

Ashwin J. Ram (SBN 227513)
aram@steptoe.com
Michael A. Keough (SBN 327037)
mkeough@steptoe.com
Meghan L. Newcomer (*pro hac vice*)
mnewcomer@steptoe.com
Nicholas P. Silverman (*pro hac vice*)
nsilverman@steptoe.com
STEPTOE & JOHNSON LLP
633 West Fifth Street, Suite 1900
Los Angeles, CA 90071
Telephone: (213) 439-9400
Facsimile: (213) 439-9599

Counsel for Defendant Richard Ayvazyan

Fred G. Minassian (SBN 170974)
fgminassian@yahoo.com
**LAW OFFICES OF FRED G.
MINASSIAN, INC.**
101 N. Brand Ave, Suite 1970
Glendale, CA 91203
Telephone: (818) 240-2444

Counsel for Defendant Tamara Dadyan

John L. Littrell (SBN 221601)
jlittrell@bklwlaw.com
Ryan V. Fraser (SBN 272196)
rfraser@bklwlaw.com
**BIENERT KATZMAN LITRELL
WILLIAMS, LLP**
601 W. 5th Street, Suite 720
Los Angeles, CA 90071
Telephone: (213) 528-3400
Facsimile: (949) 369-3701

Counsel for Defendant Marietta Terabelian

Thomas A. Mesereau Jr. (SBN 91182)
mesereau@mesereaulaw.com
MESEREAU LAW GROUP, P.C.
10100 Santa Monica Blvd., Suite 300
Los Angeles, CA 90067
Telephone: (310) 651-9960

Jennifer J. Wirsching (SBN 263141)
wirschinglaw@outlook.com
ATTORNEY AT LAW
1935 Alpha Rd, Suite 216
Glendale, CA 91208
Telephone: (424) 902-9280

Counsel for Defendant Artur Ayvazyan

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD AYVAZIAN,
MARIETTA TERABELIAN,
ARTUR AYVAZIAN,
TAMARA DADYAN,
et al.,

Defendants.

Case No. 20-cr-579 (SVW)

**JOINT NOTICE OF APPLICATION
AND *EX PARTE* APPLICATION
FOR MOTION TO EXCLUDE
DIGITAL DEVICE FILES TO BE
HEARD ON SHORTENED TIME**

Hon. Stephen V. Wilson

Current Hearing Date: June 21, 2021
Requested Hearing Date: June 14, 2021
Time: 11:00 a.m.

***EX PARTE* APPLICATION FOR MOTION TO EXCLUDE DIGITAL DEVICE
FILES TO BE HEARD ON SHORTENED TIME**

**NOTICE OF EX PARTE APPLICATION FOR MOTION TO BE HEARD ON
SHORTENED TIME**

TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that Defendants Richard Ayvazyan, Marietta Terabelian, Artur Ayvazyan, and Tamara Dadyan hereby apply to the Court for an order hearing Joint Motion to Exclude Digital Device Files from Devices Obtained on November 5, 2020 on shortened time.

This application is based upon this notice, the application in support, the files and records in this case, and such further evidence and argument as the Court may permit.

Dated: May 24, 2021

Respectfully submitted,

/s/ Ashwin J. Ram

Ashwin J. Ram (SBN 227513)

aram@steptoe.com

Michael A. Keough (SBN 327037)

mkeough@steptoe.com

Meghan L. Newcomer (*pro hac vice*)

mnewcomer@steptoe.com

Nicholas P. Silverman (*pro hac vice*)

nsilverman@steptoe.com

STEPTOE & JOHNSON LLP

633 West Fifth Street, Suite 1900

Los Angeles, CA 90071

Telephone: (213) 439-9400

Facsimile: (213) 439-9599

Counsel for Defendant Richard Ayvazyan

[SIGNATURES CONTINUE ON NEXT PAGE]

/s/ John L. Littrell

John L. Littrell (SBN 221601)

jlittrell@bklwlaw.com

Ryan V. Fraser (SBN 272196)

rfraser@bklwlaw.com

BIENERT KATZMAN LITRELL

WILLIAMS, LLP

601 W. 5th Street, Suite 720

Los Angeles, CA 90071

Telephone: (213) 528-3400

Facsimile: (949) 369-3701

Counsel for Defendant Marietta Terabelian

/s/ Thomas A. Mesereau Jr.

Thomas A. Mesereau Jr. (SBN 91182)

mesereau@mesereaulaw.com

MESEREAU LAW GROUP, P.C.

10100 Santa Monica Blvd., Suite 300

Los Angeles, CA 90067

Telephone: (310) 651-9960

Jennifer J. Wirsching (SBN 263141)

wirschinglaw@outlook.com

ATTORNEY AT LAW

1935 Alpha Rd, Suite 216

Glendale, CA 91208

Telephone: (424) 902-9280

Counsel for Defendant Artur Ayvazyan

/s/ Fred G. Minassian

Fred G. Minassian (SBN 170974)

fgminassian@yahoo.com

LAW OFFICES OF FRED G. MINASSIAN, INC.

101 N. Brand Ave, Suite 1970

Glendale, CA 91203

Telephone: (818) 240-2444

Counsel for Defendant Tamara Dadyan

APPLICATION

Under Local Rule 6-1, this Court “may set a shorter time” to hear motions before it. Good cause exists to hear the Joint Motion to Exclude Digital Device Files on shortened time—on or before June 14, 2021. As set forth in detail in the Motion, the government disclosed on Friday, May 21, 2021 that it has failed to comply with its obligations with respect to the off-site review of digital devices obtained pursuant to Warrants. The rules and Warrants permit the government only to temporarily seize digital devices for as long as it takes to complete a reasonable responsiveness review. Here, the government skipped the responsiveness review altogether and provided the raw, seized device data to the prosecution team. The prosecution team is currently sifting through unreviewed, unseized data and claims that it will decide what to use against the digital device owners, and *then* mark data as responsive and seize it. The government’s conduct is the twenty-first century version of a general warrant.

Because this is a motion to exclude evidence, hearing this motion prior to trial will promote judicial efficiency by allowing the Court to decide what evidence is inadmissible prior to trial. The government will not be prejudiced by hearing the motion on shortened time. The timing of the government's opposition will not be affected.

CONCLUSION

For the foregoing reasons, the Court should hear the Defendant's Motion to Exclude Digital Device Files on shortened time. The motion should be heard on or before June 14, 2021.

//

//

//

//

//

Dated: May 24, 2021

Respectfully submitted,

STEPTOE & JOHNSON LLP

/s/ Ashwin J. Ram

Ashwin J. Ram (SBN 227513)

aram@steptoe.com

Michael A. Keough (SBN 327037)

mkeough@steptoe.com

Meghan L. Newcomer (*pro hac vice*)

mnewcomer@steptoe.com

Nicholas P. Silverman (*pro hac vice*)

nsilverman@steptoe.com

STEPTOE & JOHNSON LLP

633 West Fifth Street, Suite 1900

Los Angeles, CA 90071

Telephone: (213) 439-9400

Facsimile: (213) 439-9599

Counsel for Defendant Richard Ayvazyan

/s/ John L. Littrell

John L. Littrell (SBN 221601)

jlittrell@bklwlaw.com

Ryan V. Fraser (SBN 272196)

rfraser@bklwlaw.com

BIENERT KATZMAN LITRELL

WILLIAMS, LLP

601 W. 5th Street, Suite 720

Los Angeles, CA 90071

Telephone: (213) 528-3400

Facsimile: (949) 369-3701

Counsel for Defendant Marietta Terabelian

[SIGNATURES CONTINUE ON NEXT PAGE]

/s/ Thomas A. Mesereau Jr.

Thomas A. Mesereau Jr. (SBN 91182)

mesereau@mesereaulaw.com

MESEREAU LAW GROUP, P.C.

10100 Santa Monica Blvd., Suite 300

Los Angeles, CA 90067

Telephone: (310) 651-9960

Jennifer J. Wirsching (SBN 263141)

wirschinglaw@outlook.com

ATTORNEY AT LAW

1935 Alpha Rd, Suite 216

Glendale, CA 91208

Telephone: (424) 902-9280

Counsel for Defendant Artur Ayvazyan

/s/ Fred G. Minassian

Fred G. Minassian (SBN 170974)

fgminassian@yahoo.com

LAW OFFICES OF FRED G. MINASSIAN, INC.

101 N. Brand Ave, Suite 1970

Glendale, CA 91203

Telephone: (818) 240-2444

Counsel for Defendant Tamara Dadyan

SIGNATURE ATTESTATION

Pursuant to Local Rule 5-4.3.4(a)(i), the filer attests that all signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.