

# Question

For a civil RICO claim to prevail, is it a requirement to have multiple victims, or are there exceptions or caveats to this requirement?

## Answer (U.S. Federal)

### Short response

Multiple victims are not a statutory requirement for a civil RICO claim to prevail, though some circuit courts consider the presence of a single victim to be a factor potentially weighing against finding the necessary "pattern of racketeering activity." Courts may be less likely to find a valid RICO claim when there is only one victim in combination with other limiting factors such as a single scheme of narrow scope or limited duration.

### Summary

Civil RICO claims under 18 U.S.C. § 1964(c) provide a private right of action to "[a]ny person injured in his business or property by reason of a violation" of the substantive RICO prohibitions in § 1962. The statutory elements of a civil RICO claim focus on the pattern of racketeering activity, the presence of an enterprise, and injury to the plaintiff's business or property—not on the number of victims. While the statute itself does not require multiple victims, judicial interpretations, particularly regarding the "pattern" element, have sometimes considered the presence of only a single victim as a factor weighing against finding the necessary continuity.

Circuit courts have developed varying approaches to this issue, with some circuits (particularly the Second and Sixth Circuits) frequently finding that a "single scheme with a single victim" is insufficient to establish a pattern of racketeering activity, especially when combined with other limiting factors like narrow scope or limited duration. However, this is not a universal rule, and other factors—such as the number of predicate acts, the duration of activity, and whether it poses a threat of continuing criminal activity—are often more determinative than victim count alone. The Supreme Court has focused on the "continuity plus relationship" test rather than victim count when analyzing the pattern requirement.

## Background and Relevant Law

### Statutory Framework

The civil RICO statute, 18 U.S.C. § 1964(c), establishes a private cause of action for RICO violations. As stated in [\*Bridge v. Phoenix Bond & Indem. Co.\*, 553 U.S. on 639, 128 S.Ct. 2131 \(2008\)](#): "The Racketeer Influenced and Corrupt Organizations Act (RICO or Act), 18 U.S.C. §§ 1961–1968, provides a

private right of action for treble damages to '[a]ny person injured in his business or property by reason of a violation' of the Act's criminal prohibitions. § 1964(c)."

Similarly, [Portionpac Chemical Corp. v. Sanitech Systems, 217 F.Supp.2d 1238 \(M.D. Fla. 2002\)](#) confirms: "RICO establishes both criminal and civil penalties for violations of Section 1962. The civil remedies provision provides a private cause of action for 'any person injured in his business or property by reason of a violation of Section 1962.' 18 U.S.C. § 1961(c)."

The statutory text does not specify a requirement for multiple victims. Instead, it focuses on the injury to the plaintiff's business or property caused by a violation of the RICO provisions.

## **Elements of a Civil RICO Claim**

To establish a civil RICO claim, a plaintiff must prove several elements, none of which explicitly require multiple victims. As outlined in [Studco Bldg. Sys. U.S., LLC v. 1st Advantage Fed. Credit Union, 509 F.Supp.3d 560 \(E.D. Va. 2020\)](#): "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)."

This formulation of the elements is consistent across jurisdictions. For instance, in [Little v. City of Valley](#) (M.D. Ala. 2023), the court stated: "Thus, in order to establish a federal civil RICO violation under § 1962(c), the Plaintiffs 'must satisfy four elements of proof: (1) conduct (2) of an enterprise (3) through a pattern (4) of racketeering activity.'" (quoting [Jones v. Childers, 18 F.3d 899, 900 \(11th Cir. 1994\)](#)).

Similarly, [Sundquist v. Hultquist, Cause No. 1:20-CV-275-HAB \(N.D. Ind. Sep 09, 2020\)](#) notes: "Accordingly, to state a claim for a RICO violation, a plaintiff must allege a cognizable injury to its business or property resulting from the '(1) conduct (2) of an enterprise (3) through a pattern (4) of racketeering activity.'"

## **The "Pattern" Requirement and Continuity**

The element most relevant to the multiple victims question is the "pattern of racketeering activity" requirement. The U.S. Supreme Court has elaborated on this element in several cases.

In [United States v. Turkette, 452 U.S. 576, 101 S.Ct. 2524 \(1981\)](#), the Court explained: "In order to secure a conviction under RICO, the Government must prove both the existence of an 'enterprise' and the connected 'pattern of racketeering activity.' The enterprise is an entity, for present purposes a group of persons associated together for a common purpose of engaging in a course of conduct. The pattern of racketeering activity is, on the other hand, a series of criminal acts as defined by the statute. 18 U.S.C. § 1961(1) (1976 ed., Supp. III)." It should be noted that Turkette was later abrogated by

United States v. Lane, 474 U.S. 438 (1986), but not on grounds relevant to this particular discussion of RICO elements.

The Supreme Court further refined the "pattern" requirement in [H.J. Inc. v. Northwestern Bell Telephone Company](#), 492 U.S. 229, 109 S.Ct. 2893 (1989): "RICO's legislative history tells us, however, that the relatedness of racketeering activities is not alone enough to satisfy § 1962's pattern element. To establish a RICO pattern it must also be shown that the predicates themselves amount to, or that they otherwise constitute a threat of, continuing racketeering activity." This established what became known as the "continuity plus relationship" test for the pattern element.

The "continuity" aspect is particularly relevant to the multiple victims question. [H.J. Inc.](#) continues: "It is this aspect of RICO's pattern element that has spawned the 'multiple scheme' test adopted by some lower courts, including the Court of Appeals in this case. See 829 F.2d, at 650 ('In order to demonstrate the necessary continuity appellants must allege that Northwestern Bell "had engaged in similar endeavors in the past or that [it was] engaged in other criminal activities."... A single fraudulent effort or scheme is insufficient')."

While [H.J. Inc.](#) discussed the "multiple scheme" test, it did not explicitly address whether multiple victims are required. However, lower courts have often considered the presence of a single victim as one factor in analyzing whether the necessary continuity exists.

## **Circuit Court Interpretations Regarding Multiple Victims**

### **Second Circuit Approach**

The Second Circuit has developed an approach where the presence of a single victim, combined with other limiting factors, often weighs against finding a RICO pattern. This is illustrated in [Kerwick v. Pullman & Comley LLC](#), 3:24-CV-00427 (KAD) (D. Conn. Dec 20, 2024): "[C]ourts in this Circuit have repeatedly held that a plaintiff has not alleged a RICO violation where he or she has pled only a single scheme of a narrow scope, including one victim and a limited number of participants.' *Maguire v. Ameriprise Fin. Servs., LLC*, No. 3:22-CV-128 (VAB), 2022 WL 1718038, at \*10 (D. Conn. May 27, 2022) (quotation omitted) (collecting cases)."

In *Kerwick*, the court dismissed the RICO claim, noting: "Plaintiff alleges that Defendants' scheme targeted only her, and it was focused on 'coercively controlling' her. This type of narrow, limited scheme is insufficient to establish a pattern of racketeering activity."

### **Sixth Circuit Approach**

The Sixth Circuit has taken a similar approach, as demonstrated in [Grubbs v. Sheakley Grp., Inc.](#), 807 F.3d 785 (6th Cir. 2015). The court noted: "The court below dismissed both the substantive RICO claim and the RICO

conspiracy claim on the ground that Plaintiffs failed to plead either closed—or open-ended continuity: the alleged racketeering acts of mail and wire fraud occurred within an eight-month period in pursuance of a single scheme with a single victim, and Plaintiffs pled no facts indicating that the alleged acts of racketeering activity would continue into the future."

The [Grubbs](#) court further explained: "The Sheakley Defendants also argue that the alleged activity was a single, terminable scheme with only one victim that was, by nature, not open-ended. See *Moon*, 465 F.3d at 725 (no RICO liability where defendant had 'single objective' and there were 'no facts suggesting that the scheme would continue beyond the [d]efendants accomplishing their goal'); *Vemco*, 23 F.3d at 134 (no RICO liability where there was a 'single victim and a single scheme for a single purpose')."

## **Eleventh Circuit Approach**

The Eleventh Circuit has taken a more nuanced approach, as seen in [Jones \(Gordon, Laura\) v. Childers \(John H.\), Talent Services, Inc., 18 F.3d 899 \(11th Cir. 1994\)](#). Citing the Third Circuit's decision in *Banks v. Wolk*, the court noted: "The Third Circuit, in *Banks v. Wolk*, 918 F.2d 418 (3d Cir.1990), has noted that the fact that a RICO plaintiff was not a victim of the additional frauds alleged as predicate acts should not carry much weight. The reference to 'similar victims' in *H.J., Inc.* cannot be read to require that a plaintiff be injured by more than one predicate act...."

This suggests that the Eleventh Circuit views the victim count as less determinative than the overall pattern of activity.

## **Ninth Circuit Approach**

The Ninth Circuit has suggested that having multiple victims helps establish a pattern, without definitively requiring it. In [United Energy Owners Committee, Inc. v. U.S. Energy Management Systems, Inc., 837 F.2d 356 \(9th Cir. 1988\)](#), the court stated: "Nevertheless, we held that a plaintiff properly pleads a RICO pattern where it alleges multiple predicate acts against multiple victims over a significant period of time (five months) since that clearly satisfies RICO's requirement of 'two or more acts of racketeering activity.'"

This language suggests that multiple victims can help satisfy the pattern requirement, but it does not necessarily establish multiple victims as an absolute requirement.

## **Tenth Circuit Approach**

The Tenth Circuit has taken a more liberal approach to RICO requirements in general, as seen in [Plains Resources, Inc. v. Gable, 782 F.2d 883 \(10th Cir. 1986\)](#): "We disagree with the view that, to state such a RICO claim, a plaintiff must allege and prove that the conduct described as 'racketeering activity' is connected to criminal conduct of an organized nature. We are persuaded by the opinions which have held that there is no such requirement in a civil setting... If the defendant engages in a pattern of

racketeering activity in a manner forbidden by [Secs. 1962(a)-(c)], and the racketeering activities injure the plaintiff in his business or property, the plaintiff has a claim under Sec. 1964(c). There is no room in the statutory language for an additional, amorphous 'racketeering injury' requirement."

This approach suggests that the Tenth Circuit would be less likely to impose extra-statutory requirements like multiple victims.

## **Analysis of the Multiple Victims Requirement**

Based on the authorities reviewed, multiple victims are not a statutory requirement for a civil RICO claim to prevail. The civil RICO statute, 18 U.S.C. § 1964(c), provides a cause of action to "any person" injured in business or property by a RICO violation, without specifying that there must be multiple victims.

The key secondary source, [Civil Rico: A Tool of Advocacy](#) (2024), confirms: "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." Similarly, [PAYORS, PLAYERS, AND PROXIMATE CAUSE](#) (2022) notes: "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.'"

However, judicial interpretation, particularly regarding the "pattern of racketeering activity" element, has sometimes treated the presence of only a single victim as a factor weighing against finding the necessary continuity. This is not a universal rule but varies by circuit and is typically considered alongside other factors.

## **The Role of Victim Count in Pattern Analysis**

The presence of multiple victims often helps demonstrate the "continuity" aspect of the "continuity plus relationship" test established by the Supreme Court in [H.J. Inc.](#) When a scheme involves only a single victim, courts may scrutinize more closely whether the activity demonstrates sufficient continuity to constitute a pattern.

This is exemplified in the Second Circuit's approach, as seen in *Kerwick*, where the court dismissed a RICO claim that alleged "a single scheme of a narrow scope, including one victim and a limited number of participants." Similarly, the Sixth Circuit in [Grubbs](#) noted that "a single victim and a single scheme for a single purpose" could weigh against finding RICO liability.

However, the determinative factor is not necessarily the victim count alone, but rather whether the alleged activity demonstrates the necessary continuity. A scheme targeting a single victim could potentially constitute a pattern of racketeering activity if it involves multiple predicate acts over an extended period and demonstrates a threat of continued criminal activity.

## Factors Beyond Victim Count

Courts consider several factors beyond victim count when analyzing whether a pattern of racketeering activity exists:

1. **Number and variety of predicate acts:** More numerous and diverse predicate acts may support finding a pattern even with a single victim.
2. **Duration of activity:** Longer-lasting schemes are more likely to constitute a pattern, regardless of victim count.
3. **Threat of continued criminal activity:** If the activity poses a threat of continuing, it may constitute a pattern even with a single victim.
4. **Scope and complexity of the scheme:** More complex and broader schemes may support finding a pattern despite having only one victim.

As stated in [Studco Bldg. Sys. U.S., LLC v. 1st Advantage Fed. Credit Union](#), 509 F.Supp.3d 560 (E.D. Va. 2020): "For a pattern of racketeering activity to exist, 'two or more predicate acts of racketeering must have been committed within a ten-year period.'... Consequently, 'simply proving two or more predicate acts is insufficient for a RICO plaintiff to succeed.'... Instead, 'a plaintiff ... must show that the racketeering predicates are related, and that they amount to or pose a threat of continued criminal activity.'"

## Exceptions and Caveats

### Circuit Splits and Varying Approaches

There is no uniform national standard regarding the weight given to victim count in RICO pattern analysis. As demonstrated above, different circuits have developed different approaches:

- The Second and Sixth Circuits often find that a single victim combined with a single scheme of narrow scope is insufficient for a RICO pattern.
- The Eleventh Circuit, citing the Third Circuit, has suggested that victim count should not "carry much weight" in the analysis.
- The Ninth Circuit has indicated that multiple victims help establish a pattern but has not clearly established this as a requirement.
- The Tenth Circuit has generally rejected extra-statutory requirements for RICO claims.

Given these varying approaches, the importance of victim count depends significantly on the jurisdiction where the claim is brought.

### The Single Scheme Exception

Several courts have found that a "single scheme" targeting a single victim may be insufficient to establish a pattern of racketeering activity. However, this is not an absolute rule but rather a factor in the overall continuity analysis.



In [Grubbs v. Sheakley Grp., Inc., 807 F.3d 785 \(6th Cir. 2015\)](#), the court noted exceptions to this general principle: "The court below dismissed both the substantive RICO claim and the RICO conspiracy claim on the ground that Plaintiffs failed to plead either closed—or open-ended continuity: the alleged racketeering acts of mail and wire fraud occurred within an eight-month period in pursuance of a single scheme with a single victim, and Plaintiffs pled no facts indicating that the alleged acts of racketeering activity would continue into the future."

This suggests that a single scheme with a single victim might still support a RICO claim if it demonstrated either closed-ended continuity (sufficient duration and scope despite being completed) or open-ended continuity (a threat of continued criminal activity).

## **Standing Considerations**

Some courts have historically attempted to limit RICO standing through various doctrines, but such limitations have often been rejected. As noted in [Callan v. State Chemical Mfg. Co., 584 F.Supp. 619 \(E.D. Pa. 1984\)](#): "The defendant first asserts that the plaintiffs have no standing to bring a claim pursuant to § 1964(c). It asserts that the plaintiffs are not within the class of persons on whose behalf RICO's civil damages were intended. In essence, the defendant urges an interpretation of § 1964(c) that limits access to treble damages under RICO to those who have suffered some sort of 'competitive' injury."

The court rejected this limitation, stating: "This position is not without judicial support... The statute was conceived not as a shield for those injured, but rather as a sword to be used against organized crime. For that reason, prohibiting the plaintiffs from pursuing their RICO claims because they do not fit into that class of plaintiffs that may be said to have suffered a 'competitive injury,' would not seem in any way to promote RICO's remedial purposes."

This reasoning suggests that courts should be cautious about imposing extra-statutory limitations on RICO standing, which could include requirements for multiple victims.

## **Conclusion**

Based on the statutory text and case law, multiple victims are not an absolute requirement for a civil RICO claim to prevail. The civil RICO statute, 18 U.S.C. § 1964(c), provides a private right of action to "[a]ny person injured in his business or property by reason of a violation" of the substantive RICO prohibitions, without specifying a requirement for multiple victims.

However, judicial interpretations, particularly regarding the "pattern of racketeering activity" element, have sometimes treated the presence of only a single victim as a factor weighing against finding the necessary continuity,

especially when combined with other limiting factors such as a single scheme of narrow scope or limited duration.

The determinative factor is not necessarily the victim count alone, but rather whether the alleged activity demonstrates sufficient "continuity and relationship" to constitute a pattern of racketeering activity. Courts consider several factors beyond victim count, including the number and variety of predicate acts, the duration of activity, the threat of continued criminal activity, and the scope and complexity of the scheme.

Different circuits have developed varying approaches to this issue, with some (particularly the Second and Sixth Circuits) giving significant weight to victim count in their analysis, while others (such as the Eleventh and Tenth Circuits) treat it as less determinative.

In practice, a civil RICO claim with a single victim may face greater scrutiny and potential challenges in some jurisdictions, particularly if the alleged scheme is also narrow in scope, limited in duration, or lacks other indicia of the necessary continuity. However, such a claim is not categorically barred by the statute itself, and with sufficient showing of other factors demonstrating a pattern of racketeering activity, it could potentially prevail.

In conclusion, while multiple victims are not statutorily required for a civil RICO claim to prevail, the presence of a single victim may make it more challenging to establish the necessary "pattern of racketeering activity" in some jurisdictions, particularly when combined with other limiting factors. The weight given to victim count varies by circuit and should be considered alongside other factors in the overall continuity analysis.

## **Legal Authorities**

[United States v. Turkette, 452 U.S. 576, 101 S.Ct. 2524, 69 L.Ed.2d 246 \(1981\)](#)

### **U.S. Supreme Court**

#### **Extract**

In order to secure a conviction under RICO, the Government must prove both the existence of an 'enterprise' and the connected 'pattern of racketeering activity.' The enterprise is an entity, for present purposes a group of persons associated together for a common purpose of engaging in a course of conduct. The pattern of racketeering activity is, on the other hand, a series of criminal acts as defined by the statute. 18 U.S.C. § 1961(1) (1976 ed., Supp. III). The former is proved by evidence of an ongoing organization, formal or informal, and by evidence that the various associates function as a continuing unit. The latter is proved by evidence of the requisite number of acts of racketeering committed by the participants in the enterprise.



## Summary

The passage from the United States v. Turkette case clarifies that for a RICO claim, the focus is on proving the existence of an "enterprise" and a "pattern of racketeering activity." It does not specify a requirement for multiple victims. Instead, it emphasizes the need for a series of criminal acts and an ongoing organization. This suggests that the presence of multiple victims is not a necessary condition for a RICO claim to prevail.

[Boyle v. United States, 129 S.Ct. 2237, 173 L.Ed.2d 1265, 556 U.S. 938, 77 USLW 4474 \(2009\)](#)

### U.S. Supreme Court

#### Extract

RICO makes it 'unlawful for any person employed by or associated with any enterprise engaged in, or the activities of which affect, interstate or foreign commerce, to conduct or participate, directly or indirectly, in the conduct of such enterprise's affairs through a pattern of racketeering activity.' 18 U.S.C. § 1962(c) (emphasis added).

## Summary

The passage from the Boyle v. United States case provides insight into the requirements for a RICO claim. It emphasizes the unlawful conduct of participating in an enterprise's affairs through a pattern of racketeering activity. The statute does not explicitly require multiple victims for a RICO claim to prevail. Instead, it focuses on the pattern of racketeering activity and the involvement in an enterprise affecting commerce. This suggests that the presence of multiple victims is not a statutory requirement for a civil RICO claim.

[Bridge v. Phoenix Bond & Indem. Co., 128 S.Ct. 2131, 170 L.Ed.2d 1012, 553 U.S. 639, 8 Cal. Daily Op. Serv. 6929, 21 Fla. L. Weekly Fed. S 295, 76 USLW 4381, 2008 Daily Journal D.A.R. 8339 \(2008\)](#)

### U.S. Supreme Court

#### Extract

The Racketeer Influenced and Corrupt Organizations Act (RICO or Act), 18 U.S.C. §§ 1961–1968, provides a private right of action for treble damages to '[a]ny person injured in his business or property by reason of a violation' of the Act's criminal prohibitions. § 1964(c).

## Summary

The passage from the U.S. Supreme Court decision in *Bridge v. Phoenix Bond & Indem. Co.* clarifies that under the RICO Act, a private right of action is available to "any person injured in his business or property" due to a violation of the Act's criminal prohibitions. This indicates that the statute does not require multiple victims for a civil RICO claim to prevail. Instead, it focuses on whether the plaintiff has suffered an injury to business or property due to a RICO violation. Therefore, the presence of multiple victims is not a statutory requirement for a civil RICO claim.

[\*Inc v. Northwestern Bell Telephone Company\*, 492 U.S. 229, 109 S.Ct. 2893, 106 L.Ed.2d 195 \(1989\)](#)

### U.S. Supreme Court

#### Extract

RICO's legislative history tells us, however, that the relatedness of racketeering activities is not alone enough to satisfy § 1962's pattern element. To establish a RICO pattern it must also be shown that the predicates themselves amount to, or that they otherwise constitute a threat of, continuing racketeering activity. As to this continuity requirement, § 3575(e) is of no assistance. It is this aspect of RICO's pattern element that has spawned the 'multiple scheme' test adopted by some lower courts, including the Court of Appeals in this case. See 829 F.2d, at 650 ('In order to demonstrate the necessary continuity appellants must allege that Northwestern Bell 'had engaged in similar endeavors in the past or that [it was] engaged in other criminal activities.'... A single fraudulent effort or scheme is insufficient').

## Summary

For a RICO claim, the pattern of racketeering activity must show continuity and relatedness. The "multiple scheme" test mentioned suggests that a single fraudulent effort or scheme is insufficient, implying that multiple schemes or a threat of ongoing activity is necessary. However, the passage does not explicitly state that multiple victims are required, only that there must be a pattern of activity that suggests continuity.

[\*Sedima v. Imrex Company, Inc.\*, 473 U.S. 479, 105 S.Ct. 3275, 87 L.Ed.2d 346 \(1985\)](#)

### U.S. Supreme Court

## **Extract**

The Racketeer Influenced and Corrupt Organizations Act (RICO), 18 U.S.C. §§ 1961-1968, which is directed at 'racketeering activity'—defined in § 1961(1) to encompass, inter alia, acts 'indictable' under specific federal criminal provisions, including mail and wire fraud—provides in § 1964(c) for a private civil action to recover treble damages by any person injured in his business or property 'by reason of a violation of section 1962.' Section 1962(c) prohibits conducting or participating in the conduct of an enterprise 'through a pattern of racketeering activity.'

## **Summary**

The passage from the Supreme Court case clarifies that a civil RICO claim can be brought by any person injured in their business or property due to a violation of section 1962. It does not specify that there must be multiple victims for a claim to prevail. Instead, it focuses on the injury to the claimant's business or property due to a pattern of racketeering activity. This suggests that a single victim can bring a civil RICO claim if they meet the criteria outlined in the statute.

[Sundquist v. Hultquist, Cause No. 1:20-CV-275-HAB \(N.D. Ind. Sep 09, 2020\)](#)

### **U.S. District Court — Northern District of Indiana**

## **Extract**

Accordingly, to state a claim for a RICO violation, a plaintiff must allege a cognizable injury to its business or property resulting from the '(1) conduct (2) of an enterprise (3) through a pattern (4) of racketeering activity.' Gamboa, 457 F.3d at 705.

## **Summary**

Elements necessary to state a claim for a RICO violation, which includes conduct of an enterprise through a pattern of racketeering activity resulting in injury to business or property. It does not specify that multiple victims are required; rather, it focuses on the injury to the plaintiff's business or property. This suggests that a single victim can suffice if the other elements are met.

[Callan v. State Chemical Mfg. Co., 584 F.Supp. 619 \(E.D. Pa. 1984\)](#)

### **U.S. District Court — Eastern District of Pennsylvania**

## **Extract**

The defendant first asserts that the plaintiffs have no standing to bring a claim pursuant to § 1964(c). It asserts that the plaintiffs are not within the class of persons on whose behalf RICO's civil damages were intended. In essence, the defendant urges an interpretation of § 1964(c) that limits access to treble damages under RICO to those who have suffered some sort of 'competitive' injury. More specifically, the defendant argues that civil RICO is limited to the owners, customers, or competitors of business infiltrated by organized crime. This position is not without judicial support... The statute was conceived not as a shield for those injured, but rather as a sword to be used against organized crime. For that reason, prohibiting the plaintiffs from pursuing their RICO claims because they do not fit into that class of plaintiffs that may be said to have suffered a 'competitive injury,' would not seem in any way to promote RICO's remedial purposes.

## **Summary**

Standing requirements for a civil RICO claim under § 1964(c). It highlights that the statute is intended as a tool against organized crime rather than solely as a remedy for those injured. The court rejects the notion that only those who have suffered a "competitive injury" have standing, suggesting that the scope of potential plaintiffs is broader. This implies that having multiple victims is not a strict requirement for a civil RICO claim, as the focus is on the eradication of organized crime rather than the number of victims.

[Plains Resources, Inc. v. Gable, 782 F.2d 883 \(10th Cir. 1986\)](#)

## **U.S. Court of Appeals — Tenth Circuit**

## **Extract**

We disagree with the view that, to state such a RICO claim, a plaintiff must allege and prove that the conduct described as 'racketeering activity' is connected to criminal conduct of an organized nature. We are persuaded by the opinions which have held that there is no such requirement in a civil setting... If the defendant engages in a pattern of racketeering activity in a manner forbidden by [Secs. 1962(a)-(c) ], and the racketeering activities injure the plaintiff in his business or property, the plaintiff has a claim under Sec. 1964(c). There is no room in the statutory language for an additional, amorphous 'racketeering injury' requirement.

## **Summary**

For a civil RICO claim, it is not necessary to prove that the racketeering activity is connected to organized crime. The focus is on whether the defendant engaged in a pattern of racketeering activity that injured the plaintiff's business or property. The court explicitly states that there is no

requirement for an additional 'racketeering injury' beyond the harm caused by the predicate acts. This suggests that the presence of multiple victims is not a requirement for a civil RICO claim to prevail.

[Kerwick v. Pullman & Comley LLC, 3:24-CV-00427 \(KAD\) \(D. Conn. Dec 20, 2024\)](#)

## **U.S. District Court — District of Connecticut**

### **Extract**

Nor has Plaintiff alleged that these purported predicates constituted a pattern of racketeering. See *Rivera v. NCB Mgmt. Servs., Inc.*, No. 3:23-CV-221 (MPS), 2023 WL 7553051, at \*8 (D. Conn. Nov. 14, 2023). '[C]ourts in this Circuit have repeatedly held that a plaintiff has not alleged a RICO violation where he or she has pled only a single scheme of a narrow scope, including one victim and a limited number of participants.' *Maguire v. Ameriprise Fin. Servs., LLC*, No. 3:22-CV-128 (VAB), 2022 WL 1718038, at \*10 (D. Conn. May 27, 2022) (quotation omitted) (collecting cases). Plaintiff alleges that Defendants' scheme targeted only her, and it was focused on 'coercively controlling' her. This type of narrow, limited scheme is insufficient to establish a pattern of racketeering activity.

### **Summary**

Within the Second Circuit, courts have consistently held that a RICO violation is not established when the plaintiff alleges only a single scheme with a narrow scope, which includes only one victim and a limited number of participants. This suggests that having multiple victims or a broader scheme is generally necessary to establish a pattern of racketeering activity under RICO in this jurisdiction.

[Little v. City of Valley](#)

## **U.S. District Court — Middle District of Alabama**

### **Extract**

Thus, in order to establish a federal civil RICO violation under § 1962(c), the Plaintiffs "must satisfy four elements of proof: '(1) conduct (2) of an enterprise (3) through a pattern (4) of racketeering activity.'" *Jones v. Childers*, 18 F.3d 899, 900 (11th Cir. 1994) (quoting *Sedima, S.P.R.L. v. Imrex Co.*, 473 U.S. 479, 496 (1985)).

### **Summary**

Elements required to establish a federal civil RICO violation under § 1962(c), which include conduct, an enterprise, a pattern, and racketeering

activity. It does not mention the necessity of having multiple victims as a requirement for a RICO claim. The focus is on the pattern of racketeering activity and the involvement in an enterprise, not on the number of victims.

[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). ... For a pattern of racketeering activity to exist, 'two or more predicate acts of racketeering must have been committed within a ten-year period.' ... Consequently, 'simply proving two or more predicate acts is insufficient for a RICO plaintiff to succeed.' ... Instead, 'a plaintiff ... must show that the racketeering predicates are related, and that they amount to or pose a threat of continued criminal activity.'

### **Summary**

Elements required for a civil RICO claim, focusing on the need for a pattern of racketeering activity, which involves two or more predicate acts. It emphasizes that these acts must be related and pose a threat of continued criminal activity. The passage does not specify a requirement for multiple victims; rather, it focuses on the pattern and continuity of the criminal activity. This suggests that a single victim can suffice if the other elements are met.

[Grubbs v. Sheakley Grp., Inc., 807 F.3d 785 \(6th Cir. 2015\)](#)

## **U.S. Court of Appeals — Sixth Circuit**

### **Extract**

The court below dismissed both the substantive RICO claim and the RICO conspiracy claim on the ground that Plaintiffs failed to plead either closed—or open-ended continuity: the alleged racketeering acts of mail and wire fraud occurred within an eight-month period in pursuance of a single scheme with a single victim, and Plaintiffs pled no facts indicating that the alleged acts of racketeering activity would continue into the future. ... The Sheakley Defendants also argue that the alleged activity was a single, terminable scheme with only one victim that was, by nature, not open-ended. See Moon, 465 F.3d at 725 (no RICO liability where defendant had 'single objective' and there were 'no facts suggesting that the scheme would continue beyond the [d]efendants accomplishing their goal'); Vemco, 23 F.3d



at 134 (no RICO liability where there was a 'single victim and a single scheme for a single purpose').

## **Summary**

The court dismissed the RICO claim due to the lack of continuity and the presence of a single scheme with a single victim. This suggests that having multiple victims is not an absolute requirement, but the presence of a single victim in a single, terminable scheme without continuity can be grounds for dismissal. The court emphasized the need for either closed-ended or open-ended continuity, which was not demonstrated in this case.

[Wilson v. Askew, 709 F.Supp. 146 \(W.D. Ark. 1989\)](#)

### **U.S. District Court — Western District of Arkansas**

## **Extract**

A violation of § 1962(c) ... requires (1) conduct (2) of an enterprise (3) through a pattern (4) of racketeering activity.

## **Summary**

The passage from the Wilson v. Askew case outlines the elements required for a RICO violation under § 1962(c), which include conduct of an enterprise through a pattern of racketeering activity. It does not specify that multiple victims are required for a RICO claim to prevail. Instead, the focus is on the pattern of racketeering activity, which implies that the requirement is more about the nature and continuity of the criminal conduct rather than the number of victims. This suggests that a RICO claim could potentially prevail even with a single victim, as long as the other elements are satisfied.

[Portionpac Chemical Corp. v. Sanitech Systems, 217 F.Supp.2d 1238 \(M.D. Fla. 2002\)](#)

### **U.S. District Court — Middle District of Florida**

## **Extract**

RICO establishes both criminal and civil penalties for violations of Section 1962. The civil remedies provision provides a private cause of action for 'any person injured in his business or property by reason of a violation of Section 1962.' 18 U.S.C. § 1961(c).

## **Summary**

A civil RICO claim can be brought by "any person injured in his business or property" due to a violation of Section 1962. This suggests that a single

victim can bring a civil RICO claim, as the statute does not specify a requirement for multiple victims. The focus is on the injury to business or property caused by the RICO violation, not the number of victims.

[United Energy Owners Committee, Inc. v. U.S. Energy Management Systems, Inc., 837 F.2d 356 \(9th Cir. 1988\)](#)

### **U.S. Court of Appeals — Ninth Circuit**

#### **Extract**

Nevertheless, we held that a plaintiff properly pleads a RICO pattern where it alleges multiple predicate acts against multiple victims over a significant period of time (five months) since that clearly satisfies RICO's requirement of 'two or more acts of racketeering activity.'

#### **Summary**

A RICO pattern can be properly pleaded when there are multiple predicate acts against multiple victims over a significant period of time. This suggests that having multiple victims is a way to satisfy the RICO requirement of demonstrating a pattern of racketeering activity. However, it does not explicitly state that multiple victims are a strict requirement, leaving room for interpretation that there might be exceptions or other ways to satisfy the pattern requirement.

[Jones \(Gordon, Laura\) v. Childers \(John H.\), Talent Services, Inc., 18 F.3d 899 \(11th Cir. 1994\)](#)

### **U.S. Court of Appeals — Eleventh Circuit**

#### **Extract**

The Third Circuit, in *Banks v. Wolk*, 918 F.2d 418 (3d Cir.1990), has noted that the fact that a RICO plaintiff was not a victim of the additional frauds alleged as predicate acts should not carry much weight. The reference to 'similar victims' in *H.J., Inc.* cannot be read to require that a plaintiff be injured by more than one predicate act....

#### **Summary**

The passage from the Third Circuit case, *Banks v. Wolk*, clarifies that for a RICO claim, it is not necessary for a plaintiff to be a victim of multiple predicate acts. The reference to "similar victims" does not imply a requirement for multiple victims. This suggests that a single victim can suffice for a RICO claim, provided the other elements of the claim are met.

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

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

#### **Extract**

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 under § 1962(c), a plaintiff must demonstrate an injury to their business or property due to the racketeering activity. This requirement focuses on the injury to the plaintiff rather than the number of victims. Therefore, the presence of multiple victims is not a requirement for a civil RICO claim to prevail. The focus is on the direct injury to the plaintiff's business or property.

## [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)

#### **Summary**

Under section 1964 of the RICO statute, any person who is injured in their business or property due to a violation of section 1962 may bring a civil suit. This suggests that there is no explicit requirement for multiple victims to be present for a civil RICO claim to prevail. The focus is on the injury to the plaintiff's business or property, not on the number of victims. Therefore, a single victim can potentially bring a successful civil RICO claim if they meet the statutory requirements.

## [Defending RICO Claims In The Business Context Part II: RICO Claims Must Allege Injury To Business Or Property](#)

## **Extract**

If a plaintiff brings a civil suit alleging a RICO violation, the plaintiff must plausibly allege that his injury animating the RICO claim is associated with his business or property by reason of the defendant's violation of the RICO laws. Absent these allegations, the lawsuit must be dismissed.

## **Summary**

For a civil RICO claim to prevail, the plaintiff must allege an injury to their business or property caused by the defendant's violation of RICO laws. It does not mention the requirement of having multiple victims for a RICO claim to succeed. The focus is on the plaintiff's injury and its causal relationship with the alleged RICO violation. Therefore, the passage suggests that having multiple victims is not a requirement for a civil RICO claim to prevail.

This memo was compiled by Vincent AI based on vLex materials available as of June 12, 2025. [View full answer on vLex](#)