

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

THOMAS WOODRUFF, KEITH ADAMS,
THOMAS REIDY and IVAN HANSEN

Plaintiffs,

v.

ORDER
13-CV-00458(A)(M)

SYSCO CORPORATION and
SYSCO PITTSBURGH, LLC,

Defendants.

The above-referenced case was referred to Magistrate Judge Jeremiah J. McCarthy, pursuant to 28 U.S.C. § 636(b)(1)(B). On March 31, 2014, Magistrate Judge McCarthy filed a Report and Recommendation, recommending that the defendants' summary judgment motion be granted, and that the defendants' motion to dismiss (Dkt. No. 4) and plaintiffs' cross motion for leave to amend (Dkt. No. 15) be denied as moot.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, summary judgment is granted in favor of the defendants, and the defendants' motion to dismiss (Dkt. No. 4) and the plaintiffs' cross motion for leave to amend (Dkt. No. 15) are denied as moot.

The Clerk of Court shall take all steps necessary to close the case.

IT IS SO ORDERED.

Richard J. Arcara
HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: April 28 , 2014