



## DEPARTMENT OF JUSTICE

### OREGON RACKETEERING LAW

ORS 166.720. Racketeering activity unlawful.

(3) It is unlawful for any person employed by, or associated with, any *enterprise* to conduct or participate, directly or indirectly, in such enterprise through a pattern of racketeering activity . . .

ORS 166.715. Definitions for racketeering.

(2) "*Enterprise*" includes any individual, sole proprietorship, partnership, corporation, business trust or other profit or nonprofit legal entity, and includes any union, association or group of individuals associated in fact although not a legal entity, and both illicit and licit enterprises and governmental and nongovernmental entities.

(4) "*Pattern of racketeering activity*" means engaging in at least two [specific crimes] that have the same or similar intents, results, accomplices, victims or methods of commission or otherwise are interrelated . . .

### BASIC OREGON SECURITIES LAW

ORS 59.135. Fraud and deceit with respect to securities or securities business.

It is unlawful for any person, directly or indirectly, in connection with the purchase or sale of any security or the conduct of a securities business or for any person who receives any consideration from another person primarily for advising the other person as to the value of securities or their purchase or sale, whether through the issuance of analyses or reports or otherwise:

- (1) To employ any device, scheme or artifice to defraud;
- (2) To make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading;
- (3) To engage in any act, practice or course of business which operates or would operate as a fraud or deceit upon any person;

### Potential Remedies

- Dissolution of corporate charters.
- Recovery of damages.
- Civil penalties.
  - \$250,000 per violation per violator (RICO)
  - \$20,000 per violation (Securities)
- Attorney fees & investigative costs.
- Disgorgement of ill-gotten gain.
- License revocation.
- Civil forfeiture of property used to facilitate the violations.
- Court-supervised reformation of the future conduct of an organization or business.