

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ASIA TV USA LTD., MSM ASIA LTD.,
STAR INDIA PRIVATE LTD., VIACOM18
MEDIA PRIVATE LIMITED, ARY
DIGITAL USA LLC, and DISH NETWORK
L.L.C.,

Plaintiffs,

-against-

KAMRAN INTERNATIONAL TRADE
LIMITED and MUHAMMAD ARSHAD
BUTT,

Defendants.

MEMORANDUM AND
ORDER

Case No. 17-CV-5057-FB-CLP

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BLOCK, Senior District Judge:

On September 25, 2018, Magistrate Judge Pollak issued a Report and Recommendation (“R&R”) recommending that a default judgment be entered against all defendants in the total amount of \$8,250,000.00. The R&R further recommended “that a permanent injunction enter against defendants Kamran and Butt, but that plaintiffs' motion for an injunction against unnamed third parties be denied without prejudice to renew once the third parties have been identified.” R&R at 2. Lastly, the R&R recommended that the plaintiffs’ request for post-judgment discovery be granted.

The R&R advised that “[a]ny objections to this Report and Recommendation must be filed . . . within fourteen (14) days of receipt,” and that “[f]ailure to file objections within the specified time waives the right to appeal the District Court’s order.” R&R at 27. The R&R was served electronically on Butt on October 2, 2018, and in person on all defendants on October 4, 2018, making objections due by October 18, 2018. To date, no objections have been filed.

Where clear notice has been given of the consequences of failure to object, and 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, however, will excuse the failure to object and 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 on the face of the R&R. Therefore, the Court adopts it in its entirety without *de novo* review. The Clerk shall enter judgment in accordance with the R&R.

SO ORDERED.

/S/ Frederic Block

FREDERIC BLOCK
Senior United States District Judge

Brooklyn, New York
December 3, 2018