

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

JOSHUA J. ANGEL,

Plaintiff-Appellant,

v.

FEDERAL HOME LOAN MORTGAGE
CORPORATION, et al.,

Defendants-Appellees.

Case No. 1:18-cv-01142-RCL

**APPELLANT’S PRELIMINARY, NONBINDING
STATEMENT OF ISSUES FOR APPEAL**

Plaintiff-Appellant Joshua J. Angel (“Appellant”) seeks review of (1) the Memorandum Opinion and the Order that granted Defendants-Appellees’ Joint Motion to Dismiss and dismissed Appellant’s unamended Complaint with prejudice, both entered on March 6, 2019, in which the United States District Court for the District of Columbia (Lamberth, J.) (the “District Court”) held that Appellant’s causes of action against the Directors of Fannie Mae and Freddie Mac for quarter-annual breaches of contractual duties – with the bad-faith purpose to divert Appellant’s stock dividends to the U.S. Department of the Treasury – were time-barred; and (2) the Memorandum & Order, entered on May 24, 2019, in which the District Court denied Appellant’s combined motion (a) to alter or amend judgment

to deny the Joint Motion to Dismiss or alternatively, dismiss the Complaint without prejudice and (b) for leave to amend the Complaint.

The preliminary, nonbinding issues to be raised on appeal are:

1. Whether the District Court erred in dismissing Appellant's Complaint by failing to apply the correct legal standards for motions to dismiss.

2. Whether the District Court, assuming that it could have lawfully ruled on the merits of the tolling of statutes of limitation at the pleading stage in this case, erred in ruling that the claims are in fact time-barred and in any event, that equitable tolling was inadequately pled.

3. Whether the District Court erred in giving prejudicial effect to its dismissal of the unamended Complaint based on statutes of limitation and inadequate pleading of tolling.

4. Whether the District Court erred in denying Appellant's motion to alter or amend judgment to reinstate the Complaint or in the alternative, dismiss without prejudice, thereby maintaining its prior ruling to dismiss with prejudice.

5. Whether the District Court erred in denying Appellant's motion for leave to amend his unamended Complaint as futile based on the conclusion that the claims are time-barred and cannot possibly be tolled.

Dated: July 22, 2019

Respectfully submitted,

/s/ Joshua J. Angel

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