

7 PJI 5 | FRAMEWORK FOR SPECIAL INTERROGATORIES TO THE JURY - 18 USC §1962 (A) - (C)

Because special interrogatories will vary significantly in RICO cases, this format simply suggests a general framework and structure for use in drafting special-interrogatory-verdict forms.

SPECIAL INTERROGATORIES TO THE JURY

Do you find from a preponderance of the evidence:

1. That [Defendant] operated or managed an interest in an enterprise through a pattern of racketeering activity?

Answer Yes or No _____

2. State if you unanimously find that [Plaintiff] proved by a preponderance of the evidence that [Defendant] committed any of the following acts:

Category 1: Mail Fraud

As to Racketeering Act 1A:

(Example: Invoice dated A from Defendant to Plaintiff)

Answer Proved or Not Proved _____

As to Racketeering Act 1B:

(Example: Invoice dated B from Defendant to Plaintiff)

Answer Proved or Not Proved _____

As to Racketeering Act 1C:

(Example: Invoice dated C from Defendant to Plaintiff)

Answer Proved or Not Proved _____

Category 2: Wire Fraud

As to Racketeering Act 2A:

(Example: E-mail dated A from Defendant to X, copying Plaintiff)

Answer Proved or Not Proved _____

As to Racketeering Act 2B:



(Example: Fax dated B from Defendant to Plaintiff)

Answer Proved or Not Proved _____

As to Racketeering Act 2C:

(Example: Wire transfer dated C from Plaintiff to Defendant)

Answer Proved or Not Proved _____

Category 3: Interstate Transportation of Stolen Property

As to Racketeering Act 3A:

(Example: Transmission in interstate commerce of funds of \$5,000 or more known to have been taken by fraud)

Answer Proved or Not Proved _____

If you found in paragraph 1 above that [Defendant] is liable on Count 1, what is the amount of damages, if any, that you find was proximately caused by the violation?

\$ _____

SO SAY WE ALL.

DATE: _____

Foreperson's Signature

((Rev. 03/2022) | *Judicial Council of the United States Eleventh Judicial Circuit*)

Annotations and Comments

No annotations associated with this instruction.

