



alleged fraud in order to place Defendants on notice of the precise misconduct they are charged. *See* Pl.s' Br. Opp'n at 4, ECF No. 11. Plaintiffs further argue that the Complaint contains detailed factual allegations sufficient to allow the moving Defendants to analyze the basis of Plaintiffs' RICO claims and file responsive pleadings. *Id.*

The Court notes that specificity is imperative in this matter, both because Plaintiffs' fraud allegations implicate the heightened pleading standard of Rule 9(b) and because the RICO statute itself requires specificity, particularly in light of the heavy penalties imposed upon an unsuccessful RICO defendant. *See Grant v. Turner*, No. CIV.A. 09-2381 GEB, 2010 WL 4004719, at \*4 (D.N.J. Oct. 12, 2010).

Therefore, the Court will terminate the motions to dismiss and exercise its authority pursuant to Local Civil Rule 16.1(b)(4) to require that Plaintiffs file a RICO Case Statement in the form set forth in Appendix O to the Local Civil Rules. This statement "is equivalent to a supplemental pleading which shall include the facts Plaintiffs are relying upon to initiate this RICO complaint as a result of the 'reasonable inquiry' standard required by Fed.R.Civ.P. 11." L. Civ. R., App. O. The RICO Case Statement is "designed to aid plaintiffs in framing their claims with particularity sufficient for the requirements of the RICO statute." *Northland Ins. Co. v. Shell Oil Co.*, 930 F.Supp. 1069, 1073 (D.N.J.1996).

To ensure that these issues are resolved in a timely manner and to avoid any need for the filing of redundant motion papers on the same issues, the Court will set a schedule for submission of the RICO Case Statement and renewed motion briefing. Plaintiffs shall submit their RICO Case Statement no later than thirty days from the date of this memorandum opinion and order. Defendants may renew their motions to dismiss no later than thirty days thereafter, and they need only supplement their prior moving papers as to those matters materially affected by the RICO

Case Statement. Plaintiffs' opposition to Defendants' renewed motions and Defendants' subsequent reply papers must be filed in accord with Local Rule of Civil Procedure 7.1. Upon the filing of Defendants' responsive pleadings, the Court will determine how discovery in this matter shall proceed.

**IT IS** on this **8<sup>th</sup>** day of **November, 2017**,

**ORDERED** Plaintiffs are to file a RICO Case Statement pursuant to Local Civil Rule 16.1(b)(4) and Appendix O no later than **thirty (30) days** from the date of this memorandum opinion and order; and it is further

**ORDERED** that Defendants may renew their motions to dismiss no later than **thirty (30) days** thereafter, and they need only supplement their prior moving papers to those matters materially affected by the RICO Case Statement; and it is further

**ORDERED** that Plaintiffs' opposition to Defendants' renewed motions and Defendants' subsequent reply papers must be filed in accord with the Local Rules of Civil Procedure 7.1.; and it is further

**ORDERED** that the Clerk of Court shall **TERMINATE** the motions at [ECF Nos. 4, 14, 23, 26, 29, 30].

s/ James B. Clark, III  
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**JAMES B. CLARK, III**  
**United States Magistrate Judge**