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## Supreme Court Rejects Requirement That a RICO Enterprise Must Have a Structure Beyond That Inherent in the Pattern of Racketeering Activity in Which It Engages

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On June 8, 2009, the Supreme Court issued a 7-2 decision in *Boyle v. United States* that resolved a lower-court split concerning the RICO "enterprise" requirement in a way that will make it easier for RICO plaintiffs to plead "association in fact" enterprises. Relying on its earlier decision in *United States v. Turkette*, the Court held that such an enterprise must have a "structure," but it rejected the requirement imposed by a number of lower courts that the structure must be something more than that which is inherent in the pattern of racketeering activity in which the enterprise engages. Together with last Term's decision in *Bridge v. Phoenix Bond & Indemnity Co.*, Boyle marks a return to the common-sense, plain English mode of statutory interpretation that had been the hallmark of the Court's RICO jurisprudence for more than two decades before the 2006 detour into free-form policy analysis in *Anza v. Ideal Steel Supply Corp.*

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