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UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. RICHARD AYVAZYAN, aka "Richard Avazian" and "Iuliia Zhadko," MARIETTA TERABELIAN, aka "Marietta Abelian" and "Viktoria Kauichko," ARTUR AYVAZYAN, aka "Arthur Ayvazyan," and TAMARA DADYAN, MANUK GRIGORYAN, aka "Mike Grigoryan," and	No. CR 20-579(A)-SVW <u>GOVERNMENT'S PROPOSED SUPPLEMENTAL JURY INSTRUCTIONS</u> [18 U.S.C. § 1349: Conspiracy to Commit Bank Fraud and Wire Fraud; 18 U.S.C. § 1343: Wire Fraud; 18 U.S.C. § 1344(2): Bank Fraud; 18 U.S.C. § 1028A(a)(1): Aggravated Identity Theft;18 U.S.C. § 1956(h): Money Laundering Conspiracy; 18 U.S.C. § 1956(a)(1)(B)(i): Money Laundering; 18 U.S.C. § 3147:Offense Committed While on Release

"Anton Kudiumov,"
ARMAN HAYRAPETYAN,
EDVARD PARONYAN,
aka "Edvard Paronian" and
"Edward Paronyan," and
VAHE DADYAN,

Defendants.

[Annotated Set]

Plaintiff United States of America, by and through its counsel of record, the Acting United States Attorney for the Central District of California, Assistant United States Attorneys Scott Paetty, Catherine Ahn, and Brian Faerstein, and Department of Justice Trial Attorney Christopher Fenton, hereby files the government's supplemental proposed jury instructions, which include a limiting instruction agreed-upon by the government and counsel for defendant Marietta Terabelian.

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The government's supplemental proposed jury instructions are based on the Ninth Circuit's Model Jury Instructions (2010 ed.), the files and records in this case, and such further evidence and argument as the Court may permit.

Dated: June 23, 2021

Respectfully submitted,

TRACY L. WILKISON
Acting United States Attorney

SCOTT M. GARRINGER
Assistant United States Attorney
Chief, Criminal Division

/s/ Catherine Ahn
CATHERINE AHN
SCOTT PAETTY
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Assistant United States Attorneys
CHRISTOPHER FENTON
Department of Justice Trial Attorney

Attorneys for Plaintiff
UNITED STATES OF AMERICA

COURT’S INSTRUCTION NO. __

GOVERNMENT’S PROPOSED INSTRUCTION NO. ___

[Proposed to follow the Government’s Proposed Instruction 26, based on Ninth Circuit Model Criminal Jury Instructions, No. 5.7 (2010 ed.) on “Knowingly – Defined”]

You may find that defendant Artur Ayvazyan acted knowingly with respect to wire fraud as charged in Counts Two through Twelve, bank fraud as charged in Counts Thirteen through Twenty, and the conspiracy to commit wire fraud and bank fraud charged in Count One, if you find beyond a reasonable doubt that defendant Artur Ayvazyan:

1. Was aware of a high probability that materially false statements and information were submitted in Paycheck Protection Program (“PPP”) and Economic Injury Disaster Loan (“EIDL”) loan applications; and

2. Deliberately avoided learning the truth.

Ninth Circuit Model Criminal Jury Instructions, No. 5.8 (2010 ed.) [Deliberate Ignorance].

COURT'S INSTRUCTION NO. __

GOVERNMENT'S PROPOSED INSTRUCTION NO. ___

You may find that defendant Artur Ayvazyan acted knowingly with respect to laundering money, the two objects of the conspiracy charged in Count Twenty-Six, if you find beyond a reasonable doubt that defendant Artur Ayvazyan:

1. Was aware of a high probability that the transaction involved criminal derived property; and

2. Deliberately avoided learning the truth.

Ninth Circuit Model Criminal Jury Instructions, No. 5.8 (2010 ed.) [Deliberate Ignorance].

COURT'S INSTRUCTION NO. __

GOVERNMENT'S PROPOSED INSTRUCTION NO. ___

You may find that defendant Artur Ayvazyan acted knowingly with respect to aggravated identity theft charged in Count Twenty-Four, if you find beyond a reasonable doubt that defendant Artur Ayvazyan:

1. Was aware of a high probability that he was aiding and abetting the transfer, possession, and use, willfully caused the transfer, possession and use, the means of identification of another person, namely, that name and date of birth of A.D., during and in relation to wire fraud;

2. Was aware of a high probability that A.D. was a real person; and

3. Deliberately avoided learning the truth.

Ninth Circuit Model Criminal Jury Instructions, No. 5.8 (2010 ed.) [Deliberate Ignorance].

COURT’S INSTRUCTION NO. _____

GOVERNMENT’S PROPOSED INSTRUCTION NO. ___

You have heard that defendant Marietta Terabelian made phone calls from jail. You must not consider the fact that she was in jail as evidence of her guilt of the crimes charged in this case.

Agreed-upon by the government and counsel for defendant Marietta Terabelian.