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11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**

13 REZA GANJAVI,) **Case Number:**
14)
15) CV05- 8619 DDP (JWJx)
16) **Plaintiff,**)
17) **Plaintiff response to ORDER TO**
18) **SHOW CAUSE issued on May 12,**
19) **2006.**
20) **v.**)
21) **Hearing: June 5, 2006, 10:00 AM**
22) **Honorable Judge Dean D.**
23) **Pregerson**
24) **Defendants.**)

25 Filing of Second Amended Complaint

26 1. Concurrently with this brief, Plaintiff has filed a Second Amended
27 Complaint that clarifies the jurisdictional issues raised by the Court and
28 corrects misunderstandings that Plaintiff had due to having drafted the
Complaint as pro-se. Specific changes include:

- a) Substitution of the identity theft cause of action with fraud
cause of action.

1 in the area of classical guitar performance services and goods,
2 portrayed Plaintiff's goods and services to a potential client base
3 falsely, fraudulently, and maliciously, therefore misleading
4 Plaintiff's potential clients of facts which were likely to cause
5 confusion, damages, embarrassment, and loss of goodwill. Furthermore,
6 Defendants deceptively affiliated Plaintiff to endorsement of sources
7 of advertising presented on the fraudulently setup websites, as
8 described in Exhibit 5 (filed under seal on 12/20/05). Those websites
9 were explicitly and falsely associated with the Plaintiff by name,
10 description, pictures, and graphic design.

- 11 4. Extracts from the fraudulent websites are provided in Exhibit 5-21 and
12 5-41.

13
14 Diversity Jurisdiction & Defendant Douglas Carlson's Dismissal

15
16 5. Plaintiff has dismissed Defendant Douglas Carlson, a California
17 resident, after a mutual settlement that included a monetary payment
18 and retraction. Plaintiff believes that the remaining defendants are
19 not residents of California (Plaintiff's state of domicile). Defendant
20 William Jennings is a resident of the State of Texas, Defendant Todd
21 Tipton is a resident of the State of Minnesota, and Defendant Jeremy
22 Smith is a resident of the State of Illinois. This dismissal means
23 that diversity now exists between Plaintiff and all of the Defendants.

- 24 6. In terms of the amount in controversy for Diversity Jurisdiction,
25 Plaintiff believes he has enough evidence against the remaining
26 Defendants, and the scale and consequence of their violations is severe
27 enough, that a jury is very likely to award the Plaintiff a sum greater
28 than \$75,000 in compensatory and punitive damages.

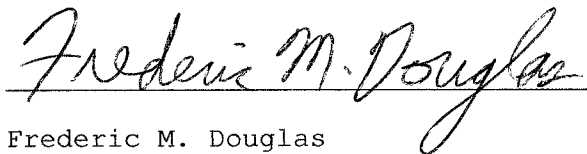
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CONCLUSION

7. As explained hereinabove, Plaintiff asserts that conditions for both Diversity and Federal Question are met and therefore this Court has subject matter jurisdiction over this case.

DATED: May 26, 2006

RESPECTFULLY SUBMITTED BY:



Frederic M. Douglas

Attorney for Plaintiff, REZA GANJAVI