

1 conspiracy. In the absence of such specificity, Cascade's RICO conspiracy claim is facially
2 insufficient. *See Jameson*, 2009 U.S. Dist. LEXIS at *13-14. Defendants respectfully request
3 that Count Six of the Amended Complaint be dismissed.

4
5 **IV. CONCLUSION**

6 For the foregoing reasons, this Court should dismiss Count Six of the Amended
7 Complaint for failure to state a claim.

8
9 DATED this 26th day of July, 2010.

10 Pepper Hamilton LLP

11 By /s/ Joshua R. Slavitt

12 Joshua R. Slavitt (Admitted *Pro Hac Vice*)
13 Deirdre E. McInerney (Admitted *Pro Hac Vice*)
14 3000 Two Logan Square
15 Philadelphia, PA 19102
16 Tel.: (215) 981-4000
17 Fax: (215) 981-4750
18 E-mail: slavittj@pepperlaw.com
19 mcinerneyd@pepperlaw.com

20 Davis Wright Tremaine LLP

21 By /s/ Warren J. Rheaume

22 Warren J. Rheaume, WSBA #13627
23 Rebecca Francis, WSBA #41196
24 1201 Third Avenue, Suite 2200
25 Seattle, Washington 98101-3045
26 Tel.: (206) 757-8035
27 Fax: (206) 757-7035
E-mail: warrenrheaume@dwt.com
rebeccafrancis@dwt.com

Attorneys for Defendants