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16 Attorneys for Plaintiff
17 UNITED STATES OF AMERICA

18 UNITED STATES DISTRICT COURT

19 FOR THE CENTRAL DISTRICT OF CALIFORNIA

20 UNITED STATES OF AMERICA,

21 Plaintiff,

22 v.

23 RICHARD AYVAZYAN,
aka "Richard Avazian" and
24 "Iuliia Zhadko,"
MARIETTA TERABELIAN,
25 aka "Marietta Abelian" and
"Viktoria Kauichko,"
26 ARTUR AYVAZYAN,
aka "Arthur Ayvazyan," and
27 TAMARA DADYAN,
MANUK GRIGORYAN,
28 aka "Mike Grigoryan," and

No. CR 20-579(A) -SVW

GOVERNMENT'S PROPOSED SUPPLEMENTAL
JURY INSTRUCTIONS (AMENDED)

[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

1 "Anton Kudiumov,"
2 ARMAN HAYRAPETYAN,
3 EDVARD PARONYAN,
4 aka "Edvard Paronian" and
5 "Edward Paronyan," and
6 VAHE DADYAN,
7
8 Defendants.

[Annotated Set]

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

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

5 Dated: June 23, 2021

Respectfully submitted,

6 TRACY L. WILKISON
Acting United States Attorney

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

9 /s/ Catherine Ahn

10 CATHERINE AHN
11 SCOTT PAETTY
BRIAN FAERSTEIN
12 Assistant United States Attorneys
CHRISTOPHER FENTON
13 Department of Justice Trial Attorney

14 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.

You may not find such knowledge, however, if you find that defendant Artur Ayvazyan actually believed that materially false statements and information were not submitted in Paycheck Protection Program ("PPP") and Economic Injury Disaster Loan ("EIDL") loan applications, or if you find that defendant Artur Ayvazyan was simply negligent, careless, or foolish.

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.

You may not find such knowledge, however, if you find that defendant Artur Ayvazyan actually believed that the transaction did not involve criminally derived property, or if you find that defendant Artur Ayvazyan was simply negligent, careless, or foolish.

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, and was aware of a high probability that he had willfully caused the transfer, possession and use, without lawful authority, means of identification of another person, namely, the 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.

You may not find such knowledge, however, if you find that he was simply negligent, careless or foolish, or if you find that defendant Artur Ayvazyan actually believed he:

1. Was not aiding and abetting the transfer, possession, and use, and actually believed he had not willfully caused transfer, possession and use, without lawful authority, means of identification of another person, namely, the name and date of birth of A.D., during and in relation to wire fraud; or

2. That A.D. was not a real person.

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

1 COURT'S INSTRUCTION NO. _____

2 GOVERNMENT'S PROPOSED INSTRUCTION NO. ____

3 You have heard that defendant Marietta Terabelian made phone
4 calls from jail. You must not consider the fact that she was in
5 jail as evidence of her guilt of the crimes charged in this case.
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26 Agreed-upon by the government and counsel for defendant Marietta
27 Terabelian.
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