

# Exhibit 1

## Eastern Market

1-Case 1:17-CV-002281, 18-7012,

Case 1:17-CV-02437-UNA, 18-7019, CV-1126, N. 18-7017

Case CAB 2025-17, 17-CV-816,

Case 2016-CMD-15665, 17-CO-190

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

JAN 17 2018

MOHSEN KHOSHOOD,

Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia

Plaintiff,

v.

Civil Action No. 17-2281 (UNA)

EASTERN MARKET MANAGEMENT,

Defendant.

**ORDER**

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

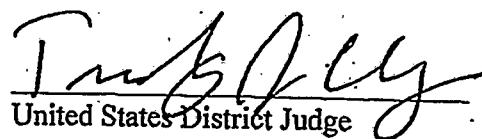
ORDERED that the plaintiff's application to proceed *in forma pauperis* is GRANTED;  
and it is

FURTHER ORDERED that the complaint and this civil action are DISMISSED  
WITHOUT PREJUDICE.

This is a final appealable Order. *See* Fed. R. App. P. 4(a).

SO ORDERED.

DATE: January 17, 2018

  
Tracy  
United States District Judge

A

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

JAN 17 2018

Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia

MOHSEN KHOSHOOD,

Plaintiff,

Civil Action No. 17-2281 (UNA)

EASTERN MARKET MANAGEMENT,

Defendant.

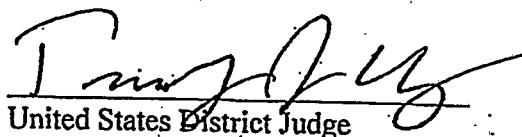
MEMORANDUM OPINION

This matter is before the Court on the plaintiff's application to proceed *in forma pauperis* and his *pro se* civil complaint. The application will be granted, and the complaint will be dismissed without prejudice.

The instant complaint is substantially similar to that filed in another recent lawsuit, *see* *Khoshmood v. Eastern Market Management*, No. 17-2437 (D.D.C. filed Nov. 6, 2017), and it will be dismissed without prejudice for lack of subject matter jurisdiction for the same reasons described in the Court's Memorandum Opinion in that case.

An Order is issued separately.

DATE: January 17, 2018

  
United States District Judge

A

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 18-7012**

**September Term, 2017**

**1:17-cv-02281-UNA**

**Filed On: May 23, 2018**

Mohsen Khoshmood,

Appellant

v.

Eastern Market Management,

Appellee

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**BEFORE:** Griffith and Srinivasan, Circuit Judges, and Ginsburg, Senior Circuit Judge

**JUDGMENT**

This appeal was considered on the record from the United States District Court for the District of Columbia and on the briefs filed by appellant. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

**ORDERED AND ADJUDGED** that the district court's order, filed January 17, 2018, be affirmed. The district courts of the United States are "courts of limited jurisdiction. They possess only that power authorized by Constitution and statute." Kokkonen v. Guardian Life Ins. Co. of America, 511 U.S. 375, 377 (1994). The district courts have jurisdiction in "federal question" cases, i.e., civil actions arising under the Constitution, laws, or treaties of the United States, 28 U.S.C. § 1331, and in "diversity" cases, i.e., civil actions between citizens of different states or between United States citizens and foreign citizens or foreign states, provided the matter in controversy exceeds \$75,000, 28 U.S.C. § 1332. In this case, appellant failed to plead facts to establish federal question jurisdiction or diversity jurisdiction.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 18-7012

September Term, 2017

of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:  
Mark J. Langer, Clerk

BY: /s/  
Ken Meadows  
Deputy Clerk

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 18-7012

September Term, 2017

1:17-cv-02281-UNA

Filed On: July 27, 2018

Mohsen Khoshmood,

Appellant

v.

Eastern Market Management,

Appellee

BEFORE: Griffith and Srinivasan, Circuit Judges, and Ginsburg, Senior Circuit Judge

ORDER

Upon consideration of the petition for rehearing, it is

ORDERED that the petition be denied.

Per Curiam

FOR THE COURT:  
Mark J. Langer, Clerk

BY: /s/  
Ken Meadows  
Deputy Clerk

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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No. 18-7012

September Term, 2017

1:17-cv-02281-UNA

Filed On: August 16, 2018 [1745913]

Mohsen Khoshmood,

Appellant

v.

Eastern Market Management,

Appellee

**MANDATE**

In accordance with the judgment of May 23, 2018, and pursuant to Federal Rule of Appellate Procedure 41, this constitutes the formal mandate of this court.

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Ken R. Meadows  
Deputy Clerk

Link to the judgment filed May 23, 2018

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

MOHSEN KHOSHMOOD, )  
Plaintiff, )  
v. )  
EASTERN MARKET MANAGEMENT, )  
Defendant. )  
Clerk, U.S. District & Courts for the District of Civil Action No. 17-2437 (UNA)

**FILED**  
JAN - 4 2018  
*Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia*

## MEMORANDUM OPINION

The plaintiff alleges that, on September 25, 2016, “[o]ne of the Eastern Market manager[s] with two security guards [followed him] for reasons unknown to [him.]” Compl. at 1. “Every time [plaintiff] would stop to talk to any Sales persons on the sidewalk, they would tell the sales people not to talk to [him].” *Id.* Plaintiff called the police, and the responding officer allegedly “punched [plaintiff] in the stomach,” arrested and handcuffed him, and “brought [him] to jail” where he remained for 47 days. *Id.*

Federal district courts have jurisdiction in civil actions arising under the Constitution, laws or treaties of the United States. *See* 28 U.S.C. § 1331. In addition, federal district courts have jurisdiction over civil actions where the matter in controversy exceeds \$75,000, and the suit is between citizens of different states. *See* 28 U.S.C. § 1332(a). The complaint vaguely mentions discrimination and hints at an unlawful arrest. It does not, however, articulate a claim arising under the United States Constitution or federal law, and the plaintiff does not demonstrate federal question jurisdiction. The plaintiff does not demonstrate diversity jurisdiction either. All the parties appear to be citizens of the District of Columbia, and the complaint does not indicate whether the amount in controversy exceeds \$75,000.

The Court will grant the plaintiff's application to proceed *in forma pauperis* and dismiss the complaint without prejudice for lack of subject matter jurisdiction. An Order is issued separately.

DATE: December       , 2017

January 2, 2018

Al Cox

United States District Judge

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**FILED**

JAN - 4 2018

**Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia**

MOHSEN KHOSHMOOD, )  
Plaintiff, )  
v. )  
EASTERN MARKET MANAGEMENT, )  
Defendant. )  
)

Civil Action No. 17-2437 (UNA)

## ORDER

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED that the plaintiff's application to proceed *in forma pauperis* is GRANTED; and it is

FURTHER ORDERED that the complaint and this civil action are DISMISSED

## WITHOUT PREJUDICE.

This is a final appealable Order. *See* Fed. R. App. P. 4(a).

SO ORDERED.

DATE: ~~December~~, 2017

January 2, 2018

Ch. Cooper  
United States District Judge

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 18-7019

September Term, 2017

1:17-cv-02437-UNA

Filed On: May 23, 2018

Mohsen Khoshmood,

Appellant

v.

Eastern Market Management,

Appellee

APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

BEFORE: Griffith and Srinivasan, Circuit Judges, and Ginsburg, Senior Circuit Judge

JUDGMENT

This appeal was considered on the record from the United States District Court for the District of Columbia and on the briefs filed by appellant. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

**ORDERED AND ADJUDGED** that the district court's order, filed January 4, 2018, be affirmed. The district courts of the United States are "courts of limited jurisdiction. They possess only that power authorized by Constitution and statute." Kokkonen v. Guardian Life Ins. Co. of America, 511 U.S. 375, 377 (1994). The district courts have jurisdiction in "federal question" cases, i.e., civil actions arising under the Constitution, laws, or treaties of the United States, 28 U.S.C. § 1331, and in "diversity" cases, i.e., civil actions between citizens of different states or between United States citizens and foreign citizens or foreign states, provided the matter in controversy exceeds \$75,000, 28 U.S.C. § 1332. In this case, appellant failed to plead facts to establish federal question jurisdiction or diversity jurisdiction.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 18-7019

September Term, 2017

of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:  
Mark J. Langer, Clerk

BY: /s/  
Ken Meadows  
Deputy Clerk

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 18-7019

September Term, 2017

1:17-cv-02437-UNA

Filed On: May 9, 2018

Mohsen Khoshmood,

Appellant

v.

Eastern Market Management,

Appellee

BEFORE: Griffith and Srinivasan, Circuit Judges, and Ginsburg, Senior Circuit Judge

ORDER

The court concludes, on its own motion, that oral argument will not assist the court in this case. Accordingly, the court will dispose of the appeal without oral argument on the basis of the record and the presentations in appellant's briefs. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j).

Per Curiam

FOR THE COURT:  
Mark J. Langer, Clerk

BY: /s/  
Robert J. Cavello  
Deputy Clerk

**Additional material  
from this filing is  
available in the  
Clerk's Office.**