



3. Plaintiffs' RICO claim fails here because Plaintiffs have named GFA as an alleged RICO "person" as well as the alleged RICO "enterprise."

4. Further, under Rule 12(b)(6), Plaintiffs must allege sufficient facts about their own claims (not alleged wrongs done to other people) to state a claim upon which relief may be granted.

5. Pursuant to Federal Rule of Civil Procedure 9(b), claims alleging fraud or a fraudulent scheme must be pled with particularity and must state the who, what, when, where, and how of the circumstances constituting the fraud.

6. Here, Plaintiffs' common law fraud, ADTPA, and unjust enrichment claims are based on the same alleged fraudulent scheme that they claim induced them to make donations, and thus are subject to Rule 9(b).

7. The only donations Plaintiffs identify in support of all of their claims occurred in 2013, with the only one discussed being a \$25 gift made on May 12, 2013, to "widows and abandoned children."

8. None of the alleged misrepresentations upon which Plaintiffs claim to have relied identified in the Complaint predate Plaintiffs' 2013 gifts, and thus Plaintiffs have not identified any misrepresentations, reliance or other elements to state the claims they have made.

9. Therefore each of the claims asserted should be dismissed.

10. Defendants are submitting a brief in support of this motion.

WHEREFORE, GFA respectfully requests that the Court grant its Motion to Dismiss and dismiss Plaintiffs' claims, and prays that the Court grant it all such other and further relief, in law or in equity, to which it may be justly entitled.

DATED: April 15, 2016.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that, on April 15, 2016, I electronically filed the foregoing document with the Clerk of the Court, to be served by operation of the Court's electronic filing system on the attorneys of record.

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