

## NEWS & INSIGHTS

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### GE CAPITAL RETAIL BANK OBTAINS DISMISSAL, WITH PREJUDICE, OF RICO CLAIMS

November 6, 2015

Lightfoot attorneys recently obtained the dismissal, with prejudice, of RICO claims asserted against GE Capital Retail Bank in a putative nationwide class action pending in the U.S. District Court for the Northern District of Alabama. The plaintiff alleged that GE violated RICO, 18 U.S.C. § 1962(a), (c), and (d), by financing consumers' purchases of HVAC units and their associated manufacturers' warranties. According to the plaintiff, GE's financing activities amounted to RICO violations because the seller of the manufacturers' warranties never actually obtained them and, instead, provided the consumers with insurance policies from a now-insolvent third party. At the case's outset, Lightfoot attorneys filed a motion to dismiss, which sought the dismissal of these claims due to their implausibility as well as their failure to satisfy the substantive requirements associated with RICO claims. After extensive briefing, the Court granted that motion and dismissed, with prejudice, the putative nationwide class action against GE. View pdf for a copy of the [Court's memorandum opinion](#). GE was represented by Sara Anne Ford, Lee M. Hollis, and Jeffrey P. Doss.