

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

**Thanh Tam Nguyen and MDA LLC v. Clarence William Ramsey III;
Shyrock MCA Holding, LLC; Calhoun Realty Company d/b/a
Calhoun Companies; Manoj Moorjani; and Brent Joseph Johnson**

Nguyen · No. Civil No. 25-1750 (JRT/JFD); 0:25-cv-01750 · Decided January 14, 2026

SUMMARY

The United States District Court for the District of Minnesota grants in part and denies in part the Shyrock Defendants’ motion to dismiss claims arising from the sale of Mill City Anesthesia LLC. The court holds that plaintiffs plausibly pleaded a civil RICO claim with particularity and that supplemental jurisdiction exists over the state-law claims. It dismisses any standalone civil wire-fraud claim with prejudice because the Eighth Circuit does not recognize civil wire fraud as an independent cause of action.

CASE DETAILS

COURT	United States District Court for the District of Minnesota
WRITING FOR THE COURT	John R. Tunheim
JURISDICTION	United States District Court for the District of Minnesota
DECIDED	January 14, 2026
DOCKET	Civil No. 25-1750 (JRT/JFD); 0:25-cv-01750
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs brought claims under RICO, the federal wire-fraud statute, and state law arising from the sale of a business. Defendants Clarence William Ramsey III and Shyrock MCA Holding, LLC moved to dismiss under Federal Rules of Civil Procedure 9(b), 12(b)(1), and 12(b)(6).
STANDARD OF REVIEW	For Rule 12(b)(1), the court may weigh evidence and satisfy itself that jurisdiction exists; when the challenge is based on the pleadings, the standard is the same as Rule 12(b)(6). For Rule 12(b)(6), the court accepts well-pleaded factual allegations as true, construes them in the plaintiff's favor, and asks whether the complaint states a facially plausible claim. Rule 9(b) requires fraud to be pleaded with particularity, including the who, what, where, when, and how.

PRECEDENTIAL VALUE	unpublished district court order; persuasive authority only
PARTIES	Thanh Tam Nguyen, MDA LLC v. Clarence William Ramsey III, Shyrock MCA Holding, LLC, Calhoun Realty Company d/b/a Calhoun Companies, Manoj Moorjani, Brent Joseph Johnson

TOPICS

motions to dismiss

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Plaintiffs plausibly pleaded a civil RICO claim, including conduct, enterprise, pattern of racketeering activity, predicate wire-fraud acts, and an interstate-commerce nexus.
2. Whether Plaintiffs pleaded the alleged RICO predicate acts of wire fraud with the particularity required by Federal Rule of Civil Procedure 9(b).
3. Whether 18 U.S.C. § 1343 provides a private cause of action for standalone civil wire fraud.
4. Whether the court should exercise supplemental jurisdiction over the state-law claims after denying dismissal of the RICO claim.

HOLDINGS

1. The Complaint plausibly alleged a civil RICO claim against the Shyrock Defendants and sufficiently pleaded the conduct, enterprise, pattern, racketeering-activity, and interstate-commerce elements at the motion-to-dismiss stage.
2. Plaintiffs pleaded the alleged wire-fraud predicate acts with sufficient particularity under Rule 9(b).
3. Plaintiffs did not plausibly allege closed-ended continuity because the alleged predicate acts occurred over approximately four to five months.
4. The standalone civil wire-fraud claim was dismissed with prejudice because § 1343 does not confer a private cause of action.
5. The court exercised supplemental jurisdiction over the state-law claims because the RICO claim was not dismissed.

KEY QUOTATIONS

“RICO ‘does not cover all instances of wrongdoing. Rather, it is a unique cause of action that is concerned with eradicating organized, long-term habitual criminal activity.’” (Discussion II.A)

“The Court concludes that the Complaint plausibly alleges open-ended continuity and relatedness, but not closed-ended continuity.” (Discussion II.A.3)

“The Court’s dismissal of Count II does not prevent Plaintiffs from alleging wire fraud as RICO predicate acts.” (Discussion II.B)

FACTUAL BACKGROUND

Plaintiffs purchased Mill City Anesthesia LLC for \$850,000 after allegedly receiving misleading financial, staffing, customer, and litigation information from the defendants. Plaintiffs allege that Ramsey and associated defendants concealed Mill City's deteriorating financial condition, unpaid contractors, loss of CRNAs and customers, and pending litigation while making representations designed to induce the purchase. The transaction was funded through wire transfers from a Missouri lender to Minnesota recipients, and Plaintiffs allegedly discovered the problems after closing.

PROCEDURAL HISTORY

Plaintiffs filed the Complaint on April 28, 2025, asserting fourteen causes of action against five defendants. The Shyrock Defendants moved to dismiss the RICO and wire-fraud claims for failure to state a claim and failure to plead fraud with particularity, and sought dismissal of the state-law claims for lack of subject-matter jurisdiction. The court denied dismissal of the RICO claim, dismissed the standalone civil wire-fraud claim with prejudice, and retained supplemental jurisdiction over the state-law claims.

DISPOSITION

other

CASES CITED

- *Osborn v. United States*, 918 F.2d 724, 730 (8th Cir. 1990)
- *Stalley v. Catholic Health Initiatives*, 509 F.3d 517, 521 (8th Cir. 2007)
- *Braden v. Wal-Mart Stores, Inc.*, 588 F.3d 585, 594 (8th Cir. 2009)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)
- *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007)
- *H & Q Props., Inc. v. Doll*, 793 F.3d 852, 856 (8th Cir. 2015)
- *Crest Constr. II, Inc. v. Doe*, 660 F.3d 346, 353-57 (8th Cir. 2011)
- *Gamboa v. Velez*, 457 F.3d 703, 705 (7th Cir. 2006)
- *Nitro Distrib. Inc. v. Alticor, Inc.*, 565 F.3d 417, 428 (8th Cir. 2009)
- *Craig Outdoor Advert. v. Viacom Outdoor, Inc.*, 528 F.3d 1001, 1027-28 (8th Cir. 2008)
- *Abels v. Farmers Commodities Corp.*, 259 F.3d 910, 918, 920 (8th Cir. 2001)
- *United States ex rel. Joshi v. St. Luke's Hosp., Inc.*, 441 F.3d 552, 556 (8th Cir. 2006)
- *United States ex rel. Costner v. United States*, 317 F.3d 883, 888 (8th Cir. 2003)
- *Handeen v. Lemaire*, 112 F.3d 1339, 1347-53 (8th Cir. 1997)
- *Reves v. Ernst & Young*, 507 U.S. 170, 184-85 (1993)
- *National Organization for Women, Inc. v. Scheidler*, 510 U.S. 249, 259 (1994)

- Boyle v. United States, 556 U.S. 938, 946, 948 (2009)
- Aragon v. Che Ku, 277 F. Supp. 3d 1055, 1070-71 (D. Minn. 2017)
- Atlas Pile Driving Co. v. DiCon Fin. Co., 886 F.2d 986, 991, 995 (8th Cir. 1989)
- H.J. Inc. v. Northwestern Bell Tel. Co., 492 U.S. 229, 239-43 (1989)
- Target Corp. v. LCH Pavement Consultants, LLC, No. 12-1912, 2013 WL 2470148, at *3 (D. Minn. June 7, 2013)
- Primary Care Invs., Seven, Inc. v. PHP Healthcare Corp., 986 F.2d 1208, 1215-16 (8th Cir. 1993)
- Terry A. Lambert Plumbing, Inc. v. W. Sec. Bank, 934 F.2d 976, 981 (8th Cir. 1991)
- Medallion Television Enters., Inc. v. SelecTV of California, Inc., 833 F.2d 1360, 1363 (9th Cir. 1987)
- UMB Bank, N.A. v. Richard Guerin, as personal representative for the estate of Jessie Benton, et al, UMB Bank, N.A. v. Guerin, 89 F.4th 1047, 1053 (8th Cir. 2024)
- Nelson v. Nelson, No. 14-4854, 2015 WL 4136339, at *5 (D. Minn. July 8, 2015)
- United States v. Quick, 153 F. App'x 408, 409 (8th Cir. 2005)
- United States v. Edelmann, 458 F.3d 791, 812 (8th Cir. 2006)
- United States Sec. & Exch. Comm'n v. Markusen, No. 14-3395, 2016 WL 1629267, at *9 (D. Minn. Apr. 25, 2016)
- United States v. Riddle, 249 F.3d 529, 537 (6th Cir. 2001)
- Louis DeGidio, Inc. v. Indus. Combustion, LLC, No. 19-2690, 2019 WL 6894437, at *3 n.2 (D. Minn. Dec. 18, 2019)
- Royal Canin U.S.A., Inc. v. Wullschleger, 604 U.S. 22, 32 (2025)