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# EXHIBIT 1

# United States Court of Appeals

For the Seventh Circuit  
Chicago, Illinois 60604

February 11, 2019

*Before*

**David F. Hamilton, Circuit Judge**  
**Amy C. Barrett, Circuit Judge**  
**Michael B. Brennan, Circuit Judge**

**By the Court:**

WESLEY TERRACE CONDOMINIUM ASSOCIATION, Plaintiff-Appellee,	]	Appeal from the United States District Court for
No. 18-3456	v.	]
CHRISTOPHER STOLLER, et al., Defendants-Appellants.	]	the Northern District of Illinois, Eastern Division.
	]	]
	]	No. 1:18-cv-06423
	]	]
	]	Sara L. Ellis,
	]	Judge.

ORDER

On consideration of the papers filed in this appeal and review of the short record,

IT IS ORDERED that this appeal is DISMISSED for lack of jurisdiction.

This court has consistently reminded litigants that an order remanding a case to state court based on a lack of subject matter jurisdiction or a defect in the removal procedure is not reviewable on appeal, whether or not the decision is correct. *See, e.g., The Northern League, Inc. v. Gidney*, 558 F.3d 614 (7th Cir. 2009) (*per curiam*); *Rubel v. Pfizer, Inc.*, 361 F.3d 1016 (7th Cir. 2004); *Phoenix Container, L.P. v. Sokoloff*, 235 F.3d 352, 354-55 (7th Cir. 2000); *In re Continental Casualty Co.*, 29 F.3d 292, 293 (7th Cir. 1994).

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In the present case, the district court remanded this matter to state court for lack of subject matter jurisdiction and also due to a procedural defect—the notice of removal was untimely. The court's order of October 3, 2018, therefore, is not reviewable. On November 14, 2018, the district court denied reconsideration of this order for the same reason. This court likewise cannot review the order denying reconsideration.