

**United States Court of Appeals
FOR THE EIGHTH CIRCUIT**

No. 98-2720

L. Timothy Wagner, Director of *
Insurance for the State of Nebraska as *
Liquidator of Great Plains Insurance Co.*
Great Plains Insurance Co., Inc. and as *
Liquidator of Regency Equities *
Reinsurance Company *

Plaintiff - Appellee *

v. *

Gennaro J. Orrico; Colleen M. Orrico; *
Alfonso S. Giordano; Frank J. Licata; *

Defendants - Appellants *

Robert W. Boughton; *

Defendant *

Great Plains Capital Corporation; Metro *
General Agency; NEWCO, Inc.; *
London and American Insurance *
Company; American International Life *
& Casualty; Caribbean Auto Trading *
Company, Inc.; G&C Properties, Inc.; *

Defendants - Appellants *

Jeffrey A. Silver; Investments *
International 1990, Ltd. *

Defendants *

No. 98-2902

Appeals from the United States
District Court for the
District of Nebraska

L. Timothy Wagner, Director of *
Insurance for the State of Nebraska as *
Liquidator of Great Plains Insurance Co. *
Inc. and as Liquidator of Regency *
Equities Reinsurance Company *

Plaintiff - Appellee *

v. *

Gennaro J. Orrico; Colleen M. Orrico; *
Alfonso S. Giordano; Frank J. Licata; *
Robert W. Boughton; Great Plains *
Capital Corporation; Metro General *
Agency; NEWCO, Inc.; London and *
American Insurance Company; *
American International Life & *
Casualty; Caribbean Auto Trading *
Company, Inc.; G&C Properties, Inc.; *
and Jeffrey A. Silver; *

Defendants *

Investments International 1990, Ltd. *

Defendant - Appellant *

Submitted: April 21, 1999

Filed: May 21, 1999

Before BOWMAN and FAGG, Circuit Judges, and BOGUE,¹ District Judge.

BOGUE, Senior District Judge.

This case arises from the liquidation by appellee of two casualty insurance companies - Great Plains Insurance Co., Inc. and Regency Equities Reinsurance Company. The appellants were involved in a scheme to divert funds from the now defunct insurance companies resulting in their financial ruin. As a result, the Director of Insurance for the state of Nebraska initiated liquidation proceedings and brought this action alleging federal civil RICO and supplemental state law claims.

Following an eight day trial, the jury found for the appellee and awarded \$16.7 million in damages which was trebled to \$50.1 million pursuant to 18 U.S.C. § 1964(c). Subsequently, appellee sought a constructive trust and accounting on its equitable claims which the district court² granted. Appellants appeal several rulings of the district court including a denial of appellants' Federal Rule of Civil Procedure 50 motion and various evidentiary matters. Appellant Colleen Orrico joined in the appeal and submitted three separate grounds for reversal.

Having considered the case, we conclude that there exists no basis to reverse the district court's rulings. Accordingly, we affirm in all respects.

¹The Honorable Andrew W. Bogue, United States District Judge for the District of South Dakota, sitting by designation.

²The Honorable Thomas M. Shanahan, United States District Judge for the District of Nebraska.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.