

# **EXHIBIT 1**

## **(March 25, 2021 Hearing Transcript)**

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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION  
HONORABLE MARIA A. AUDERO, U.S. MAGISTRATE JUDGE

UNITED STATES OF AMERICA, )  
 )  
 PLAINTIFF, )  
 )  
 vs. ) No. CR 20-0579-SVW-6  
 )  
 ARMAN HAYRAPETYAN, )  
 )  
 DEFENDANT. )  
 \_\_\_\_\_ )

REPORTER'S TRANSCRIPT OF PROCEEDINGS  
THURSDAY, MARCH 25, 2021  
2:10 P.M.  
LOS ANGELES, CALIFORNIA

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**CHIA MEI JUI, CSR 3287, CCRR, FCRR**  
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1 APPEARANCES OF COUNSEL:

2 FOR THE PLAINTIFF:

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5 ASSISTANT U.S. ATTORNEY  
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7 13TH FLOOR  
8 LOS ANGELES, CALIFORNIA 90012  
9 (213) 894-2434

10  
11 FOR THE DEFENDANT:

12 TAHMAZIAN LAW FIRM, P.C.  
13 BY: JILBERT TAHMAZIAN, ATTORNEY AT LAW  
14 1518 WEST GLENOAKS BOULEVARD  
15 GLENDALE, CALIFORNIA 91201  
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17  
18 ALSO PRESENT:

19 ASBED POGARIAN, ARMENIAN INTERPRETER  
20  
21  
22  
23  
24  
25

1 LOS ANGELES, CALIFORNIA; THURSDAY, MARCH 25, 2021

2 2:10 P.M.

3 - - -

4 THE CLERK: Calling CR 20-579, United States of  
5 America versus Arman Hayrapetyan.

6 Appearances, please.

7 MR. FAERSTEIN: Good afternoon, Your Honor.  
8 Brian Faerstein on behalf of the United States.

9 THE COURT: Good afternoon, Mr. Faerstein.

10 MR. TAHMAZIAN: Good afternoon, Your Honor.  
11 Jilbert Tahmazian on behalf of Mr. Hayrapetyan.

12 THE COURT: Good afternoon, Mr. Tahmazian. For  
13 some reason the documents that I have here say that he  
14 was -- Mr. -- the defendant was going to be represented by  
15 Jilbert Hayrapetyan. Is that not the case?

16 MR. TAHMAZIAN: They made a mistake, Your Honor.

17 THE COURT: Okay.

18 MR. TAHMAZIAN: They put his name with my last  
19 name.

20 THE COURT: Okay. Got it. Well, thank you. Good  
21 afternoon, Mr. Tahmazian, and good afternoon,  
22 Mr. Hayrapetyan. Okay.

23 THE DEFENDANT: Good afternoon.

24 THE COURT: Do we have need for consular  
25 notification? I see that he is an Armenian citizen.

1 MR. FAERSTEIN: We do, Your Honor, and the case  
2 agent has notified the Armenian consulate.

3 THE COURT: Thank you.

4 Sir, is your true and correct name Arman  
5 Hayrapetyan?

6 THE DEFENDANT: Yes.

7 THE COURT: Do we have an interpreter here?

8 THE INTERPRETER: Yes, Your Honor.

9 THE COURT: Perhaps we should get the interpreter  
10 identified for the record.

11 THE INTERPRETER: Interpreter name is Asbed  
12 Pogarian. Oath is on file.

13 THE COURT: Okay. I'm sorry, but I can hardly  
14 hear you. Can you speak up a little bit or turn up the  
15 volume or something.

16 THE INTERPRETER: How is it now? Can you hear me  
17 now?

18 THE COURT: Barely, but just speak loud enough to  
19 get your name on the record, and that's all we need.

20 THE INTERPRETER: Okay. Asbed Pogarian.

21 THE COURT: Okay.

22 THE INTERPRETER: Did you hear that?

23 THE COURT: I did.

24 THE INTERPRETER: Okay. Good.

25 THE COURT: Mr. Hayrapetyan, I see that you are

1 being assisted by an Armenian language interpreter. Is that  
2 correct?

3 THE DEFENDANT: Yes.

4 THE COURT: Do you understand the translation  
5 that's being provided to you, sir?

6 THE DEFENDANT: At this moment, yes.

7 THE COURT: If at any point during our proceedings  
8 you cease to either understand the translation or hear your  
9 interpreter, would you please let me know right away? Do  
10 you agree on that?

11 THE DEFENDANT: Yes.

12 THE COURT: Okay. Thank you very much. So let me  
13 start again.

14 Sir, is your true and correct name Arman  
15 Hayrapetyan?

16 THE DEFENDANT: Yes.

17 THE COURT: Okay. Mr. Hayrapetyan, I have here a  
18 document through which you have waived your right to appear  
19 in person in court and instead have consented to appearing  
20 via video teleconference, which is what we are doing right  
21 now. This document has been signed for you by perhaps your  
22 attorney.

23 Did you authorize your attorney to sign this  
24 document for you, sir?

25 THE DEFENDANT: I have spoken through the

1 interpreter, but I haven't directly spoken to the attorney.

2 THE COURT: Counsel, were you authorized to sign  
3 this document on his behalf?

4 MR. TAHMAZIAN: We talked yesterday. Maybe he  
5 forgets, Your Honor, about this process. I indicated I will  
6 be signing documents on his behalf. Maybe he forgot.

7 THE COURT: Mr. Hayrapetyan, do you remember now  
8 that you allowed -- you authorized your attorney to sign  
9 this document on your behalf?

10 THE DEFENDANT: Yes. Yes.

11 THE COURT: All right. Before you did that, sir,  
12 did you have an opportunity to speak with your attorney  
13 about what it means to waive your right to be present in  
14 person in court?

15 THE DEFENDANT: Yes. He explained.

16 THE COURT: Okay.

17 THE DEFENDANT: Because of Coronavirus.

18 THE COURT: Do you understand what it means to  
19 waive these rights?

20 THE DEFENDANT: Of course, yes.

21 THE COURT: And with that understanding, do you  
22 still wish to waive those rights, sir?

23 THE DEFENDANT: Yes. But if there is a need, then  
24 I mean, I can be there.

25 THE COURT: No. Yes or no is good enough. Do you

1 still agree to waive those rights?

2 THE DEFENDANT: Yes. Yes, I agree.

3 THE COURT: Mr. Tahmazian, is this your signature  
4 indicating that you concur with this waiver?

5 MR. TAHMAZIAN: That's correct, Your Honor.

6 THE COURT: All right. Thank you.

7 The Court finds the waiver to be knowing and  
8 voluntary and accepts it as such.

9 Mr. Hayrapetyan, I have here a document entitled  
10 Advisement of Defendant's Statutory and Constitutional  
11 Rights. That has been signed for you.

12 Did you authorize your attorney to sign this  
13 document on your behalf?

14 THE DEFENDANT: Yes.

15 THE COURT: Before you did that, was this document  
16 translated to you into the Armenian language?

17 THE DEFENDANT: Yes, of course, yes.

18 THE COURT: And did you understand that  
19 translation, sir?

20 THE DEFENDANT: Yes.

21 THE COURT: And do you understand that this  
22 document contains a list of your statutory and  
23 constitutional rights?

24 THE DEFENDANT: Yes.

25 THE COURT: And do you understand the --

1 [Sound on audio.]

2 THE DEFENDANT: Could you repeat that, Your Honor.  
3 There was a sound.

4 THE COURT: Sure. And do you understand those  
5 rights?

6 THE DEFENDANT: Yes, of course.

7 THE COURT: Okay.

8 And for the interpreter, did you translate this  
9 document into the Armenian language for Mr. Hayrapetyan?

10 THE INTERPRETER: Yes, I did, Your Honor.

11 THE COURT: Thank you.

12 Counsel, Mr. Tahmazian, is this your signature  
13 indicating that you satisfied yourself that your client  
14 understands his rights?

15 MR. TAHMAZIAN: Yes, it is, Your Honor.

16 THE COURT: All right. Thank you.

17 Mr. Hayrapetyan, the government is proceeding  
18 against you by way of a Superseding Indictment A. Have you  
19 had an opportunity to review that charging document?

20 THE DEFENDANT: Yes. The interpreter read it for  
21 me. However, I do not accept all the accusations.

22 THE COURT: Although -- what?

23 THE DEFENDANT: Although I do not accept all the  
24 accusations.

25 THE COURT: Fair enough. Fair enough.

1 Without admitting or denying the allegations  
2 contained in the Superseding Indictment A, do you understand  
3 the nature of the charges that are being brought against  
4 you, sir?

5 THE DEFENDANT: Yes, I understand.

6 THE COURT: Okay.

7 THE DEFENDANT: To some extent I understand.

8 THE COURT: Thank you. All right.

9 Let's proceed to a bond determination. What is  
10 the government seeking, and what is the proffer?

11 MR. FAERSTEIN: The government is seeking  
12 detention, and we're proffering the First Superseding  
13 Indictment as well as the Pretrial Services report including  
14 pretrial's recommendation of detention.

15 THE COURT: Is the government seeking detention on  
16 the basis of both risk of nonappearance and danger to the  
17 community?

18 MR. FAERSTEIN: We are primarily seeking detention  
19 on the basis of risk of nonappearance as well as flight but,  
20 yes, risk of nonappearance, Your Honor.

21 THE COURT: You are not seeking it based on danger  
22 to the community?

23 MR. FAERSTEIN: I will make an abbreviated  
24 argument with respect to danger to the community, but the  
25 central focus of my argument will be based on risk of

1 nonappearance.

2 THE COURT: Does the defendant accept the  
3 government's proffer?

4 MR. TAHMAZIAN: Are you asking me, Your Honor?

5 THE COURT: Yes.

6 MR. TAHMAZIAN: By accepting the proffer -- I  
7 accept that, yes.

8 THE COURT: And what is the defendant's position,  
9 and what does the defendant proffer?

10 MR. TAHMAZIAN: If I may, Your Honor --

11 THE COURT: I don't want argument.

12 MR. TAHMAZIAN: We are asking for the Court to  
13 allow my client to sign a bond, appearance bond without  
14 justification, by himself from 50- to \$75,000, surrender his  
15 passport to the Pretrial Services, and to abide by any other  
16 terms that is imposed by the Pretrial Services while he is  
17 on release.

18 THE COURT: What does the defendant proffer?

19 MR. TAHMAZIAN: Same as mine.

20 THE COURT: Same as what?

21 MR. TAHMAZIAN: You mean proffering as to the  
22 facts?

23 THE COURT: What evidence are you proffering?

24 MR. TAHMAZIAN: I am proffering my argument based  
25 on the evidence in front of Your Honor if I may just --

1 THE COURT: The Pretrial Services report?

2 MR. TAHMAZIAN: Yes.

3 THE COURT: But not its recommendation?

4 MR. TAHMAZIAN: Not the recommendation, but I  
5 would like to elaborate on that.

6 THE COURT: You will. You will get a chance. I  
7 just want to know what you proffer to make sure that they  
8 accept it.

9 MR. TAHMAZIAN: My proffer would be based on the  
10 information contained within the report, Your Honor.

11 THE COURT: Okay. Thank you.

12 If I could hear from the government, please.

13 MR. FAERSTEIN: Yes, Your Honor.

14 I will note that this is the same case as what was  
15 in front of Your Honor a couple of weeks ago following a --  
16 the unsealing of the First Superseding Indictment in this  
17 case and the arrests of three other new defendants on  
18 March 11th. And on that date, agents also sought to arrest  
19 the defendant, Mr. Hayrapetyan, and went to two separate  
20 locations and were unable to find him.

21 We are -- the defendant -- this comes from the  
22 Pretrial Services report -- he's not a U.S. citizen.  
23 According to him, he's -- his visa expired. It's unclear  
24 whether or not that is, in fact, the case.

25 But according to the Pretrial Services report, his

1 whole life is in Armenia. He emigrated here just two years  
2 ago. His wife, his daughter, sister, his parents -- they  
3 all live in Armenia. He just visited there last year for  
4 four months. He's got no property to post here. He's got  
5 no one that can co-sign the bond as a surety.

6 The government was informed that the defendant was  
7 intending to surrender this past Monday, and here we are on  
8 Thursday, and there is still no one that he can identify  
9 that would be willing to vouch for him here in court on any  
10 type of bond.

11 It's extremely concerning to the government in  
12 connection with the charges in this case.

13 As I mentioned, the defendant was just in Armenia  
14 last year from May to September. And the timing of that  
15 trip is significant in the context of the charges in this  
16 case.

17 As alleged in the First Superseding Indictment,  
18 the defendant was engaged in a very extensive conspiracy to  
19 use fake and stolen identities of both individuals and  
20 businesses to apply for Payment Protection Program loans and  
21 other COVID-19 related disaster relief loans last year.

22 And the defendant's alleged conduct, at least just  
23 in the overt acts of the Indictment, involved allegedly  
24 stealing the identities of two separate people as well as  
25 their businesses and submitting fraudulent loan, PPP loan,

1 applications and reaping hundreds of thousands of dollars.

2           There are only two specific overt acts -- two  
3 specific loan applications alleged in the overt acts, but  
4 there are many others that are directly tied to the  
5 defendant as noted in paragraph 32 of the First  
6 Superseding Indictment which speaks to at least over 150  
7 separate fraudulent loans.

8           He's not directly involved in all 150 but -- in  
9 the significant number, and he is alleged as being involved  
10 in the scheme from Day 1.

11           Now, the conduct that's alleged in the  
12 Superseding Indictment as to the defendant took place  
13 directly in April and May, and it preceded directly his trip  
14 to Armenia for four months. And thus as alleged, at least,  
15 in the overt acts, he obtained over \$300,000 in fraudulent  
16 loan proceeds and then was off to Armenia; but, again, that  
17 number is much larger.

18           The defendant as alleged also opened up numerous  
19 bank accounts using the names of the stolen businesses and  
20 individuals and used those bank accounts for purposes of  
21 funneling the proceeds from the fraudulent loans. And these  
22 are all -- this is -- these are all allegations, as the  
23 government acknowledges, but they are serious.

24           Now, with respect to the consequences in this  
25 case, the defendant is alleged or is charged with an

1 aggravated identity theft count which carries a 2-year  
2 mandatory minimum as well as he is charged in all of the  
3 other substantive counts: The conspiracy to commit bank and  
4 wire fraud which carries a 30-year stat max, 8 counts of  
5 bank fraud, 12 counts of wire fraud, money laundering  
6 conspiracy; and by the government's rough guidelines  
7 calculations, he is facing a very significant advisory  
8 guidelines range in this case, just -- 135 to 168 months  
9 just on the substantive counts not including the 24 months  
10 that would run consecutive.

11 So given the complete lack of ties to this  
12 jurisdiction and having no one or anything to provide  
13 assurances that he will show up -- the government  
14 acknowledges that he surrendered here today after indicating  
15 he would on Monday; but that calculus, in our view, could  
16 easily change tomorrow or anytime before he is facing the  
17 music in this case. And we have significant concerns that  
18 the calculus will change given everything is over in  
19 Armenia.

20 And so we agree with Pretrial that detention -- at  
21 this stage, detention is necessary in this case.

22 Now, with respect to the safety of the community,  
23 I would just note that, as I have mentioned as alleged in  
24 the Indictment, the defendant stole at least two different  
25 peoples' identities and their businesses' identities for use

1 in loan applications as well as opening bank accounts. We  
2 believe he does pose an economic danger to the community  
3 particularly if there is nothing holding him accountable to  
4 some type of conditions of release in this case.

5 Thus, the government on that basis, both flight  
6 risk and nonappearance as well as economic danger, believes  
7 that detention is necessary in this case and there is no  
8 condition or combination of conditions that would assure the  
9 safety of the community as well as his appearance in the  
10 case.

11 THE COURT: Thank you, sir.

12 Mr. Tahmazian.

13 MR. TAHMAZIAN: Thank you, Your Honor.

14 In March 2019, the defendant left his country and  
15 came to U.S. to start the process of establishing a better  
16 life for his family -- his wife and child. He arrived here  
17 legally. He applied for the appropriate visas, B1 and B2.  
18 He received the approval of such visas.

19 And at that time because he hadn't seen his  
20 parents, two elderly people who are ill, and the children  
21 and child and wife for some time, he sought permission to be  
22 able to leave the country for a few months to visit with  
23 them and then come back again.

24 That's the reason why he left the country from May  
25 until September, and he had permission to do so and come

1 back on his visa.

2 His visa is not about to expire. It's for ten  
3 years. He's been granted that, and he's about to convert  
4 that into a legal residency Green Card, Your Honor.

5 This is a man, Your Honor, who came here with the  
6 intentions to build a life for his family. In fact, last  
7 November, when he was given permission to allow -- to apply  
8 for the bringing up his wife and child to this country,  
9 that's exactly what he did.

10 And at that time he was living with a friend at a  
11 different address. So in order to get prepared for this  
12 event, because he's expecting the approval for his wife and  
13 child to come here, he rented a location at 706 on Fischer  
14 and started living there and paying for that.

15 He's got two jobs, Your Honor. He is working day  
16 and night. He's making about \$4,400 a month, amount of  
17 money that he couldn't even nearly make if he was in Armenia  
18 right now based on the condition. He would be lucky to make  
19 \$200 a month living in Armenia, and he doesn't want to go  
20 back there.

21 The specific indication and the strongest argument  
22 that I have to Your Honor about this man's intentions seeing  
23 this case through and with the intention that he is going to  
24 stay in this country is the following: That when he was  
25 given information about a visit by the agent to the previous

1 location that they're looking for him, he contacted and  
2 retained the services of my offices. And on Monday I  
3 contacted the U.S. attorney to advise them that I am  
4 prepared, I am retained, I am arranging for full retainment  
5 so I can bring him in.

6 It is very accurate and correct the government  
7 insisted that I bring him in the next day, and I told him,  
8 based on my trial schedule and hearings, I would like to  
9 bring him in on Thursday morning, and the government was  
10 gracious enough to allow me to do that. And I met that  
11 commitment, Your Honor, and he met that commitment,  
12 Your Honor. He was here this morning at 8:00 o'clock sharp  
13 and surrendered himself.

14 He's told everyone around him, some of his  
15 friends, his employer who was interviewed by the  
16 Pretrial Services of this problem, and he intends to fight  
17 this thing all the way to the end and see this case through,  
18 Your Honor.

19 I cannot be any more certain, any more positive  
20 about my argument to Your Honor that his conduct clearly  
21 indicates that he intends on seeing this case through and he  
22 has no intention of going back to the country.

23 He is willing to surrender his passport. He is  
24 willing to be on house arrest. He is willing to be on GPS  
25 monitoring, and he is going to continue to pursue his legal

1 rights by way of immigration to continue to bring his wife  
2 and child to this country.

3 I wish that he had already done that and approved  
4 and his wife was here. I would be able to present his wife  
5 as a second surety to sign for a bond for him just like all  
6 the other defendants have done, Your Honor.

7 Some of the defendants have had bonds of \$50,000  
8 without surety, but they are lucky enough to be able to have  
9 a third party sign for them because they have family members  
10 here and they have lived here for a long time.

11 As far as the other defendants are concerned,  
12 Your Honor, the Court can see and the government knows that  
13 the other defendants, most of them, have applied for  
14 purchasing expensive homes, for applying for expensive loans  
15 and living a lavish life, but my client is not in that  
16 nature.

17 In fact, he is a military man as stated in the  
18 report. And if I were to address the Indictment right now  
19 and try to oppose it, I will be failing very miserably  
20 because I have not seen the discovery that the government  
21 has.

22 However, Your Honor, the fact of the matter is  
23 that, in the report that was prepared by the  
24 Pretrial Services, is a clear indication that there is a  
25 clear rebuttal to his risk of nonappearance, Your Honor.

1 The Pretrial Services indicates that he has an  
2 Armenian passport and foreign travel history. Well, the  
3 Court can take the passport away from him and hold on to it  
4 until this case is over.

5 Foreign travel. I have already explained to  
6 Your Honor the reason he traveled because the first time he  
7 had permission to go and come back because his visa and his  
8 residency was approved in this country, but he went and came  
9 back, Your Honor.

10 He has no bail resources. He can't help that. He  
11 is new here, Your Honor, and all he can do is vouch for  
12 himself.

13 Partially verified background information. I  
14 provided that information through his employer [beeping  
15 noise] Miss Yakarian (phonetic) who is a very pleasant lady.  
16 She's indicated that his job will be available upon release  
17 and he will continue to work for her for so long as this  
18 case is pending and beyond that.

19 Family ties to Armenia and no family ties to  
20 the -- directly in this district, Your Honor. Well, the  
21 only family he's got he's applied for and [beeping nose]  
22 here.

23 All the indications, Your Honor, is this defendant  
24 is working his way into staying here, not to leave this  
25 country -- the job, the money he is making, the financial

1 support he is providing to his family members in Armenia  
2 from here, sending money to his sister's children, sending  
3 money for family members and yet continuing to work two jobs  
4 here to survive.

5 And then when he hears about the Indictment, he  
6 comes to an attorney. I went through the Indictment with  
7 him completely, Your Honor. I explained to him what he is  
8 facing.

9 I told him what the overt acts are, and I told him  
10 what could happen if he ends up losing this case, which is  
11 jail, Your Honor.

12 And after all that discussion, he still  
13 self-surrendered, Your Honor, an act that clearly should not  
14 be unseen or forgotten as an indication that he is not in  
15 any form or shape a flight risk, Your Honor.

16 Your Honor, the government used the word that now  
17 that he is facing the music and he is released things could  
18 change. He's already faced the music, Your Honor.

19 He was contacted by a federal agent. He read the  
20 Indictment. He saw the people that were arrested. He saw  
21 what happened to other people who were arrested at least on  
22 bond. He realized that he is facing a very serious charge,  
23 and he still kept his promise to come in on Thursday morning  
24 and surrender himself.

25 I would ask the Court to please consider allowing

1 this defendant to be released on conditions that the Court  
2 will be satisfied by allowing him to sign a surety bond  
3 without justification for himself of 50- to \$75,000 and give  
4 me -- send the passport to the Court and continue with his  
5 livelihood, with his work to be able to support his family  
6 in Armenia financially while he is here until this case is  
7 resolved, Your Honor.

8 Submitted.

9 THE COURT: Okay. Does the government have  
10 final -- any last very brief words?

11 MR. FAERSTEIN: Yes, Your Honor, one thing I  
12 alluded to which I should just state.

13 With respect to the allegations regarding the  
14 stealing of identities, that also feeds into the  
15 government's significant concerns about potential flight in  
16 this case and being able to use that or evade law  
17 enforcement and get back to Armenia where his whole life is.

18 Just in terms of Mr. Tahmazian mentions that  
19 defendant contacted us through Mr. Tahmazian on Monday, we  
20 mentioned or said he needs to turn himself in immediately,  
21 the only reason we agreed to Thursday is because we thought  
22 we had had some agreement as to a bond package and that --  
23 we understand it's not something that he can come up with,  
24 and we have great concerns, as I have mentioned, without any  
25 type of assurances from a bond package.

1 To the extent there is any delay in our getting  
2 him into court, it was because we had a different  
3 understanding as to what today would be.

4 But with that, I submit, Your Honor.

5 MR. TAHMAZIAN: If I may very briefly respond to  
6 that, Your Honor.

7 THE COURT: Very briefly, please.

8 MR. TAHMAZIAN: The request to turn him on  
9 Thursday was my request because of my timing and my  
10 hearings.

11 The government did send me a proposed bail  
12 recommendation. The only condition that I couldn't meet --  
13 and I tried -- was the request for the \$125,000 bond by a  
14 third party secured by a property after that.

15 Unfortunately -- I tried, and I couldn't meet that  
16 because of the fact that my client's family members are not  
17 here.

18 Otherwise, I am -- the only other concern I have  
19 was because his involvement with his conspiracy, in my  
20 opinion, is in a lower grade and the government was asking  
21 for a higher bond than set by most of these people who were  
22 actually arrested but who did not surrender on their own.  
23 They were picked up and brought to court, Your Honor.

24 Submitted.

25 THE COURT: Well, I share the government's concern

1 about risk of flight, especially with the nature of the  
2 allegations being the assumption of other people's  
3 identities.

4 So with that, I do agree there is a possibility  
5 that that could be used to skirt the -- any limitations on  
6 my -- the Court's retention of the passport, et cetera.  
7 So -- and I just don't see any way around that.

8 And an unsecured appearance bond by someone who  
9 you are telling me really is here just starting his life, I  
10 don't know if he has any resources at all.

11 So I am going to -- the Court finds that there is  
12 a risk of nonappearance for the following reasons as stated  
13 in the Pretrial Services report as well as is argued by the  
14 parties: He has an Armenian passport; foreign travel  
15 history, recent; no bail resources; partially verified  
16 background information; all of his family is in Armenia; and  
17 he has got no family ties to this district.

18 So for those reasons the Court finds there is no  
19 condition or combination of conditions that reasonably will  
20 assure the appearance of the defendant at future  
21 proceedings; and, on that basis, the Court orders the  
22 defendant detained and remanded to the custody of the  
23 U.S. Marshal.

24 MR. TAHMAZIAN: May I inquire as to one thing?

25 THE COURT: I'm sorry?

1 MR. TAHMAZIAN: May I inquire as to one issue?

2 If the defendant was able to secure a third party  
3 to sign for a bond that's without justification, would that  
4 alleviate some of the concerns the Court has? That being  
5 the case, I would ask for brief continuance to try to  
6 accomplish that task.

7 THE COURT: Why don't we do this. This is all  
8 without prejudice. You can always come back. This case has  
9 already been assigned to a district judge; so you can take  
10 it up with the district judge.

11 If he sends it back it to me, I am happy to deal  
12 with it. But for now he is detained. And we'll revisit it  
13 whenever you need. This is completely without prejudice.

14 Okay. This case has been assigned to  
15 The Honorable Stephen V. Wilson who sits in Courtroom 10A  
16 which is on the tenth floor of the First Street courthouse  
17 located at 350 West First Street, Los Angeles, California.

18 Judge Wilson has requested that we take the  
19 defendant's not guilty plea.

20 Counsel, how does your client intend to plead?

21 MR. TAHMAZIAN: Not guilty, Your Honor.

22 THE COURT: Thank you very much.

23 Mr. Munoz, if you could please take the  
24 defendant's plea.

25 THE CLERK: Arman Hayrapetyan, how do you plead to

1 the charges?

2 THE DEFENDANT: I don't -- I have no idea what has  
3 happened. I am just a military man. I -- I am against such  
4 activities. So if someone doesn't know the language, how  
5 can he be involved in such actions?

6 THE COURT: Mr. Hayrapetyan, let me stop you  
7 there. The only thing that we are asking here is for you to  
8 plead. And so the question is do you plead guilty or not  
9 guilty?

10 THE DEFENDANT: Not guilty.

11 THE COURT: Okay. All right. This case has been  
12 assigned to a jury trial on May 18, 2021, at 9:00 A.M. The  
13 parties are referred to Judge Wilson's procedures and  
14 schedules to obtain a copy of the judge's discovery order  
15 located on the court's Website.

16 MR. FAERSTEIN: May I interject for a moment?  
17 With respect to the trial date, there are seven other  
18 defendants in this case, and they all have now a  
19 May 4th trial date.

20 And I don't know whether just because of the dates  
21 at this point it's not possible to set the same trial date  
22 which may or may not get moved given what's going on with  
23 COVID. But to the extent that there isn't any restriction  
24 on the same trial date being set, that may make things  
25 easier for all of the parties.

1 THE COURT: Okay. Well, thank you for that  
2 information, but this is all I have. So I am putting it on  
3 the record, and you folks can work it out as needed.

4 MR. FAERSTEIN: Okay. Thank you, Your Honor.

5 THE COURT: All right. So in compliance with  
6 Rule 5, the prosecution is reminded that in all criminal  
7 proceedings the prosecutor is ordered to comply with the  
8 disclosure obligations under Brady V. Maryland 373 U.S. 83,  
9 1963, and its progeny and is reminded of the possible  
10 consequences of not doing so including exclusion of  
11 evidence, adverse jury instructions, dismissal of charges,  
12 contempt, referral to a disciplinary authority, and  
13 sanctions.

14 Anything else for the parties?

15 MR. TAHMAZIAN: Thank you, Your Honor.

16 MR. FAERSTEIN: One final thing, Your Honor, if I  
17 could just inquire of Mr. Tahmazian whether he will be  
18 seeking discovery under Rule 16 because we can produce --  
19 start producing discovery later today if he will be making  
20 that request.

21 MR. TAHMAZIAN: I am making that request.

22 MR. FAERSTEIN: Thank you.

23 THE COURT: Okay. Anything else?

24 Have I missed anything, Mr. Munoz?

25 THE CLERK: No, Judge.

1 THE COURT: Thank you, folks.

2 MR. TAHMAZIAN: Thank you, Your Honor. Thank you  
3 for the Court's time.

4 THE COURT: Thank you.

5 (Proceedings concluded at 2:43 p.m.)

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CERTIFICATE

I hereby certify that pursuant to Section 753,  
Title 28, United States Code, the foregoing is a true and  
correct transcript of the stenographically reported  
proceedings held in the above-entitled matter and that the  
transcript page format is in conformance with the  
regulations of the Judicial Conference of the United States.

Date: April 8, 2021.

/S/ CHIA MEI JUI \_\_\_\_\_

Chia Mei Jui, CSR No. 3287