

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PLUS ENTERPRISES LLC d/b/a/ Plus Funding :
Group, :
 :
Plaintiff, :
 :
 :
v. :
 :
SUN TRADING INTERNATIONAL, LLC, :
SPECTRA WORLDWIDE, LLC, DEBRA SANDS, :
and GLENN SANDS, :
 :
Defendants. :
-----X

**ORDER ADOPTING
REPORT AND
RECOMMENDATION**

16 CV 8987 (VB)

Before the Court is Magistrate Judge Paul E. Davison’s Report and Recommendation (“R&R”), dated November 29, 2017 (Doc. #35), in response to the Court’s Order of Reference for an inquest on damages. (Doc. #25).

Judge Davison recommended entry of a money Judgment against defendants Sun Trading International, LLC (“Sun Trading”), and Debra Sands, only, in the total amount of \$202,566.44, consisting of \$186,587.64 for plaintiff’s unreimbursed advances on Sun Trading’s invoices, \$14,564.50 in attorneys’ fees, and \$1,414.30 in costs. Judge Davison further recommended that no money judgment be entered against defendants Glenn Sands and Spectra Worldwide, LLC.

Familiarity with the factual and procedural background of this case is presumed.

For the following reasons, the Court adopts the R&R as the opinion of the Court.

A district court reviewing a magistrate judge’s report and recommendation “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). Parties may raise objections to the magistrate judge’s report and recommendation, but they must be “specific[,] written,” and submitted within 14 days after being

served with a copy of the recommended disposition. Fed. R. Civ. P. 72(b)(2); 28 U.S.C. § 636(b)(1).

Insofar as a report and recommendation deals with a dispositive motion, a district court must conduct a de novo review of those portions of the report or specified proposed findings or recommendations to which timely objections are made. 28 U.S.C. § 636(b)(1)(C). The district court may adopt those portions of a report and recommendation to which no timely objections have been made, provided no clear error is apparent from the face of the record. Lewis v. Zon, 573 F. Supp. 2d 804, 811 (S.D.N.Y. 2008); Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985). The clearly erroneous standard also applies when a party makes only conclusory or general objections, or simply reiterates his original arguments. Ortiz v. Barkley, 558 F. Supp. 2d 444, 451 (S.D.N.Y. 2008).

No party has objected to Judge Davison's thorough and well-reasoned R&R.

The Court has carefully reviewed the R&R and finds no error, clear or otherwise.

CONCLUSION

Accordingly, the R&R is adopted in its entirety as the opinion of the Court.

The Court will separately enter an Order and Judgment in this case.

Dated: December 15, 2017
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge