

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

JANICE M. PRICE,

Plaintiff

-vs-

DECISION and ORDER

07-CV-6627-CJS-MWP

PRIORITY TRANSPORTATION, LLC,

Defendant

Siragusa, J. Plaintiff's motion (Docket No. 8) for entry of a default judgment was referred to U.S. Magistrate Judge Marion W. Payson pursuant to 28 U.S.C. § 636(b)(1)(B) and (C), on January 26, 2011 (Docket No. 47). On January 26, 2011, Magistrate Judge Payson filed a Report and Recommendation recommending that the Court grant Plaintiff's motion and require Janice M. Price to submit an affidavit detailing her damages caused by the defendant's discriminatory conduct, to which she may append any documentary evidence she deems relevant to her claimed damages. The time has passed for Defendant to file any objections to Judge Payson's Report and Recommendation and none have been filed.

Accordingly, for the reasons set forth in Magistrate Judge Payson's Report and Recommendation, Plaintiff's motion for a default judgment (Docket No. 8) is granted. In order to assess damages, the Court hereby directs Plaintiff to file proof of damages caused by Defendant's discriminatory conduct by February 25, 2011. The Court will thereafter order an inquest if necessary, or issue a decision regarding damages.

IT IS SO ORDERED.

Dated: Rochester, New York
February 11, 2011

ENTER:

/s/ Charles J. Siragusa
CHARLES J. SIRAGUSA
United States District Judge