

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA for  
the use and benefit of National  
Development and Construction Corp.,

Plaintiff,

-against-

UNITED STATES ENVIRONMENTAL  
UNIVERSAL SERVICES, INC.,  
PALONIA DEVELOPMENT &  
PRESERVATION SERVICES CO.,  
LLC, and FIRST SEALORD SURETY,  
INC.,

Defendants.  
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ORDER ADOPTING REPORT  
AND RECOMMENDATION

11-CV-730 (CS)

Seibel, J.

Before the Court is the Report and Recommendation (“R&R”) of Magistrate Judge George A. Yanthis, dated April 22, 2013, (Doc. 47), recommending that the cross-claim of Defendant United States Environmental Universal Services, Inc. (“USEUS”) be dismissed with prejudice for failure to prosecute. No objections to the R&R have been filed, so I review it for clear error. No error, clear or otherwise, being apparent, the R&R is hereby adopted as the decision of the Court, and the cross-claim of USEUS is hereby dismissed with prejudice.

Dated: May 13, 2013  
White Plains, New York

  
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CATHY SEIBEL, U.S.D.J.