

503 US 258 (1992)

No. 90-727

IN THE
Supreme Court of the United States
OCTOBER TERM, 1990

ROBERT G. HOLMES, JR.,

Petitioner

vs.

SECURITIES INVESTOR PROTECTION
CORPORATION, et al.

Respondents

ON WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

BRIEF OF *AMICUS CURIAE*
NATIONAL ASSOCIATION OF SECURITIES
AND COMMERCIAL LAW ATTORNEYS
(NASCAT) IN SUPPORT OF RESPONDENTS

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QUESTION PRESENTED

Did the District Court err in granting summary judgment to Petitioner, Robert G. Holmes, Jr., when it held that Respondent, Securities Investor Protection Corporation, must be a "purchaser or seller" of securities in order to maintain an action under 18 U.S.C. §1964(c), which provides that "any person" may sue to recovery for an "injury to his business or property" which is "by reason of" any offense "involving fraud in the sale of securities . . . punishable under any law of the United States," mail fraud, or wire fraud carried out in violation of 18 U.S.C. §1962?

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