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Anatomy of a Successful Motion to Dismiss in RICO Case

WRITTEN BY

Callan G. Stein | Matthew H. Adler

Rarely do civil Racketeer Influenced and Corrupt Organization Act (RICO) claims get dismissed at the motion to dismiss stage, and seldom does it happen twice. Troutman Pepper recently represented a lobster business in Maine and its family of longtime owners facing significant civil RICO claims in federal court, and twice won the dismissal of virtually all of the RICO claims against them. Here, the clients faced racketeering allegations of embezzling from a labor union, wire fraud, and money laundering.

Join Troutman Pepper Partners [Cal Stein](#) and [Matt Adler](#) as they discuss the case (1:40), RICO claims (3:58), and various strategies they employed to twice win dismissals (8:09), including focusing on previously taken discovery (14:05), leveraging case law and a past court ruling (20:41), and concentrating on specific elements of the predicate acts of wire fraud (26:15) and money laundering (31:13). They also will discuss the lessons they learned and their possible application to future RICO cases.

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