

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ROSELYN ISIGI,

Plaintiff,

MEMORANDUM AND ORDER

-against-

16-cv-2218 (FB) (SMG)

HARRY DORVILIER and HARRY'S
NURSES REGISTRY, INC.,

Defendants.

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Appearances:

For Plaintiff:

JONATHAN A. BERNSTEIN
Levy Davis & Maher LLP
39 Broadway, Suite 1620
New York, NY 10006

For Defendants:

ROBERT SCHIRTZER
Law Office of Robert Schirtzer, Esq.,
P.C.
104-18 Metropolitan Avenue
Forest Hills, NY 11375

BLOCK, Senior District Judge:

On October 10, 2016, Magistrate Judge Steven M. Gold issued a Report and Recommendation (“R&R”) recommending that, if the defendants did not serve initial disclosures and responses to interrogatories by October 27, 2016, the Court enter default of defendants. The defendants did not serve such discovery, no objections have been filed to date, and defendants’ opportunity to object has passed.

Where there are no objections, the Court may adopt the R&R without de novo review. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *Mario v. P & C Food Mkts., Inc.*, 313 F.3d 758, 766 (2d Cir. 2002) (“Where parties receive clear notice of the consequences, failure timely to object to a magistrate’s report and recommendation

operates as a waiver of further judicial review of the magistrate's decision.”). The Court must conduct de novo review if it appears that the magistrate judge may have committed plain error. *See Spence v. Superintendent, Great Meadow Corr. Facility*, 219 F.3d 162, 174 (2d Cir. 2000). No such error appears here. Accordingly, the Court adopts the R&R without de novo review, directs the Judgment Clerk to note defendants' default, and orders plaintiff to file a motion for default judgment by March 6, 2017.

SO ORDERED.

/s/ Frederic Block
FREDERIC BLOCK
Senior United States District Judge

Brooklyn, New York
January 4, 2016