

CUAUHTEMOC ORTEGA (Bar No. 257443)  
Federal Public Defender  
NADINE C. HETTLE (Bar No. [DFPD #1 BAR #])  
(E-Mail: Nadine\_Hettle@fd.org)  
Deputy Federal Public Defender  
321 East 2nd Street  
Los Angeles, California 90012-4202  
Telephone: (213) 894-2854  
Facsimile: (213) 894-0081

Attorneys for Defendant  
ARTUR AYVAZYAN

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ARTUR AYVAZYAN,

Defendant.

Case No. 20-00579-SVW

**EX PARTE APPLICATION TO  
MODIFY BOND CONDITIONS**

Defendant Artur Ayvazyan, by and through his counsel of record Deputy Federal Public Defender Nadine C. Hettle, hereby files his Ex Parte Application to Modify the Bond Conditions in this case. This application is based on the files and records of this case and the attached Declaration of Nadine C. Hettle.

///

///

///

///

Respectfully submitted,

CUAUHTEMOC ORTEGA  
Federal Public Defender

DATED: December 7, 2020

By /s/ Nadine C. Hettle

NADINE C. HETTLE  
Deputy Federal Public Defender  
Attorney for ARTUR AYVAYZAN

**DECLARATION OF NADINE C. HETTLE**

I, Nadine C. Hettle, declare:

1. I am an attorney with the Office of the Federal Public Defender for the Central District of California. I am licensed to practice law in the State of California and I am admitted to practice in this Court.

2. On November 6, 2020, I was appointed to represent Artur Ayvazyan by this court for the limited purpose of the initial appearance and bond hearing. Mr. Ayvazyan was directed to retain counsel.

3. At that time, the court set an appearance bond in the amount of \$100,000 with full deeding of property by December 4, 2020. The court released Mr. Ayvazyan upon the signature of two sureties until the property could be deeded.

4. On December 3, 2020, Mr. Ayvazyan was arraigned on the Indictment. At that appearance my appointment was extended. I indicated that Mr. Ayvazyan was finalizing the process of retaining counsel

5. Mr. Ayvazyan needs additional time to post property in support of his bond. A surety, Abraham Totoyan, has been located who has property that has been appraised and determined to have sufficient equity to support Mr. Ayvazyan's bond of \$100,000 and that of his wife Tamara Dadyan bond of \$100,000. I have been provided an appraisal of the property performed by Carlos Reyes which indicates that it is worth \$800,000. The Office of the Federal Public Defender has worked with Mr. Reyes for several years and I have every reason to believe his appraisal accurately represents the value of the property. I have seen a photograph of Mr. Totoyan's mortgage statement on that property which indicates that Mr. Totoyan owes approximately \$331,000 on the property. Thus, it appears that there is over \$400,000 in equity in the property which is sufficient to support both bonds.

6. Additional time is needed to post the bond in order to complete bond paperwork, to file the original Deed of Trust with the Los Angeles County Recorder's Office, and to obtain a certified copy of the original Deed of Trust from the Recorder's

Office so that it can be filed with the Clerk's office as required under Local Rule 46-3.3.1. It is my understanding that Los Angeles Recorder's Office is closed to the public due to the COVID-19 pandemic which has significantly lengthened the time required to get back a certified copy of the Original Deed of Trust from that office. The waiting time is now about a month.

7. Accordingly, Mr. Ayvazyan requests that the Court extend the current deadline to submit the necessary bond paperwork and set new deadlines for the secured bond as follows:

8. a. no later than December 28, 2020, defendant shall submit to the Clerk's Office the paperwork relating to the \$100,000 secured bond, including the signed Form CR-3, and provide the Clerk's Office with a copy of the recorded Original Deed of Trust that was filed with the Los Angeles County Recorder's Office.

9. b. No later than January 18, 2021, defendant shall submit to the Clerk's Office a certified copy of the Original Deed of Trust from the Los Angeles County Recorder's Office naming the Clerk as beneficiary in accordance with Local Rule 46-3.3.1.

10. Co-defendant Tamara Dadyan, who is Mr. Ayvazyan's wife, also requesting this same modifications of her bond conditions and the government agreed to that modification.

11. On December 3, 2020, I have contacted Julian Andre, the Assistant United States Attorney assigned to this matter and explained the relief sought. Mr. Andre indicated that he opposed an extension of time of this length because 1) he believed that Mr. Ayvazyan had not done enough to find property to secure his bond, and 2) he did not believe there was sufficient equity in Mr. Tatoyan's property to secure both Ms. Dadyan's bond and Mr. Ayvazyan. Mr. Andre's opinion was based on the last sales price of the home minus what Mr. Totoyan owed on the property. Mr. Andre indicated that he was willing to extend the bond deadline to December 14, 2020, but not to December 28, 2020, and January 18, 2020. Mr. Andre did indicate that if he saw an

1 appraisal, he might change his mind but he did not believe the property had sufficient  
2 equity. I told him that I would endeavor to get him the appraisal by December 4, 2020.

3 12. I did not receive a copy of the appraisal until December 7, 2020, around  
4 the noon hour. I have sent it to Mr. Andre along with an email and a telephonic  
5 message but I have not heard back from him regarding this issue as of the filing of this  
6 application.

7 13. For the reasons stated above, I request that the bond be modified to permit  
8 the parties until December 28, 2020, to post property to secure the bond and until  
9 January 18, 2021 to file a certified copy of the Original Deed of Trust. The defense  
10 requests no other modifications of the bond and therefore, all other bond conditions  
11 would remain the same.

12 14. I declare under penalty of perjury under the laws of the United States of  
13 America that the foregoing is true and correct.

14  
15 Executed on December 7, 2020, at Los Angeles, California.

16  
17 /s/ Nadine C. Hettle.  
18 NADINE C. HETTLE  
19 Deputy Federal Public Defender  
20  
21  
22  
23  
24  
25  
26  
27  
28