

RICO REVIEW

FOSTER [PC](#)

March 2013

Decision Expected in Appeal Against Wall Street Tycoon Steven A. Cohen

A decision is expected imminently in [Patricia Cohen v. Steven A. Cohen, et al.](#), the appeal we argued last year. We represent Patricia Cohen, former wife of Steven A. Cohen, principal of SAC Capital, one of the largest hedge funds on Wall Street.

The lawsuit alleges that Mr. Cohen hid millions of dollars of their marital assets during their divorce and perpetrated other RICO violations. The District Court dismissed the suit but we are optimistic

about our prospects for reversal in light of the February 2012 oral argument before a panel of the Second Circuit Court of Appeals in New York.

Steven A. Cohen is now the subject of intense scrutiny by federal officials relating to alleged insider trading. You can read a recent *New York Times* article on SAC Capital and the current S.E.C. investigation [here](#) and the November 28, 2012 *DealBook* article [here](#).

Oral Argument Granted in 11th Circuit Appeal Involving Daubert Motion

The Eleventh Circuit Court of Appeals will hold an oral argument in [Broussard v. Maples](#), where our experts' opinions were incorrectly excluded.

We hope the Eleventh Circuit will reinstate this RICO class action alleging wage depression by an Alabama rug manufacturer by hiring illegal aliens in order to depress the wages of American workers, our clients. The Eleventh Circuit allowed the landmark *Mohawk* class action to

proceed in a series of decisions from 2005-2009. However, those rulings did not address the important questions surrounding use of experts to establish which workers are illegal and the amount of wage depression caused by the RICO violations.

The RICO Review is a bi-annual newsletter circulated by Foster P.C., a Chicago-based law firm founded in 2009, which deals exclusively with civil RICO matters. We represent individuals and businesses, and partner with other law firms in need of RICO assistance.

Co-Counsel Opportunities

In addition to representing individual victims of racketeering, Foster PC also has experience working with law firms—large and small—around the country that have clients involved with RICO litigation, as plaintiffs or defendants.

If you represent a client involved in RICO litigation and need assistance with any of the following, Foster PC can help:

- Preparing a RICO complaint or claim;
- An existing client wants an opinion about a possible RICO case;
- A RICO complaint subjected to a Motion to Dismiss;
- A RICO complaint has been dismissed and your client seeks to file an Amended Complaint;
- Your client's existing RICO case is pending, but wants to make it stronger;
- An expert opinion is needed in civil RICO litigation, arbitration or mediation;
- Your client is a defendant in a civil RICO matter;
- Your client is facing class certification in a RICO matter;
- Issues related to venue in RICO cases;
- General consulting for RICO cases; and
- Appellate consulting in RICO cases.

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New RICO Allegations Against Oil Giant, BP

Foster P.C. is suing a U.S. subsidiary of BP for engaging in a years-long pattern of bribing Russian officials to effect sales of its petroleum products. This pattern of violating the Foreign Corrupt Practices Act, combined with the fraud committed against Lillian Borich of Chicago, establishes the basis for our RICO case. Discovery may uncover the extent to which BP has a bribery-based business model in Eastern Europe.

Hearing Set in \$100 Million RICO Suit

A hearing has been set in [Hourani v. Mirtchev](#), the \$100 million suit brought on behalf of former Kazakhstan nationals who allege a conspiracy by a prominent Washington, D.C. consultant to extort their considerable business holdings.

The case is currently pending in the U.S. District Court in Washington, D.C.. This case has significant implications for other RICO cases which are based in the U.S., but have some foreign elements, a controversial issue in federal courts since the Supreme Court's 2010 decision limiting the reach of federal laws.

Updates will continue to be posted to the case's page on our website.

Contact Us

If you think you have a civil RICO case, please contact our office through [this link](#) on our website and provide us with some general information about your case. One of our attorneys will review your submission and call you shortly.



Blog Spotlight

In addition to our website, we offer a more detailed view of RICO law as it applies to our cases, clients, and business through our blog.

Howard Foster posts monthly on the [Foster PC blog](#), as well as serves as a contributing blogger on [The Huffington Post Politics](#) page. Our posts explore a variety of topics, including RICO law, politics and immigration issues, as they relate to and affect many of our past and present cases and clients.

In January 2013's featured blog post, Howard discusses a recent decision involving a law firm's involvement with a RICO scheme in the Federal District Court of Washington, D.C. You can read the full post here: [January 2013](#). February 2013's post offered some insight on the always current topic of immigra-

tion reform as it relates to employment. The full text of the blog post can be found here: [February 2013](#).

Howard also blogged extensively this past election season on our blog. To browse our blog's archives and stay updated with the most recent posts, please follow our Wordpress blog by clicking on the icon below.



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