.

The Clerk of Court is respectfully directed to enter judgment accordingly, to terminate the motion pending at Document 32, and to close the case.

SO ORDERED.

Dated: September 13, 2019
New York, New York


Vernon S. Broderick
United States District Judge