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only relevant statute is the Act's broad state-law statute of repose. [15] Part of the problem in applying these equitable rules of tolling to the facts in this case is that the defendants did not assert the equitable defense of laches in the New York court and it is not clear if the New York court had an opportunity to consider these equitable grounds for tolling, if any. However, assuming *arguendo* that the New York court had considered these arguments, we would not find that the New York court abused its discretion in declining to apply these principles, and tolling the statute of limitations. [16] While the district court was correct to hold that the RICO statute is silent on the issue of service, the distinction between service on a representative capacity and service on a personal capacity is a relatively new and developing issue. Because this issue has not been decided in this Circuit, we continue to endorse the district court's approach in the order to show cause. [17] We note that we are, in fact, aware of a recent decision from the Southern District of New York which has approved service on a representative capacity. See *Metropolitan Life Ins. Co. v. AVM Corp.*, 717 F.Supp. 1435 (S.D.N.Y.1989). But, we find the reasoning of that decision unpersuasive and, therefore, we decline to follow it. [18] 18 U.S.C. §