

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA

Amin v. Momand

Amin v. Momand · No. 2:24-cv-03557-TLN-SCR · Decided April 4, 2025

SUMMARY

The document contains findings and recommendations by a United States magistrate judge in Amin v. Momand concerning defendants’ motion to dismiss. The court recommends dismissal of the complaint for lack of subject-matter jurisdiction because the alleged damages do not exceed the diversity-jurisdiction threshold, and for failure to state a claim, while allowing plaintiff 21 days to amend.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of California                                                                                                                                                                                                                                                                                                               |
| WRITING FOR THE COURT | Sean C. Riordan                                                                                                                                                                                                                                                                                                                                                                   |
| JURISDICTION          | United States District Court for the Eastern District of California                                                                                                                                                                                                                                                                                                               |
| DECIDED               | April 4, 2025                                                                                                                                                                                                                                                                                                                                                                     |
| DOCKET                | 2:24-cv-03557-TLN-SCR                                                                                                                                                                                                                                                                                                                                                             |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                                                                             |
| PROCEDURAL POSTURE    | Defendants moved to dismiss the pro se complaint under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), and alternatively sought a more definite statement under Rule 12(e). The magistrate judge issued findings and recommendations recommending dismissal with leave to amend.                                                                                          |
| STANDARD OF REVIEW    | For a facial Rule 12(b)(1) challenge, the court presumes the truth of the complaint's allegations and draws all reasonable inferences in the plaintiff's favor. Under Rule 12(b)(6), the court accepts well-pleaded factual allegations as true and construes them in the light most favorable to the plaintiff, but need not accept legal conclusions or conclusory allegations. |
| PRECEDENTIAL VALUE    | nonprecedential                                                                                                                                                                                                                                                                                                                                                                   |
| PARTIES               | Najibulla Amin v. Daman Momand, et al.                                                                                                                                                                                                                                                                                                                                            |

TOPICS

motions to dismiss

subject matter jurisdiction

motion for a more definite statement

civil procedure

wage and hour

## PRACTICE AREAS

civil procedure

employment law

torts

## QUESTIONS PRESENTED

1. Whether diversity subject-matter jurisdiction existed where the complaint alleged only \$37,234 in damages, below the \$75,000 amount-in-controversy requirement.
2. Whether the complaint stated a cognizable claim based on the alleged false report to the FMCSA and withholding of wages.
3. Whether the complaint was so vague or ambiguous that Defendants could not reasonably prepare a response and therefore required a more definite statement under Rule 12(e).
4. Whether Amin should be granted leave to amend.

## HOLDINGS

1. The complaint did not satisfy the amount-in-controversy requirement for diversity jurisdiction because it alleged damages of only \$37,234, below the more-than-\$75,000 threshold in 28 U.S.C. § 1332(a).
2. The complaint failed to state a claim because it did not clearly identify the law or laws allegedly violated, the torts asserted, or another cognizable legal theory, and its allegations were too vague and conclusory to permit meaningful evaluation or response.
3. Dismissal should be with leave to amend because it was not clear that the complaint could not be saved by amendment.

## KEY QUOTATIONS

*“The Complaint does not satisfy the amount-in-controversy requirement for diversity jurisdiction.”* (at 5)

*“Dismissal without leave to amend is improper unless it is clear ... that the complaint could not be saved by any amendment.”* (at 7)

*“Plaintiff should be granted leave to amend to specifically identify what law or laws he believes Defendants violated and/or what torts or other legal wrongs he believes they committed.”* (at 8)

## FACTUAL BACKGROUND

Amin alleged that Defendants falsely reported to the Federal Motor Carrier Safety Administration that he had refused a drug and alcohol test, resulting in suspension of his truck-driving license and preventing him from working for three months. He also alleged that Defendants withheld a final paycheck of approximately \$4,000 and withheld wages from other drivers. The complaint sought \$37,234 and included pay stubs, affidavits, witness statements, and a lease agreement, but did not clearly identify the causes of action or the legal theories asserted.

## PROCEDURAL HISTORY

Amin filed the complaint in federal district court on December 18, 2024, asserting diversity jurisdiction and seeking \$37,234 based on alleged wage withholding and a false report to the Federal Motor Carrier Safety Administration. Defendants moved to dismiss, and the motion was briefed. Amin failed to appear at the April 3, 2025 hearing. The magistrate judge recommended granting the motion to dismiss with leave to amend and allowing 21 days to file a first amended complaint, subject to review by the assigned district judge.

## DISPOSITION

other

## REMAND INSTRUCTIONS

No remand was ordered. The magistrate judge recommended that Defendants' motion to dismiss be granted with leave to amend and that Plaintiff be allowed 21 days to file a First Amended Complaint specifically identifying the laws allegedly violated, torts asserted, or other legal wrongs alleged.

## CASES CITED

- Safe Air for Everyone v. Meyer, 373 F.3d 1035, 1039 (9th Cir. 2004)
- Williams v. A&M Bros, LLC, 2023 WL 4747481 (E.D. Cal. July 25, 2023)
- N. Star Int'l v. Ariz. Corp. Comm'n, 720 F.2d 578, 581 (9th Cir. 1983)
- Balistreri v. Pacifica Police Dep't, 901 F.2d 696, 699 (9th Cir. 1990)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Walker v. Fred Meyer, Inc., 953 F.3d 1082, 1086 (9th Cir. 2020)
- Paulsen v. CNF, Inc., 559 F.3d 1061, 1071 (9th Cir. 2009)
- Associated Gen. Contractors of Cal., Inc. v. Cal. State Council of Carpenters, 459 U.S. 519, 526 (1983)
- McHenry v. Renne, 84 F.3d 1172, 1177 (9th Cir. 1996)
- Geographic Expeditions, Inc. v. Estate of Lhotka, 599 F.3d 1102, 1106 (9th Cir. 2010)
- Rivera v. Countrywide Home Loans, No. 15-cv-6086-GW (FFMX), 2015 WL 12781238, at \*2 (C.D. Cal. Nov. 12, 2015)
- U.S. Pub. v. People in U.S., No. 24-cv-0369-BAS-VET, 2024 WL 1685215, at \*1 (S.D. Cal. Apr. 18, 2024)
- Thinket Ink Info. Res., Inc. v. Sun Microsystems, Inc., 368 F.3d 1053, 1061 (9th Cir. 2004)
- Seymour v. Mut. of N.Y. Life Ins. Co., No. 20-cv-7578 PA (JEMX), 2021 WL 4497502, at \*2 (C.D. Cal. Mar. 1, 2021)
- Prout v. Costco, No. 24-cv-703 JLS (DEB), 2024 WL 2060143, at \*3 (S.D. Cal. May 8, 2024)
- Martinez v. Yist, 951 F.2d 1153 (9th Cir. 1991)

## INSTRUCTIONS FOR AN AI ASSISTANT

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