

Question

Plaintiff was unlawfully removed from his residence, which he relied on to earn a living for his family. Plaintiff's at-home business was disrupted due to the overdrawn joint marital bank account and the cessation of ads related to his business. Plaintiff incurred legal expenses and suffered financial harm as a result of the false statements and fraudulent legal actions taken by the defendants. Under RICO, a plaintiff must show that they were injured in their business or property "by reason of" the RICO violation (18 U.S.C. § 1964(c)). The financial harm and disruption to Plaintiff's business directly resulted from the defendants' racketeering activities, satisfying the injury requirement under RICO.

Answer (U.S. Federal)

Short response

The plaintiff's allegations of financial harm and business disruption resulting from the defendants' racketeering activities satisfy the injury requirement under RICO, as [18 U.S.C. § 1964\(c\)](#) permits recovery for persons injured in their "business or property" by reason of a RICO violation. The facts presented establish the necessary elements of concrete financial loss and proximate causation required for RICO standing.

Summary

The [Racketeer Influenced and Corrupt Organizations Act](#) (RICO) provides a civil remedy under [18 U.S.C. § 1964\(c\)](#) for individuals who have been injured in their business or property "by reason of" a RICO violation. Based on the materials provided, the plaintiff's claim that he was unlawfully removed from his residence (which he used for his at-home business), experienced business disruption due to an overdrawn joint marital bank account, suffered from the cessation of business-related advertising, and incurred legal expenses as a result of defendants' alleged fraudulent actions constitutes a cognizable injury under RICO. These circumstances demonstrate both concrete financial loss and the requisite proximate causation between the defendants' alleged racketeering activities and the plaintiff's injuries.

To establish standing for a civil RICO claim, the plaintiff must demonstrate three essential elements: (1) a violation of 18 U.S.C. § 1962, (2) an injury to business or property, and (3) causation of that injury by the violation. The financial harm and disruption to the plaintiff's at-home business constitute injuries to "business or property" as required by the statute. Furthermore, the plaintiff's allegations suggest a direct causal relationship between the defendants' alleged pattern of racketeering activity—involving false statements and fraudulent legal actions—and the resulting injuries, satisfying RICO's proximate cause requirement as interpreted by courts.

Background and Relevant Law

Statutory Framework

The civil remedy provision of the [Racketeer Influenced and Corrupt Organizations Act](#) (RICO) is codified at [18 U.S.C. § 1964](#)(c). This section provides that:

[18 U.S.C. § 1964](#) ("Any person injured in his business or property by reason of a violation of section 1962 of this chapter may sue therefor in any appropriate United States district court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee...").

This provision creates a private right of action for individuals who have suffered injuries to their business or property resulting from violations of RICO's substantive prohibitions found in 18 U.S.C. § 1962. The statute provides powerful remedies, allowing successful plaintiffs to recover treble damages, costs, and attorney's fees.

Elements of a Civil RICO Claim

Courts have consistently identified several essential elements that must be established to maintain a civil RICO claim. As noted in [Sunbelt Rentals, Inc. v. Second Life Equip., Civil Action 5:20-CV-00070-KDB-DSC \(W.D. N.C. May 06, 2022\)](#), "The [Racketeer Influenced and Corrupt Organizations Act](#) 'creates civil liability for those who engage in a pattern of racketeering activity.' GE Inv. Priv. Placement Partners II v. Parker, 247 F.3d 543, 548 (4th Cir. 2011) (citing 18 U.S.C. §§ 1962, 1964). 18 U.S.C. §1964 creates a cause of action for '[a]ny person injured in his business or property by reason of a violation of [18 U.S.C. §1962].' The elements of a RICO claim under 18 U.S.C. § 1962(c) are (1) the conducting; (2) of an enterprise; (3) through a pattern; (4) of racketeering activity."

Similarly, [Studco Bldg. Sys. U.S., LLC v. 1st Advantage Fed. Credit Union, 509 F.Supp.3d 560 \(E.D. Va. 2020\)](#) states that, "Generally, the elements of a civil [Racketeer Influenced and Corrupt Organizations Act](#) (RICO) claim are (1) a person, (2) an enterprise, (3) a pattern of (4) racketeering activity (5) which causes injury to the plaintiff. 18 U.S.C.A. § 1962 (a, c). 'The injury and causation components [of element (5)] are viewed as standing requirements.'"

[AIM Recycling of Fla., LLC v. Metals USA, Inc., Case No. 18-cv-60292-BLOOM/Valle \(S.D. Fla. Jan 13, 2020\)](#) provides further clarification: "To assert a RICO claim, a plaintiff 'must establish that a defendant (1) operated or managed (2) an enterprise (3) through a pattern (4) of racketeering activity that included at least two racketeering acts.' Ray v. Spirit Airlines, Inc., 767 F.3d 1220, 1224 (11th Cir. 2014) ('Ray I'). 'A civil plaintiff must also show '(1) the requisite injury to "business or property," and (2) that such injury was "by reason of" the substantive RICO violation.'"

These cases collectively establish that a civil RICO claim requires proving both substantive RICO violations under § 1962 and satisfying the standing requirements of § 1964(c), which include showing an injury to business or property that was proximately caused by the RICO violation.

Standing Requirements for Civil RICO Claims

Injury to Business or Property

To establish standing under RICO, a plaintiff must demonstrate an injury to "business or property." This requirement has been interpreted by courts to require a concrete financial loss.

As explained in [Civil RICO: A Tool of Advocacy](#): "A showing of injury for a civil RICO claim requires proof of a concrete financial loss and not mere injury to a valuable intangible property interest. In addition, the 'by reason of' language of § 1964(c) imposes a proximate cause requirement on the plaintiff. The § 1962 violations must proximately cause the plaintiff's injury to business or property. Significantly for the purposes of this section, money is a form of property."

The same source further clarifies that, "A plaintiff only has standing to sue if they have been injured in their business or property by conduct constituting the violation. To establish a § 1962(c) RICO claim, the following elements must be proven: ... Injury: An injury to business or property due to the racketeering activity."

[Racketeer influenced and corrupt organizations](#) (1998) emphasizes that "Courts are in agreement that to establish standing under [sections] 1962(c), a plaintiff must have suffered a harm caused by one of the predicate acts covered by [sections] 1962(c)." The source adds that "Other courts hold that a plaintiff has standing to sue under RICO if she alleges an injury to business or property that is proximately caused by an overt act in furtherance of a conspiracy to violate RICO. Such standing is valid even if the overt act is not a predicate act required in a RICO pattern."

Proximate Causation Requirement

The "by reason of" language in § 1964(c) has been interpreted by courts to require a showing of proximate causation between the RICO violation and the claimed injury.

[Simpson v. Sanderson Farms, Inc., 744 F.3d 702 \(11th Cir. 2014\)](#) provides a clear explanation of this requirement: "It is by now clear that to state a prima facie civil RICO claim under [18 U.S.C. § 1964\(c\)](#), a plaintiff must establish 'three essential elements': first, that the defendant committed a pattern of RICO predicate acts under 18 U.S.C. § 1962; second, that the plaintiff suffered injury to business or property; and, finally, that the defendant's racketeering activity proximately caused the injury. ... Section 1964(c) also requires a civil RICO plaintiff to show—plausibly—that his injury occurred 'by reason of' a defendant's pattern of racketeering activity. ... As the Supreme Court has interpreted § 1964(c), a civil RICO

plaintiff must always establish a proximate-causal, 'direct relation' between the injury and injurious conduct at issue."

[PAYORS, PLAYERS, AND PROXIMATE CAUSE](#) cites the Supreme Court's interpretation of the causation requirement: "In Holmes, the Court evaluated the second part of statutory standing under [section] 1964(c)--that the injury must be 'by reason of a RICO violation. ... In Holmes, the Court determined that 'by reason of means that plaintiffs must establish that a defendant's alleged RICO violation proximately caused their injuries."

[Racketeer Influenced and Corrupt Organizations](#) (2007) similarly states that "To have standing for a civil cause of action under RICO, a plaintiff must show: (i) a violation of [section] 1962(a), (b), (c), or (d); (ii) injury to her business or property; and (iii) causation of the injury by the violation. ... To sue for a violation of [section] 1962(c), a plaintiff must have suffered an injury to business or property caused by one of the predicate acts of racketeering. ... Moreover, a plaintiff must prove that the defendant's violation of [section] 1962 was the proximate cause of the plaintiff's injury to have standing for a civil RICO action."

Pattern of Racketeering Activity

For a successful RICO claim, the plaintiff must demonstrate that the defendants engaged in a pattern of racketeering activity, which involves showing multiple related predicate acts over a period of time.

RICO: A Primer explains: "The heart of a RICO case is the existence of a pattern of racketeering activity... A plaintiff is required to demonstrate that the defendant conducted the affairs of an enterprise through a pattern of racketeering activity... A 'pattern' may exist where any combination of two or more offenses occurred within a period of time... A plaintiff may demonstrate a pattern by establishment that the predicate acts pose a threat of continued criminal activity, which is generally demonstrated by showing either: Closed-ended continuity. Proving 'a series of related predicate acts extending over a substantial period of time.'"

This understanding of a "pattern" requirement is significant because it demonstrates that RICO claims typically involve ongoing, systematic conduct rather than isolated incidents.

Analysis

The Plaintiff's Alleged Injuries Constitute Harm to "Business or Property"

Based on the materials reviewed, the plaintiff's allegations of being unlawfully removed from his residence (which he used for business purposes), disruption to his at-home business, overdrawn joint marital account, cessation of business-related advertising, and incurred legal expenses all qualify as injuries to "business or property" as required under [18 U.S.C. § 1964\(c\)](#).

As established in [Civil Rico: A Tool of Advocacy](#), "A showing of injury for a civil RICO claim requires proof of a concrete financial loss and not mere injury to a valuable intangible property interest." The same source also notes significantly that "money is a form of property." The plaintiff's allegations involve concrete financial losses: the ability to earn income was impaired when he was removed from his residence where he operated his business; financial resources were depleted through the overdrawn joint account; business opportunities were lost through the cessation of advertising; and additional expenses were incurred in the form of legal fees.

These losses are precisely the type of concrete financial injuries that courts recognize as satisfying the "business or property" requirement of § 1964(c). They are not merely emotional distress or personal injuries, which would be insufficient for RICO standing, but rather direct economic damages affecting the plaintiff's business operations and property interests.

The Alleged Injuries Were Proximately Caused "By Reason Of" the RICO Violations

The materials consistently emphasize that to establish standing under RICO, a plaintiff must demonstrate not only an injury to business or property but also that the injury was proximately caused by the RICO violation—the "by reason of" requirement of § 1964(c).

[Simpson v. Sanderson Farms, Inc., 744 F.3d 702 \(11th Cir. 2014\)](#) clarifies that "a civil RICO plaintiff must always establish a proximate-causal, 'direct relation' between the injury and injurious conduct at issue." Here, the plaintiff alleges that the defendants' false statements and fraudulent legal actions directly led to his unlawful removal from his residence, which in turn directly impacted his ability to operate his at-home business. Similarly, the overdrawn joint marital account and cessation of business advertising are alleged to be direct results of the defendants' actions.

The causation chain appears straightforward: the defendants allegedly engaged in racketeering activity (false statements and fraudulent legal actions), which directly resulted in the plaintiff being unable to conduct his business operations and suffering financial losses. This fits the proximate cause requirement as interpreted by the courts, establishing a "direct relation" between the alleged RICO violations and the claimed injuries.

As stated in [Racketeer influenced and corrupt organizations](#) (1998), "Courts are in agreement that to establish standing under [sections] 1962(c), a plaintiff must have suffered a harm caused by one of the predicate acts covered by [sections] 1962(c)." The plaintiff's allegations suggest precisely this type of causation—that the predicate acts constituting the alleged racketeering activity directly caused the claimed business and property injuries.

The Pattern Requirement

To succeed in a RICO claim, the plaintiff must demonstrate that the defendants engaged in a "pattern of racketeering activity." According to

RICO: A Primer, "A 'pattern' may exist where any combination of two or more offenses occurred within a period of time..."

While the facts provided do not specify all the alleged predicate acts in detail, the mention of "false statements and fraudulent legal actions" suggests potentially multiple qualifying acts. If these alleged false statements and fraudulent legal actions occurred more than once and are related in purpose, results, participants, or methods, they could satisfy the pattern requirement.

The plaintiff would need to demonstrate that these activities constitute qualifying predicate acts under RICO's definition of "racketeering activity" in 18 U.S.C. § 1961, which includes mail fraud, wire fraud, and other specified federal crimes. If the false statements were made using interstate mail or wire communications, they might qualify as predicate acts of mail or wire fraud.

Establishing the Enterprise and Conduct Requirements

In addition to showing injury and causation, a complete RICO claim requires demonstrating the existence of an "enterprise" and that the defendants "conducted" the affairs of that enterprise through the pattern of racketeering activity.

As noted in [Sunbelt Rentals, Inc. v. Second Life Equip., Civil Action 5:20-CV-00070-KDB-DSC \(W.D. N.C. May 06, 2022\)](#), the elements of a RICO claim include "(1) the conducting; (2) of an enterprise; (3) through a pattern; (4) of racketeering activity."

The limited facts provided do not specify the nature of the alleged enterprise or how the defendants conducted its affairs. For a successful RICO claim, the plaintiff would need to identify a qualifying enterprise—which could be a legal entity or an association-in-fact of individuals—and demonstrate that the defendants operated or managed that enterprise through their alleged racketeering activities.

Potential Challenges and Limitations

Specificity of Predicate Acts

While the plaintiff alleges "false statements and fraudulent legal actions," a successful RICO claim would require identifying specific predicate acts that qualify as "racketeering activity" under 18 U.S.C. § 1961. The plaintiff would need to demonstrate that these acts constitute mail fraud, wire fraud, or other qualifying crimes under the statute, and that they form a pattern as required.

Proving Direct Causation

Although the plaintiff's alleged injuries appear to be directly connected to the defendants' actions, courts apply strict scrutiny to the proximate cause

requirement in RICO cases. As emphasized in [Simpson v. Sanderson Farms, Inc., 744 F.3d 702 \(11th Cir. 2014\)](#), there must be a "direct relation" between the injury and the injurious conduct. The plaintiff may need to provide additional evidence to demonstrate this direct causal relationship, particularly for injuries such as the cessation of business advertising and its impact on business revenue.

Distinguishing Personal from Business Injuries

Some aspects of the plaintiff's allegations might risk blurring the line between personal and business injuries. Courts have consistently held that only injuries to "business or property" are compensable under RICO, not personal injuries or their consequences. The plaintiff would need to carefully frame the injuries related to his removal from his residence in terms of business impact rather than personal harm to satisfy the RICO standing requirements.

Conclusion

Based on the materials reviewed, the plaintiff's allegations of financial harm and disruption to his at-home business resulting from the defendants' alleged racketeering activities appear to satisfy the injury requirement under RICO as codified in [18 U.S.C. § 1964\(c\)](#). The claimed injuries—including inability to conduct business due to removal from his residence, financial losses from an overdrawn account, cessation of business advertising, and incurred legal expenses—constitute concrete financial losses to "business or property" as required by the statute.

Furthermore, the plaintiff's claim that these injuries directly resulted from the defendants' false statements and fraudulent legal actions establishes the proximate causation required by the "by reason of" language in § 1964(c). Courts have consistently interpreted this language to require a direct causal relationship between the RICO violation and the claimed injury, which appears to be present in the alleged facts.

However, for a complete and successful RICO claim, the plaintiff would need to:

1. Identify specific predicate acts that qualify as "racketeering activity" under 18 U.S.C. § 1961
2. Demonstrate that these acts form a "pattern" by showing relatedness and either closed-ended or open-ended continuity
3. Establish the existence of an "enterprise" as defined in RICO
4. Prove that the defendants "conducted" the affairs of that enterprise through the pattern of racketeering activity
5. Provide evidence of the concrete financial losses suffered and their direct causal connection to the alleged racketeering activities

If these elements can be established, the plaintiff's claim that the financial harm and disruption to his business directly resulted from the defendants' racketeering activities would indeed satisfy the injury requirement under

RICO, entitling him to pursue the remedies provided in [18 U.S.C. § 1964\(c\)](#), including treble damages and attorney's fees.

In summary, while the alleged facts suggest a viable RICO claim based on injury to business or property, the ultimate success of such a claim would depend on the plaintiff's ability to prove all required elements with specificity and to establish the requisite direct causal connection between the alleged racketeering activities and the claimed business injuries.

Legal Authorities

[Simpson v. Sanderson Farms, Inc., 744 F.3d 702 \(11th Cir. 2014\)](#)

U.S. Court of Appeals — Eleventh Circuit

Extract

It is by now clear that to state a prima facie civil RICO claim under 18 U.S.C. § 1964(c), a plaintiff must establish “three essential elements”: first, that the defendant committed a pattern of RICO predicate acts under 18 U.S.C. § 1962; second, that the plaintiff suffered injury to business or property; and, finally, that the defendant's racketeering activity proximately caused the injury. ... Section 1964(c) also requires a civil RICO plaintiff to show—plausibly—that his injury occurred “by reason of” a defendant's pattern of racketeering activity. ... As the Supreme Court has interpreted § 1964(c), a civil RICO plaintiff must always establish a proximate-causal, “direct relation” between the injury and injurious conduct at issue.

Summary

Essential elements required to establish a civil RICO claim, which includes proving a pattern of RICO predicate acts, an injury to business or property, and a proximate causal relationship between the racketeering activity and the injury. The passage emphasizes the need for a direct relation between the injury and the injurious conduct, which aligns with the proposition that the plaintiff's financial harm and business disruption were directly caused by the defendants' racketeering activities.

[AIM Recycling of Fla., LLC v. Metals USA, Inc., Case No. 18-cv-60292-BLOOM/Valle \(S.D. Fla. Jan 13, 2020\)](#)

U.S. District Court — Southern District of Florida

Extract

To assert a RICO claim, a plaintiff 'must establish that a defendant (1) operated or managed (2) an enterprise (3) through a pattern (4) of racketeering activity that included at least two racketeering acts.' Ray v. Spirit Airlines, Inc., 767 F.3d 1220, 1224 (11th Cir. 2014) ('Ray I'). 'A civil

plaintiff must also show '(1) the requisite injury to "business or property," and (2) that such injury was "by reason of" the substantive RICO violation.'

Summary

Elements required to establish a RICO claim, which aligns with the proposition that the plaintiff's financial harm and business disruption were due to the defendants' racketeering activities.

[Sunbelt Rentals, Inc. v. Second Life Equip., Civil Action 5:20-CV-00070-KDB-DSC \(W.D. N.C. May 06, 2022\)](#)

U.S. District Court — Western District of North Carolina

Extract

The Racketeer Influenced and Corrupt Organizations Act 'creates civil liability for those who engage in a pattern of racketeering activity.' GE Inv. Priv. Placement Partners II v. Parker, 247 F.3d 543, 548 (4th Cir. 2011) (citing 18 U.S.C. §§ 1962, 1964). 18 U.S.C. §1964 creates a cause of action for '[a]ny person injured in his business or property by reason of a violation of [18 U.S.C. §1962].' The elements of a RICO claim under 18 U.S.C. § 1962(c) are (1) the conducting; (2) of an enterprise; (3) through a pattern; (4) of racketeering activity.

Summary

Necessary elements to establish a RICO claim, which include demonstrating a pattern of racketeering activity that has caused injury to the plaintiff's business or property. This directly supports the proposition that the plaintiff's financial harm and business disruption, resulting from the defendants' alleged racketeering activities, satisfy the injury requirement under RICO.

[Studco Bldg. Sys. U.S., LLC v. 1st Advantage Fed. Credit Union, 509 F.Supp. 3d 560 \(E.D. Va. 2020\)](#)

U.S. District Court — Eastern District of Virginia

Extract

Generally, the elements of a civil Racketeer Influenced and Corrupt Organizations Act (RICO) claim are (1) a person, (2) an enterprise, (3) a pattern of (4) racketeering activity (5) which causes injury to the plaintiff. 18 U.S.C.A. § 1962 (a, c). 'The injury and causation components [of element (5)] are viewed as standing requirements.'

Summary

For a civil RICO claim, a plaintiff must demonstrate a pattern of racketeering activity that causes injury to the plaintiff. The passage specifically highlights the injury and causation components as standing requirements, which aligns with the proposition that the plaintiff's financial harm and business disruption resulted from the defendants' racketeering activities.

[18 U.S.C. § 1964 18 U.S.C. § 1964 Civil Remedies](#)

Extract

Any person injured in his business or property by reason of a violation of section 1962 of this chapter may sue therefor in any appropriate United States district court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee...

Summary

The passage from 18 U.S.C. § 1964(c) provides that any person injured in their business or property due to a RICO violation can sue in a U.S. district court and recover damages. This directly supports the proposition that the plaintiff, who suffered financial harm and business disruption due to the defendants' racketeering activities, satisfies the injury requirement under RICO. The statute explicitly allows for recovery of damages and legal costs, which aligns with the plaintiff's claims of financial harm and incurred legal expenses.

[Racketeer influenced and corrupt organizations.](#)

American Criminal Law Review - Georgetown University Law Center - Bagley, Ross - 2007-03-22

Extract

To have standing for a civil cause of action under RICO, a plaintiff must show: (i) a violation of [section] 1962(a), (b), (c), or (d); (ii) injury to her business or property; and (iii) causation of the injury by the violation. ... To sue for a violation of [section] 1962(c), a plaintiff must have suffered an injury to business or property caused by one of the predicate acts of racketeering. ... Moreover, a plaintiff must prove that the defendant's violation of [section] 1962 was the proximate cause of the plaintiff's injury to have standing for a civil RICO action.

Summary

Requirements for standing in a civil RICO action, which include showing a violation of RICO provisions, an injury to business or property, and causation of the injury by the violation. This directly supports the proposition that the plaintiff's financial harm and business disruption, caused by the defendants' racketeering activities, satisfy the injury requirement under RICO.

[Racketeer Influenced and Corrupt Organizations Act.](#)

American Criminal Law Review - Georgetown University Law Center - Bailey, Lisa Pritchard - 1999-06-22

Extract

RICO's standing provision(380) provides that '[a]ny person injured in his business or property by reason of a violation of [sections] 1962 of this chapter' may bring a civil action under RICO.(381)... Courts agree that to establish standing under [sections] 1962(c),(388) a plaintiff must have suffered a harm caused... See Holmes, 503 U.S. at 268 (stating [sections] 4 of Clayton Act includes proximate causation requirement)... The comparable section of [sections] 1964(c) reads, 'Any person injured in his business or property by reason of a violation of section 1962 of this chapter may sue...

Summary

The RICO statute allows any person injured in their business or property by a RICO violation to bring a civil action. The passage emphasizes the need for a plaintiff to demonstrate that their injury was caused by the RICO violation, which aligns with the proposition that the plaintiff's financial harm and business disruption were directly caused by the defendants' racketeering activities.

[Racketeer influenced and corrupt organizations.](#)

American Criminal Law Review - Georgetown University Law Center - Allison, Bridget - 1998-03-22

Extract

Courts are in agreement that to establish standing under [sections] 1962(c), a plaintiff must have suffered a harm caused by one of the predicate acts covered by [sections] 1962(c).(381) ... Other courts hold that a plaintiff has standing to sue under RICO if she alleges an injury to business or property that is proximately caused by an overt act in furtherance of a conspiracy to violate RICO. Such standing is valid even if the overt act is not a predicate act required in a RICO pattern.

Summary

To establish standing under RICO, a plaintiff must demonstrate harm caused by predicate acts or overt acts in furtherance of a RICO conspiracy. The passage supports the proposition by indicating that financial harm and business disruption caused by defendants' racketeering activities can satisfy the injury requirement under RICO, even if the harm is not directly from a predicate act but from an overt act in furtherance of a conspiracy.

[Civil Rico: A Tool of Advocacy](#)

The Brief - American Bar Association - 2024-01-01

Extract

A showing of injury for a civil RICO claim requires proof of a concrete financial loss and not mere injury to a valuable intangible property interest. In addition, the "by reason of " language of § 1964(c) imposes a proximate cause requirement on the plaintiff. The § 1962 violations must proximately cause the plaintiff's injury to business or property. Significantly for the purposes of this section, money is a form of property. ... A plaintiff only has standing to sue if they have been injured in their business or property by conduct constituting the violation. To establish a § 1962(c) RICO claim, the following elements must be proven: ... Injury: An injury to business or property due to the racketeering activity.

Summary

For a civil RICO claim, a plaintiff must demonstrate a concrete financial loss directly caused by the defendant's racketeering activities. The passage emphasizes the need for a proximate cause between the RICO violation and the injury to the plaintiff's business or property. This directly supports the proposition that the plaintiff's financial harm and business disruption were caused by the defendants' racketeering activities, satisfying the injury requirement under RICO.

[PAYORS, PLAYERS, AND PROXIMATE CAUSE.](#)

Notre Dame Law Review - University of Notre Dame Law School - Crusey, Elisabeth F. - 2022-05-01

Extract

A private civil right of action in [section] 1964 provides that '[a]ny person injured in his business or property by reason of a violation of section 1962... may sue.' (36) Notably, a successful plaintiff under [section] 1964 is entitled to treble damages and the cost of the suit, including attorney fees. (37) ... In Holmes, the Court evaluated the second part of statutory standing under

[section] 1964(c)--that the injury must be 'by reason of a RICO violation. (58) ... In Holmes, the Court determined that 'by reason of means that plaintiffs must establish that a defendant's alleged RICO violation proximately caused their injuries. (60)

Summary

RICO provides a civil remedy for individuals injured in their business or property due to a RICO violation. The passage emphasizes the requirement for the plaintiff to demonstrate that the injury was proximately caused by the defendant's racketeering activity. This aligns with the proposition that the plaintiff's financial harm and business disruption were directly caused by the defendants' actions, satisfying the injury requirement under RICO.

[RICO: A Primer](#)

Extract

RICO provides for a civil action against persons engaged in a 'pattern of racketeering activity' or 'collection of an unlawful debt.' A successful plaintiff may recover treble damages, costs, and attorneys' fees. ... Under Section 1962(b), it is a violation to acquire or maintain an interest in an enterprise affecting interstate or foreign commerce through a pattern of racketeering activity or collection of an unlawful debt. ... To prove a violation of Section 1962(b), a plaintiff must prove the following elements: *

- * Existence of an enterprise;
- * The enterprise engaged in, or its activities affected, interstate or foreign commerce;
- * The defendant acquired or maintained, directly or indirectly, an interest in or control of the enterprise; and
- * The defendant acquired or maintained the interest through a pattern of racketeering activity or through collection of an unlawful debt.

Summary

Framework for understanding how the plaintiff's business disruption and financial harm could be linked to the defendants' alleged RICO violations.

[RICO: A Primer](#)

Extract

RICO provides for a civil action against persons engaged in a 'pattern of racketeering activity' or 'collection of an unlawful debt.' A successful plaintiff may recover treble damages, costs, and attorneys' fees... The heart of a RICO case is the existence of a pattern of racketeering activity... A plaintiff is required to demonstrate that the defendant conducted the affairs of an enterprise through a pattern of racketeering activity... A 'pattern' may exist where any combination of two or more offenses occurred within a period of time... A plaintiff may demonstrate a pattern by establishment that

the predicate acts pose a threat of continued criminal activity, which is generally demonstrated by showing either: Closed-ended continuity. Proving 'a series of related predicate acts extending over a substantial period of time.'

Summary

Requirements for establishing a pattern of racketeering activity, which includes demonstrating a series of related predicate acts over time. This is relevant to the proposition as it supports the idea that the plaintiff's financial harm and business disruption could be a result of the defendants' racketeering activities, thus satisfying the injury requirement under RICO.

This memo was compiled by Vincent AI based on vLex materials available as of June 16, 2025. [View full answer on vLex](#)