

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW
YORK

**Marco Antonio Sanchez Juarez, Janet Gutierrez Individually and On
Behalf of Others Similarly Situated v. 156-40 Grill LLC d/b/a
Taverna Greek Grill, Evangelos Pollatos, Maria Karras-Pollatos,
Michael Siderakis, and Konstantinos Siklas**

Sanchez Juarez v. 156-40 Grill LLC · No. 2:15-cv-05081 (CBA) (LGD) · Decided December 22, 2025

SUMMARY

The Eastern District of New York adopted a magistrate judge’s unopposed report and recommendation concerning plaintiffs’ counsel’s request for attorneys’ fees and costs incurred in defending an appeal arising from an FLSA and New York Labor Law action. The court granted the motion, directed amendment of the judgment to include previously awarded trial fees and costs and \$10,335 in appellate fees, and ordered the case closed.

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK -----
-----x MARCO ANTONIO SANCHEZ JUAREZ, JANET
GUTIERREZ INDIVIDUALLY AND ON BEHALF OF OTHERS SIMILARLY SITUATED,
Plaintiffs, -against- NOT FOR PUBLICATION MEMORANDUM & ORDER 156-40 GRILL
LLC 2:15-cv-05081 (CBA) (LGD) d/b/a Taverna Greek Grill, EVANGELOS POLLATOS,
MARIA KARRAS-POLLATOS, MICHAEL SIDERAKIS, and KONSTANTINOS SIKLAS,
Defendants. -----x AMON, United States District
Judge: Before me now is the report and recommendation (“R&R”) of the Honorable Lee G.
Dunst, United States Magistrate Judge, addressing Plaintiffs’ counsel, Troy Law PLLC’s (“Troy
Law”), motion (1) to award attorneys’ fees and costs incurred defending an appeal in this case,
and (2) to enter an amended judgment including the attorneys’ fees I previously awarded.

(ECF Docket Entry (“D.E.”) # 158.) I assume familiarity with the procedural history of this case.
In short, Plaintiffs prevailed in a suit against Defendants under the Fair Labor Standards Act
(“FLSA”) and New York Labor Law (“NYLL”). (See D.E. ## 124, 136, 137, 153.) Troy Law was
granted attorneys’ fees in the amount of \$57,669.50 and costs in the amount of \$3,151.80 for their
work on that suit.

(See D.E. # 144.) Defendant Michael Siderakis appealed the outcome of the underlying suit,
challenging both my finding that he was Plaintiffs’ employer for FLSA and NYLL purposes and

how I structured the damages awarded against him. (D.E. # 138.)

The Second Circuit affirmed my finding on the former but partially vacated the latter. (D.E. # 145 at 10-12.) On remand, I revisited my damages calculations—breaking out the damages to reflect Siderakis’s liability for only the period that he was Plaintiff Marco Sanchez Juarez’s employer. (D.E. # 153 at 3-7.) Plaintiffs’ counsel now moves—unopposed—to recover attorneys’ fees and costs incurred defending that appeal (D.E. # 155) and to amend the judgment entered on April 1, 2025 (D.E. # 154), which omitted the attorneys’ fees I previously awarded on November 20, 2024 (D.E. # 144).

When deciding whether to adopt an R&R, a district court “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) (C). To accept those portions of the RER to which no timely objection has been made, “a district court need only satisfy itself that there is no clear error on the face of the record.” *Jarvis y. N. Am.*

Globex Fund, L.P., 823 F. Supp. 2d 161, 163 (E.D.N.Y. 2011) (quoting *Wilds y. United Parcel Serv.*, 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003)). No party has objected to the R&R, and the time for doing so has passed. After reviewing the record and finding no clear error, I adopt the R&R in fall.

Therefore, I GRANT Troy Law’s motion for attorneys’ fees and costs incurred both during the underlying FLSA and NYLL suit and those incurred defending the subsequent appeal. The Clerk of Court is respectfully directed to (1) amend the judgment entered on April 1, 2025 to include the \$57,669.50 in attorneys’ fees and \$3,151.80 in costs previously awarded for the trial, (2) add \$10,335.00 in attorneys’ fees for the appeal consistent with this Order (for a total of \$71,156.30 in fees and costs), and (3) close the case.

SO ORDERED. Dated: December 17 2025 Brooklyn, New York
ep ee Carol Bagley Amon 2
United States District Judge