

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/30/2022

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LATERAL RECOVERY, LLC *et al.*,

Plaintiffs,

-v-

CAPITAL MERCHANT SERVICES, LLC *et al.*,

Defendants.

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21-cv-9336 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

Defendants have filed three separate motions to dismiss an amended complaint brought against them. Dkt. Nos. 21, 24, and 26.

For the reasons stated in a forthcoming Opinion and Order, the motions to dismiss are GRANTED IN PART and DENIED IN PART. The Court grants the motions to dismiss on the common law fraud claims. The Court denies the motions to dismiss as to the RICO conspiracy claim and the substantive RICO claim.

The Clerk of Court is respectfully directed to close Dkt. Nos. 21, 24, and 26.

SO ORDERED.

Dated: September 30, 2022
New York, New York



LEWIS J. LIMAN
United States District Judge