

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION
HONORABLE STEPHEN V. WILSON
UNITED STATES DISTRICT JUDGE PRESIDING

- - -

United States of America,)
PLAINTIFF,)
VS.) NO. CR 20-579 SVW
Richard Ayvazyan, et al.,)
DEFENDANT,)
_____)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

LOS ANGELES, CALIFORNIA

JURY TRIAL - DAY FIVE

VOLUME 1 - A.M. SESSION

TUESDAY, JUNE 22, 2021

KATIE E. THIBODEAUX, CSR 9858
U.S. Official Court Reporter
Suite 4311
350 West 1st Street
Los Angeles, CA 90012

1 APPEARANCES OF COUNSEL:

2

3 ON BEHALF OF THE PLAINTIFF, UNITED STATES OF AMERICA:

4 U.S. DEPARTMENT OF JUSTICE

U.S. ATTORNEY'S OFFICE

5 BY: CATHERINE SUN AHN, AUSA

-and- SCOTT PAETTY, AUSA

6 312 North Spring Street

Twelfth Floor

7 Los Angeles, CA 90012

8 -and-

9 Christopher Fenton

US Department of Justice

10 1400 New York Avenue, NW

Washington, DC 20530

11

12

FOR DEFENDANT R. AYVAZIAN:

13

Ashwin J. Ram

14 Steptoe and Johnson LLP

633 West 5th Street

15 Suite 1900

Los Angeles, CA 90071

16

Meghan Newcomer

17 Steptoe and Johnson LLP

1114 Avenue of the Americas

18 New York, NY 10036

19 Michael A. Keough

Steptoe and Johnson LLP

20 1 Market Street

Spear Tower Suite 3900

21 San Francisco, CA 94105

22 Nicholas P. Silverman

Steptoe and Johnson LLP

23 1330 Connecticut Avenue NW

Washington, DC 20036

24

25

1 APPEARANCES (Cont'd):

2

3 FOR DEFENDANT TERABELIAN:

4 John Lewis Littrell
5 Bienert Katzman Littrell Williams LLP
6 903 Calle Amanecer
Suite 350
San Clemente, CA 92673

7 Ryan Vaughan Fraser
8 Bienert Katzman Littrell Williams LLP
601 West 5th Street
Suite 720
9 Los Angeles, CA 90071

10

11 FOR DEFENDANT ARTUR AYVAZYAN:

12 Jennifer J. Wirsching
13 1935 Alpha Road
Suite 216
14 Glendale, CA 91208

15 Thomas A. Mesereau, Jr.
16 Mesereau Law Group
10100 Santa Monica Boulevard
Suite 300
17 Los Angeles, CA 90067

18

19 FOR DEFENDANT VAHE DADYAN:

20 Peter Johnson
21 Law Office of Peter Johnson
409 North Pacific Coast Highway
Suite 651
22 Redondo Beach, CA 90277

23

24

25

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1 LOS ANGELES, CALIFORNIA; TUESDAY, JUNE 22, 2021

2 9:00 A.M.

3 - - - - -

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6
7 (The following proceedings were held outside the
8 presence of the jury:)

9 THE COURT: We are present with the parties and
10 counsel outside the presence of the jury.

11 A number of things. First, I have considered
12 the argument about whether Barnes should, under the
13 appropriate offers of proof, be allowed to testify, and I
14 have concluded that he cannot testify. I am issuing a
15 minute order which will explain my reasoning.

16 I don't want to take up time on it now, but I
17 will issue tht and you can have it for your record.

18 Will the defendants approach sidebar.

19 (The following proceedings were held at sidebar
20 outside the presence of the jury:)

21 THE COURT: Regarding Stevens, when he -- can you
22 hear me okay?

23 When he made the search that you are going to
24 get into, was that in connection with this investigation
25 or some other investigation?

1 MR. RAM: Some other.

2 THE COURT: Some other?

3 MR. RAM: Yes.

4 THE COURT: Because there was a state LAPD
5 officer; correct?

6 MR. RAM: Correct.

7 THE COURT: And so what investigation was it? Was
8 it an investigation that we have mentioned so far or
9 something else?

10 MR. RAM: It hasn't developed yet. It is just
11 that he searched his house.

12 THE COURT: But in that investigation was
13 Grigoryan obviously the subject or target of the
14 investigation?

15 MR. RAM: It is an ongoing. I believe it is an
16 ongoing investigation.

17 THE COURT: It is ongoing.

18 MR. RAM: Yes.

19 THE COURT: But in that investigation, are any of
20 the other defendants in this case involved like Richard
21 Ayvazian?

22 MR. RAM: No.

23 THE COURT: Or Tamara Dadyan.

24 MR. RAM: No.

25 THE COURT: It is just a one-off as regards him?

1 MR. RAM: Correct.

2 THE COURT: I see. Okay. I just wanted to make
3 that clear.

4 MR. RAM: It might be completely -- I don't want
5 to speak out of turn, but I believe it is like a random
6 drug investigation by the state. I just don't know the
7 full details and we are not going to get into that.

8 THE COURT: You are not going to get into that.?

9 MR. RAM: Not at all, your Honor. Not relevant.

10 (The following proceedings were held outside the
11 presence of the jury:)

12 THE COURT: Get the jury.

13 Does it say 17 after 9:00?

14 MS. AHN: Yes, your Honor. I believe so.

15 (The following proceedings were held in the
16 presence of the jury:)

17 THE COURT: Good morning, members of the jury.

18 Thank you once again for being punctual. The Court
19 appreciates it and the parties do. We are ready to
20 resume.

21 MR. FENTON: Thank you, your Honor. The
22 government calls Special Agent Geffrey Clark.

23 (The witness was sworn.)

24 THE CLERK: Please be seated. State your full
25 name and spell it for the record.

1 THE WITNESS: My name is Geffrey Clark. It is
2 spelled G-E-F-F-R-E-Y, C-L-A-R-K.

3

4 DIRECT EXAMINATION

5 BY MR. FENTON:

6 Q Good morning, Special Agent Clark. Can you tell us
7 where you work?

8 A I work for the IRS criminal investigation.

9 Q And how long have you been a federal agent?

10 A For just under 22 years.

11 Q Now, did there come a time when you began
12 investigating PPP and EIDL loan product fraud?

13 A Yes.

14 Q And approximately when was that?

15 A The end of June of 2020.

16 Q And how did your investigation begin?

17 A I was asked to participate in this investigation
18 and investigate financial crimes as well as tax crimes.

19 The original lead came in under Jobe
20 Construction. Several of the names were Ulia Zhadko,
21 Mark Zindroski, Timeline Transport and Top Quality
22 Contracting.

23 Q As part of the investigation, did your
24 investigation eventually include the defendants?

25 A Yes, it did.

1 Q And as part of your investigation, did you look
2 into where the defendants lived between March and August,
3 2020?

4 A Yes, I did.

5 Q And what did you find?

6 A They lived in the Central District of California.

7 Q And as part of your investigation, did you look
8 into whether the defendants were actually in or around
9 Los Angeles, in or around the Central District during the
10 time that they were submitting the fraudulent PPP and
11 EIDL loan applications?

12 A Yes, I did.

13 Q And what did you find?

14 A That they were living in the Central District of
15 California.

16 Q And they were actually present in California as
17 well?

18 MR. LITTRELL: Objection. Foundation.

19 THE COURT: Sustained.

20 Q BY MR. FENTON: Special Agent Clark, did you review
21 bank records relating to the defendants?

22 A Yes, I did.

23 Q And relating to the defendant's aliases as well?

24 A Yes, I did.

25 Q Would that include Ulia Zhadko?

1 A Yes.

2 Q Viktoria Kauichko?

3 A Yes.

4 Q Anton Kudiomov?

5 A Yes.

6 Q What did you find as a result of that review?

7 A In reviewing the bank records, I reviewed
8 particularly the expenses or point of sale where
9 purchases were made. The majority of those sales were
10 made in the San Fernando Valley in Los Angeles County
11 Central District of California.

12 Q And those are all locations within the Central
13 District of California?

14 A Yes.

15 Q Did you review IP address information relating to
16 the applications that were submitted in this case?

17 A Yes, I did.

18 Q And I am going to show you a couple of those
19 documents. I am going to start by showing you what has
20 been previously admitted as government's Exhibit 73C.

21 Looking at this page, is that one of the IP
22 addresses that was used to submit PPP and EIDL loan
23 applications?

24 A Yes. This is the subscriber record for Viktoria
25 Kauichko.

1 Q And what is the subscriber address here?

2 A You want me to read the whole thing?

3 Q Yes.

4 A 2605 --

5 Q No. The subscriber address.

6 A Oh. The address, 6150 Canoga Avenue, Apartment
7 337, Woodland Hills, California.

8 Q And is that within the Central District of
9 California?

10 A Yes.

11 Q All right. Let's look at page 6. Is this one of
12 the IP addresses that was used in connection with the
13 fraudulent scheme?

14 A Yes, this is for Manuk Grigoryan.

15 Q And what is his subscriber address?

16 A 10537 Dora. That is in Sun Valley, California.

17 Q Is that within the Central District of California?

18 A Yes, it is.

19 Q Let's look at one more. Let's look at page 12, and
20 what subscriber name do we have here?

21 A Artur Ayvazian.

22 Q And what is the subscriber address?

23 A 17450 Weddington Street, Encino, California.

24 Q Is that address also within the Central District of
25 California?

1 A Yes.

2 Q And was this IP address used in connection with the
3 fraudulent scheme?

4 A Yes.

5 Q Earlier you mentioned that the defendants lived in
6 and around Los Angeles. Did any of the defendants use
7 their home addresses on fraudulent PPP and EIDL loan
8 applications?

9 MR. LITTRELL: Objection. Foundation.

10 THE COURT: Ask the question again.

11 MR. FENTON: Yes, your Honor.

12 Q BY MR. FENTON: Did any of the defendants use their
13 home addresses in connection with PPP or EIDL loan
14 applications?

15 THE COURT: The objection was what?

16 MR. LITTRELL: Foundation.

17 THE COURT: Sustained.

18 Q BY MR. FENTON: Special Agent Clark, did you review
19 PPP and EIDL loan applications in connection with your
20 investigation?

21 A Yes.

22 Q Did any of the defendants use their home addresses?

23 MR. LITTRELL: Objection. Foundation.

24 THE COURT: Sustained.

25 MR. FENTON: All right. We will move on.

1 Q Did the defendants travel outside of the country
2 between March and August 2020?

3 MR. LITTRELL: Objection. Foundation.

4 THE COURT: Sustained.

5 Q BY MR. FENTON: Special Agent Clark, did you review
6 travel records relating to the defendant's travel in
7 connection with your investigation?

8 A Yes.

9 Q And based on your review of those travel records,
10 did any of the defendants travel outside of the country
11 between March and August 2020?

12 MR. LITTRELL: Objection. Foundation.

13 THE COURT: Sustained.

14 Q BY MR. FENTON: Earlier you testified that you
15 analyzed the bank records for the defendants and their
16 aliases; correct?

17 A Yes.

18 Q Did you look at the bank records for Ulia Zhadko?

19 A Yes, I did.

20 Q I am going to show you what what was previously
21 admitted as government's Exhibit 1N. And directing your
22 attention to -- well, do you recognize this document?

23 Let me direct your attention to page 31. Do
24 you recognize this document?

25 A Yes.

1 Q Can you tell me what this is?

2 A This is what we refer to as a travel alert.

3 Q Okay. And what is this travel alert requesting?

4 A This is a travel alert that Ulia Zhadko was
5 informing the bank that he will be traveling out of the
6 country and these travel alerts are basically to let the
7 credit card company know or the bank know that purchases
8 or expenses may be observed out of their normal spending
9 pattern.

10 Q All right. Can we turn to page 2 -- or 32. All
11 right. And when does Ulia Zhadko tell his bank that he
12 will be traveling?

13 THE COURT: I still didn't hear a thing you said.

14 Q BY MR. FENTON: What dates did Ulia Zhadko tell
15 Radius Bank that he will be traveling?

16 A October 10th through October 20th and that would
17 refer to last year, 2020.

18 Q And where did Ulia Zhadko say that he was traveling
19 to?

20 A Indicated he was going to the Caribbean, Turks and
21 Caicos.

22 Q All right. At the start of your investigation,
23 what, if anything, did you do to investigate the name
24 Ulia Zhadko?

25 A I reviewed several numerous loan applications, and

1 I specifically ran the driver's license associated to
2 those loan applications.

3 Q All right. I am showing you what has been
4 previously admitted as government Exhibit 6J.

5 Directing your attention to page 18, do you
6 recognize this document?

7 A Yes.

8 Q Okay. What is this?

9 A It is the driver's license submitted in support of
10 the application.

11 Q All right. And did you --

12 THE COURT: What application? I mean, ask
13 complete questions and let's get complete answers.

14 Q BY MR. FENTON: Is this the -- can we go back to the
15 front. Special Agent Clark, do you recognize this
16 document?

17 A Yes.

18 Q Can you tell us what it is?

19 A It is an application for a PPP loan in the business
20 name of Timeline Transport, Inc.

21 Q All right. Directing your attention to the next
22 page. Who signs this application?

23 MR. LITTRELL: Objection. Foundation.

24 THE COURT: The document is in evidence; correct?

25 MR. FENTON: Yes.

1 THE COURT: Who signs the application. The
2 objection is sustained. No foundation.

3 Q BY MR. FENTON: Directing your attention to the
4 bottom of the page, can you read to us what it says under
5 signature of authorized representative of applicant?

6 A Under that in type it says Ulia Zhadko.

7 Q All right. Directing your attention to page 18, do
8 you recognize this document?

9 A Yes.

10 Q And what do you recognize this document to be?

11 A That is the driver's license submitted with the PPP
12 application.

13 Q And the address here says 5141 Genesta Avenue,
14 Encino, California; correct?

15 A Correct.

16 Q Did you investigate that address?

17 A Yes.

18 Q What steps, if any, did you take?

19 A I basically did a public database search. I ran
20 the name through Accurate, which is very similar to TLO.

21 Q And what did you find?

22 A That is the former address of defendants Richard
23 Ayvazian and Marietta Terabelian.

24 Q We are going to move on to another exhibit. I am
25 going to show you what has been previously marked as

1 government's Exhibit 6L. Do you recognize this document?

2 THE COURT: Is this 6L? Is 6L in evidence.

3 THE WITNESS: I thought it says 6I.

4 THE COURT: One moment. Is it in evidence?

5 MR. FENTON: Yes, your Honor.

6 THE COURT: All right. And is this a document
7 this witness gathered in his investigation?

8 MR. FENTON: This is a document that the witness
9 reviewed in the course of his investigation.

10 THE COURT: Why do you ask whether he recognize it
11 or not? I mean, let's say he doesn't recognize it.
12 Would you still ask him what is in it?

13 MR. FENTON: I would, your Honor.

14 THE COURT: Well, do that.

15 MR. FENTON: Okay.

16 Q BY MR. FENTON: Directing your attention to page
17 16. Do you recognize --

18 THE COURT: Somebody's phone is going off, or am I
19 hearing something?

20 Q BY MR. FENTON: Special Agent Clark, have you seen
21 this driver's license before?

22 A Yes.

23 Q Did you look at it in connection with your
24 investigation?

25 A Yes.

1 Q And the address in this driver's license is 22330
2 Victory Boulevard, Apartment 303, Woodland Hills,
3 California; correct?

4 A Yes.

5 Q Did you investigate this address?

6 A Yes.

7 Q And what did you find?

8 A I found that --

9 MR. SILVERMAN: Objection. Foundation.

10 THE COURT: What did you find? I mean, that is a
11 very open-ended question. I mean, can you make it a
12 little more specific?

13 MR. FENTON: I can, your Honor.

14 Q BY MR. FENTON: Did you search public databases,
15 publicly available records to see who resided at this
16 address?

17 A Yes.

18 Q And what did you find?

19 MR. SILVERMAN: Objection. Foundation.

20 THE COURT: Overruled.

21 THE WITNESS: That Ulia Zhadko did not reside at
22 that address.

23 Q BY MR. FENTON: Okay. Did you actually visit that
24 address?

25 A Yes, I did.

1 Q In person?

2 A Yes.

3 Q And what did you find?

4 A We had executed a search warrant and the door was
5 still boarded up. It indicated that basically nobody was
6 living there anymore.

7 Q All right. Did you investigate Timeline Transport?

8 A Yes.

9 Q And what steps did you take to investigate Timeline
10 Transport, the company?

11 A I went to the locations indicated on the
12 application.

13 Q Okay. And what did you find when you visited that
14 location?

15 A That the business wasn't there.

16 Q Are you familiar with a company referred to as Top
17 Quality Contracting?

18 A Yes.

19 Q And is that a company that's associated with Ulia
20 Zhadko?

21 A Yes.

22 Q And did you investigate that company as well?

23 A Yes.

24 Q And what steps did you take?

25 A The location is Mark Zindroski's.

1 Q Okay. And how about the company? Are you familiar
2 with the company Turing Info Solutions?

3 A Yes.

4 Q Is that one of the companies that was used to apply
5 for PPP loan applications?

6 A Yes.

7 Q Is that one of the companies associated with Ulia
8 Zhadco?

9 A Yes.

10 Q Did you investigate that company as well?

11 A Yes.

12 Q And did you do a location check for that company?

13 A I spoke with the property manager for that
14 location.

15 Q Okay. And what did you find?

16 A That -- I found that Turing Info Solutions was not
17 at that address and had never been at that address.

18 Q All right. In the course of your investigation,
19 did you look into how Ulia Zhadco's name was used just
20 generally?

21 A Yes.

22 Q And was his name used in connection with any real
23 estate transactions?

24 A Yes, it was.

25 Q What real estate transaction was that name used in

1 connection with?

2 A It was a purchase of a residence on Calle La
3 Primavera in the City of Glendale, California.

4 Q And was that within the Central District of
5 California?

6 A Yes.

7 Q Did you take any steps to actually investigate the
8 actual real estate transaction itself?

9 A Yes, I did.

10 Q What steps did you take?

11 A I reviewed the escrow documents.

12 Q Going to show you what has been previously admitted
13 as government Exhibit 30J.

14 Can you tell what this document is, Special
15 Agent?

16 A This is part of an e-mail string regarding the real
17 estate transaction.

18 Q For which property?

19 A It is the Beverly Hills escrow, so that would be
20 the Calle La Primavera purchase.

21 Q It appears this is an e-mail sent from the law
22 offices of owe Olaf Landsgaard; correct?

23 A Yes, it does represent that.

24 Q Based upon your review of this e-mail, what was
25 Olaf Landsgaard's purported role in this transaction?

1 A He was an attorney representing the purchaser Ulia
2 Zhadco in the purchase of the Calle La Primavera
3 property?

4 Q Now, as part of your investigation did you attempt
5 to reach out to and interview Olaf Landsgaard?

6 A Yes, I did.

7 Q And were you able to do so?

8 A No, I was not.

9 Q And why is that?

10 A He had passed away in April of 2019.

11 Q All right. Showing you what has been previously
12 marked government's Exhibit 74 for identification.

13 Mr. Cruz, I just ask that we show the witness
14 this exhibit.

15 Special Agent Clark, what is this document?
16 Do you recognize this document?

17 A Yes, I do.

18 Q And what do you recognize it to be?

19 A This is a death certificate for Olaf Landsgaard.

20 MR. FENTON: Your Honor, the government moves to
21 admit government Exhibit 74.

22 THE COURT: Received.

23 MR. FENTON: Permission to publish.

24 (Exhibit 74 received in evidence.)

25 THE WITNESS: Yes.

1 Q BY MR. FENTON: Based on your review of the death
2 certificate, when did Olaf Landsgaard pass away?

3 A April 23rd, 2001.

4 Q And when was Olaf Landsgaard's name used in
5 connection with the Ulia Zhadco deal?

6 A In the summer of 2020.

7 Q Did you investigate who was living in the house
8 purchased by Ulia Zhadco?

9 A Yes. I attempted to.

10 Q Okay. And what steps did you take?

11 A I obtained the records from the City of Glendale
12 Department of Water and Power.

13 Q All right. I am going to show you what has been
14 marked as government's Exhibit 84.

15 And, Mr. Cruz, again I would ask that we show
16 this only to the witness.

17 Do you recognize this document, Special Agent?

18 A Yes. This is part of the documents that I received
19 from the City of Glendale.

20 Q And you received these documents personally?

21 A Yes.

22 MR. FENTON: Your Honor, we move to admit as a
23 self-authenticating business record pursuant to 902(11)
24 and 803(6).

25 THE COURT: Received.

1 MR. FENTON: Permission to publish.

2 THE COURT: Yes.

3 (Exhibit 84 received in evidence.)

4 Q BY MR. FENTON: So, Special Agent Clark, can you
5 tell the jury, what does this document show?

6 A I think you need to go to a different page of the
7 document.

8 MR. FENTON: Mr. Cruz, can we publish this
9 document. My apologies.

10 Q BY MR. FENTON: Special agent Clark, can you tell
11 the jury what does this document show?

12 A Well, this document just shows who the account
13 holder on the -- you need to go to a different page.

14 Q All right. Let's go to page 2.

15 A I believe it is more towards the end of the
16 document. Back up.

17 Q Is this the page that you were referring to,
18 Special Agent Clark?

19 A Yes, it is.

20 Q What does it say next to account holder?

21 A It says that the name of the account holder is
22 Vardui Terabelian.

23 Q And did you look into that name?

24 A Yes.

25 Q And does that name have any relationship to the

1 defendants?

2 A It is Marietta Terabelian's mother and Richard
3 Ayvazian's mother-in-law.

4 Q And this is the person who the account for water
5 and utilities is in for the Ulia Zhadco house?

6 A Yes, it is.

7 Q Now, as part of your investigation what, if
8 anything, did do you to investigate the name Viktoria
9 Kauichko?

10 A I analyzed bank records. I went to the location
11 indicated on the driver's license and the addresses
12 associated to the loans.

13 Q Okay. When you say the addresses associated with
14 the loans, do you mean the loans that were taken out in
15 the Viktoria Kauichko name?

16 A Yes.

17 Q And is Runyan Tax Service one of those names?

18 A Yes, it is.

19 Q Did you attempt to visit the address for Runyan Tax
20 Service?

21 A I did visit the address.

22 Q And what did you find?

23 A That Runyan Tax Service was not there.

24 Q All right. Is Fiber One another company that was
25 submitted -- for which Viktoria Kauichko submitted a PPP

1 loan application?

2 A Yes, it is.

3 Q And did you visit the Fiber One Media address on
4 that application?

5 A Yes, I did.

6 Q And what did you find?

7 A That Fiber One wasn't there. It was occupied by an
8 accounting company for at least six years.

9 Q And how about Journeyman Construction. Is that
10 another company associated with Viktoria Kauichko?

11 A Yes, it is.

12 Q Did that company file for a PPP loan application?

13 A Yes, it did.

14 Q Did you visit the address for that company as well?

15 A Yes, I did.

16 Q And what did you find?

17 A That unit was occupied by like a home design
18 service company for the past two years.

19 Q Now, as part of your investigation, were you
20 involved in the execution of any search warrants of any
21 of the defendants' homes?

22 A Yes, I was.

23 Q Which residence?

24 A The residence of Richard Ayvazian and Mary
25 Terabelian, which is the Topeka residence.

1 Q And are you physically on the property during the
2 search?

3 A Yes, I was.

4 Q What was your role in connection with that search?

5 A Initial role was assigned as a searcher, but I
6 turned more into a rover.

7 Q And what is a rover? Can you please describe what
8 a rover does for the jury?

9 A I would go around and answer questions of other
10 agents that were searching regarding what they found, if
11 it was relevant or not.

12 Q And what was the date of that search?

13 A November 5th, 2020.

14 Q Showing you what has been previously marked,
15 government Exhibit 56D.

16 Mr. Cruz, I would like to show this just to
17 the witness at first. Do you recognize this photograph?

18 A Yes, I do.

19 Q What does this photograph depict?

20 A It is a picture of a cell phone, of which there are
21 three credit cards on it.

22 Q Okay. And did you find this phone at the search
23 site?

24 A I wasn't the finder of the phone, but on the
25 initial assessment when I went through at the beginning

1 to determine if we needed more manpower, I found this
2 phone on the kitchen table.

3 Q And when you found the phone, can you just tell us
4 what state was the phone in?

5 A In our training if we find a digital device, we are
6 instructed to see if the device is on. And if it is on,
7 we are instructed to turn it into airplane mode so there
8 is no communication going into the phone. So when I
9 flipped it over, it was in the on state.

10 Q And was this what you saw when you flipped the
11 phone over?

12 A Yes.

13 Q And is this photograph a fair and accurate
14 depiction of what was on the phone at that time?

15 A Yes.

16 MR. FENTON: Your Honor, the government moves to
17 admit.

18 THE COURT: Received.

19 MR. FENTON: Permission to publish.

20 THE COURT: What exhibit number is this?

21 MR. FENTON: This is government Exhibit 56D, as in
22 delta.

23 THE COURT: Yes.

24 (Exhibit 56D received in evidence.)

25 Q BY MR. FENTON: Special agent Clark, this is the

1 phone you found on November 5th when you searched the
2 house that Richard Ayvazian and Mary Terabelian's home;
3 correct?

4 A This was on the kitchen table.

5 Q And can you describe for the jury what are the
6 names on the three credit cards depicted in this
7 photograph?

8 A From top to bottom, the Citibank gold card is Ulia
9 Zhadco, the middle Citibank gold card is Viktoria
10 Kauichko and the bottom Citicard is Ulia Zhadco.

11 Q Okay. And the search took place approximately two
12 weeks after the defendants had been arrested in
13 connection with this case; correct?

14 A Approximately.

15 Q Now, as part of your investigation, did you look
16 into a company named Mod Interiors?

17 A Yes.

18 Q And what steps did you take to investigate Mod
19 Interiors?

20 A Again, I did a location check.

21 Q Okay. And is Mod Interiors one of the companies
22 that applied for a PPP loan in connection with this case?

23 A Yes.

24 Q Showing you what has been marked -- what has been
25 previously admitted as government Exhibit 20. And,

1 Special Agent Clark, is this one of the PPP loan
2 applications submitted by Mod Interiors?

3 A This is one of the applications for Mod Interiors.

4 Q All right. Directing your attention to page 2, at
5 the bottom of the page, it says signature of authorized
6 representative of applicant. What name does it say
7 there?

8 A In the print it says Nazar Terabelian.

9 Q And what is the date that the signature?

10 A July 23rd, 2020.

11 Q Now, did you conduct an investigation into the name
12 Nazar Terabelian?

13 A Yes, I did.

14 Q And what did you find?

15 A I found Nazar had passed away.

16 Q All right. Showing you what has been marked for
17 identification as government Exhibit 75.

18 Mr. Cruz, I would ask that we show this only
19 to the witness.

20 Special Agent Clark, did do you recognize this
21 document?

22 A Yes, I do.

23 Q What is this?

24 A It is the death certificate for Nazar Terabelian.

25 MR. FENTON: Your Honor, the government moves to

1 admit government Exhibit 75?

2 THE COURT: Received.

3 (Exhibit 75 received in evidence.)

4 MR. FENTON: Permission to publish.

5 THE COURT: Yes.

6 Q BY MR. FENTON: Special Agent Clark, can you explain
7 to the jury what this document shows?

8 A It is the death certificate for Nazar Terabelian.
9 It indicates the date of death as July 18th, 2020.

10 Q And when was Nazar Terabelian's name used in
11 connection with the Mod Interiors PPP loan application?

12 A July 23rd, 2020.

13 Q So approximately five days following his date of
14 death?

15 A Approximately.

16 Q And did you look to see whether Nazar Terabelian
17 was related to any of the defendants in this case?

18 A Yes.

19 Q And what did you find?

20 A Nazar Terabelian is Marietta Terabelian's father,
21 and the father-in-law of Richard Ayvazian.

22 MR. FENTON: No further questions.

23 THE COURT: Cross-examination.

24 MR. SILVERMAN: Your Honor, we have some defense
25 exhibits we would like to move into evidence that we sent

1 the government last night.

2 THE COURT: Any objection to these exhibits?

3 MR. FENTON: Your Honor, I believe that there may
4 be an objection to some of these exhibits.

5 THE COURT: Well, then, we have to deal with them
6 one at a time. I mean, if this witness is the witness
7 who can lay a foundation, do that. Otherwise, we can't
8 show exhibits to the jury regarding exhibits that haven't
9 been received.

10 MR. SILVERMAN: Yes, your Honor. I believe we can
11 deal with it as it comes.

12 THE COURT: Okay.

13

14 CROSS-EXAMINATION

15 BY MR. SILVERMAN:

16 Q Good morning, Agent Clark.

17 A Good morning.

18 Q Agent Clark, you testified about your investigation
19 into this case; correct?

20 A Yes.

21 Q And as part of that investigation, you investigated
22 Manuk Grigoryan; correct?

23 A Yes, he was part of this investigation.

24 Q And he was responsible for several key synthetic
25 identities, wasn't he?

1 MR. FENTON: Objection, your Honor. That question
2 is confusing and vague.

3 THE COURT: The word responsible?

4 MR. FENTON: Yes. The word responsible and key.

5 Q BY MR. SILVERMAN: He used synthetic identities,
6 didn't he?

7 A Yes.

8 Q He used them from his home; correct?

9 A Yes.

10 Q And his home is at 10537 Dora Street; right?

11 A Yes.

12 Q And that is in Sun Valley, California?

13 A Yes.

14 Q And he used them from his apartment, didn't he?

15 A The 6150 Canoga.

16 Q He used them from 6150 Canoga Avenue; right?

17 A Yes.

18 Q And that apartment was registered in his name,
19 wasn't it?

20 A Initially.

21 Q And, initially, specifically, it was registered in
22 his name beginning in November, 2019?

23 A That seems about right.

24 Q And that is before any -- the CARES Act was passed;
25 correct?

1 A Yes.

2 Q And then, in April, 2020 he received a renewal
3 packet; right?

4 A I am not aware of that.

5 MR. SILVERMAN: If we could please pull up
6 government Exhibit 42 and go to page 3.

7 Oh. I need to switch over.

8 If we can blow up the bottom half of the page,
9 please.

10 Q BY MR. SILVERMAN: And so does this show that on
11 approximately -- or it is actually April 23rd, a renewal
12 packet was sent to Manuk Grigoryan?

13 A Could I see page 1 so I know what the totality of
14 the document is?

15 Q Absolutely. If we could go over to page 1, please,
16 and I can represent to you that the custodian on this
17 document was Warner Pointe Center?

18 THE COURT: I didn't hear what you said.

19 MR. SILVERMAN: I can represent to the witness
20 that the custodian on the document was Warner Center, The
21 Pointe at Warner Center.

22 THE WITNESS: Okay.

23 Q BY MR. SILVERMAN: And up at the top it says
24 "Activity for Victoria Kauichko"; correct?

25 A Yes, it does.

1 Q So if we can go to page 3 and blow up the bottom
2 half again. And listed as activity for Viktoria Kauichko
3 on April 23rd is sending a renewal packet to Manuk
4 Grigoryan at Mikegrigoryan93@gmail.com; right?

5 A That is what it represents.

6 Q And three weeks later, an application was submitted
7 in the name of Viktoria Kauichko; correct?

8 A That is what it represents.

9 MR. SILVERMAN: And can we go to the next page,
10 please, and blow up the top half of the page.

11 THE COURT: An application for a lease?

12 MR. SILVERMAN: Yes, your Honor.

13 THE COURT: Let's finish these sentences.

14 MR. SILVERMAN: Yes, your Honor.

15 Q BY MR. SILVERMAN: And after the application was
16 submitted, it was approved; correct?

17 A Yes. That is what it represents there on May 14th.

18 Q And it looks like in June, 2020, Viktoria Kauichko
19 became the rental holder at 6150 Canoga Avenue; right?

20 A I don't know that.

21 MR. SILVERMAN: Well, can we go to page 24, I
22 guess, please. And can we blowup the second line,
23 please.

24 Q So this is a document related to 6150 Canoga
25 Avenue; correct?

1 A Yes.

2 Q Page 4, which we were on a moment ago, said that
3 Viktoria Kauichko took over; correct?

4 A I don't know if that document says she took over or
5 she was added to the lease.

6 Q So either she was added to the lease or she
7 replaced Manuk Grigoryan; correct?

8 A I can't say either way.

9 Q Now, if we can go to page 12, please. And if we
10 can blowup just the top couple of lines.

11 This is a key fob registry; is that right?

12 A Yes.

13 Q And up at the top left it says Manuk Grigoryan;
14 right?

15 A Yes.

16 Q So this key fob is presumably registered to Manuk
17 Grigoryan?

18 A Yes.

19 Q And if we look at the date stamp there, it was used
20 up through November, 2020; right?

21 A That is what it indicates.

22 Q And so that is even after Viktoria Kauichko was
23 added to the lease or signed her own lease; correct?

24 THE COURT: You know, something is happening with
25 your questions that don't enable me to hear you clearly.

1 Could you make a better effort?

2 MR. SILVERMAN: Yes, your Honor.

3 Q BY MR. SILVERMAN: Agent Clark, November, 2020, was
4 after Viktoria Kauichko submitted an application;
5 correct?

6 A Yes.

7 Q And, after, that application for residency was
8 approved; correct?

9 A Yes.

10 Q And Manuk Grigoryan's key fob was still being used
11 to scan in and out of the building; correct?

12 A The key fob assigned to him was being used.

13 Q Well, do you think that the key fob was in Richard
14 Ayvazian's possession?

15 MR. FENTON: Objection, your Honor. That lacks
16 foundation calls for speculation.

17 THE COURT: Sustained.

18 MR. SILVERMAN: Yes, your Honor.

19 Q BY MR. SILVERMAN: Let's see if we go to page 14,
20 please. And can we zoom in on those dates, please.

21 Now, this says that the key fob was used on
22 October 21 and October 22nd; correct?

23 A Yes. Going top to bottom, it indicates activity
24 for the key fob.

25 Q So Richard Ayvazian was in jail in Miami on

1 October 21 and October 22, wasn't he?

2 A That is my recollection. Yes.

3 Q In connection with this case?

4 A Yes.

5 Q Now, the government obtained surveillance videos
6 from this apartment complex; correct?

7 A Yes.

8 Q And in fact you visited this apartment complex,
9 right?

10 A Several times.

11 Q And you viewed those surveillance videos?

12 A Videos were provided to me and I viewed those
13 videos.

14 THE COURT: I didn't hear what you said.

15 THE WITNESS: Videos were provided to me that I
16 viewed. I didn't search for the videos.

17 Q BY MR. SILVERMAN: And on any of those videos did
18 you see Richard Ayvazian?

19 MR. FENTON: Objection, your Honor. I think there
20 is some confusion about what videos were viewed.

21 THE COURT: I don't know. I mean, do you
22 understand the question?

23 THE PROSPECTIVE JUROR: Yes, your Honor.

24 THE COURT: Then you can answer it.

25 MR. SILVERMAN: And I can clarify, your Honor.

1 THE COURT: He understands the question. That is
2 the important thing.

3 MR. SILVERMAN: I would like to just make sure --
4 if counsel doesn't understand, I would like to make sure
5 that the jury understands as well.

6 THE COURT: Well, let him answer and see what
7 follows. I mean, it sounds simple. You asked whether
8 there were videos of the apartment.

9 MR. SILVERMAN: Correct.

10 THE COURT: He said he didn't -- wasn't the person
11 who made the videos, but they were made available to him.
12 You can ask him how he got them and what he saw on them
13 if anything. I don't know.

14 Q BY MR. SILVERMAN: How is it you got the
15 surveillance videos from Canoga Avenue?

16 A Well, I went to the Canoga and they gave me the
17 hard drive.

18 Q And who reviewed those hard drives?

19 A One of our computer specialists.

20 Q And what were they supposed to give to you?

21 A They would give me clips of certain times that they
22 believe maybe there would be activity that I could
23 recognize somebody.

24 Q And were they provided with photos of the
25 defendants?

1 A No, they were not.

2 Q Were they provided with descriptions of the
3 defendants?

4 A General descriptions.

5 Q And did anyone review these videos that had a
6 photograph of Richard Ayvazian?

7 A Yes.

8 Q And did anybody provide you with a video clip that
9 had Richard Ayvazian going in or out of the Canoga
10 apartment complex?

11 A There were several videos of unidentified males
12 that we reviewed. So I couldn't say if it was Richard or
13 not.

14 Q But you reviewed whatever was given to you;
15 correct?

16 A Yes. Very limited.

17 Q And you know what Richard Ayvazian looks like?

18 A Yes.

19 Q You have been investigating him for almost a year?

20 A Since October of last year.

21 Q Did you see Richard Ayvazian on any of those
22 videos?

23 A Not to my knowledge.

24 MR. SILVERMAN: I would like to bring up defense
25 Exhibit 1, please.

1 Q BY MR. SILVERMAN: Now, you were here when Agent
2 Massino was questioned about this particular photograph
3 yesterday; correct?

4 A Yes.

5 Q And he was asked whether in June, 2020 he believed
6 this person was Ulia Zhadco?

7 A From the e-mail. Yes.

8 Q And in June, 2020, did you believe this person was
9 Ulia Zhadco?

10 A We believed that this person was using Ulia
11 Zhadco's debit card to access funds from -- I think this
12 is from B of A.

13 Q Now, when you reviewed those surveillance videos,
14 you did see this person on them, didn't you?

15 A To clarify, I didn't see any videos. I just saw
16 photographs.

17 Q When you reviewed the clips from the Canoga
18 apartment complex, you did see this person in those
19 clips; right?

20 A I believe that I did see an individual with this
21 gentleman's stature.

22 Q So this gentleman did appear to be going in and out
23 of Canoga; correct?

24 A There was only one video clip with this gentleman
25 on there that I observed.

1 Q And you know this gentleman to be a man named
2 Parure Hayrapetyan; correct?

3 A Yes.

4 Q And Parure Hayrapetyan works with Manuk Grigoryan,
5 doesn't he?

6 A I am not aware of that.

7 Q Mr. Clark, you worked with a man named Arman
8 Hayrapetyan in this case; correct?

9 A Yes, that's correct. I recall now.

10 Q So Armin Hayrapetyan informed you that Parure
11 Hayrapetyan works for Manuk Grigoryan; correct?

12 A Hayrapetyan -- well, this gentleman -- I don't want
13 to mispronounce the name -- would pick Armin up. Yes.

14 Q And to back up for one moment, Armin and Parure,
15 there is no relation; correct?

16 A Not to my knowledge.

17 Q And Armin worked for Manuk Grigoryan?

18 MR. FENTON: Objection, your Honor. Lack of
19 foundation, based on hearsay.

20 THE COURT: Did you investigate that relationship?

21 THE WITNESS: In a general sense, yes.

22 THE COURT: What did you do?

23 THE WITNESS: I tried to connect a familiar link
24 through public records.

25 THE COURT: And were you able to make any

1 connection between the names that the lawyer has asked
2 you about in the question?

3 THE WITNESS: No.

4 THE COURT: The objection is sustained.

5 MR. SILVERMAN: Your Honor, may I inquire as to
6 the -- for the failure to investigate leads, your Honor?

7 THE COURT: Well, he just said he did investigate.
8 If you want to ask him about what else he could have done
9 or what he did do, you can do that, but the objection to
10 your question is sustained.

11 Q BY MR. SILVERMAN: Agent Clark, based on your
12 investigation in this case, are you aware that Armin and
13 Parure Hayrapetyan are connected with Manuk Grigoryan?

14 A Yes.

15 Q Now we can take down the photo.

16 You mentioned on direct examination that you
17 reviewed IP addresses in this case?

18 A Cursory review.

19 Q And one of the IP addresses in this case belongs to
20 Manuk Grigoryan's apartment -- or excuse me, to the
21 Canoga apartment; correct?

22 A Yes. That would be the Viktoria Kauichko
23 subscriber information.

24 THE COURT: Would you keep your voice up a little
25 bit?

1 THE WITNESS: Yes, your Honor.

2 THE COURT: You speak very softly for some reason.

3 THE WITNESS: I apologize.

4 Q BY MR. SILVERMAN: If we can go to GX73.B, please.

5 And actually before we bring this up, I want to ask one

6 or three questions quickly, just changing the subject

7 suddenly, and I apologize for that. You also reviewed

8 bank accounts in connection with this investigation; is

9 that right?

10 A Voluminous bank accounts.

11 Q And on direct examination you testified to a bank

12 account of Ulia Zhadco; right?

13 A Yes, I believe that is Timeline Transport.

14 Q And there were requests submitted in the name of

15 Ulia Zhadco; correct?

16 A Clarify requests.

17 Q There was a travel alert placed in the name of Ulia

18 Zhadco; right?

19 A Yes.

20 Q And would you agree that you also reviewed a

21 JPMorgan Chase account in the name of Ulia Zhadco?

22 A Most likely.

23 Q And sitting here today, can you recall any travel

24 alert being placed on any JPMorgan Chase account in the

25 name of Ulia Zhadco?

1 A In the documents produced, no.

2 Q And you likely reviewed a JPMorgan chase account in
3 the name of Turing Info Solutions; is that right?

4 A Yes.

5 Q And do you recall any travel alert being placed on
6 the account in the name of Turing Info Solutions?

7 A No, I do not.

8 Q Now, if we can bring up GX373.B. Going back to IP
9 addresses and go to page 2, please, and if you can blow
10 up the target details at the very top.

11 And the IP address, suffice it to say, it ends
12 in .188; correct?

13 A Yes.

14 Q And down at the bottom it says current lease start,
15 December 11, 2019; right?

16 A That is what that indicates. Yes.

17 Q And that would be before the CARES Act was passed
18 or PPP loans began; correct?

19 A Yes.

20 Q Now keeping in mind this .188 IP address, can we
21 please bring up for the witness only defense Exhibit 19?

22 Agent Clark, can you please identify what this
23 document is?

24 A I don't know what it is.

25 Q Can you identify who it was produced by?

1 A It would be produced by JPMorgan chase.

2 Q And following that, is there a DOJ prod number in
3 the bottom right-hand corner?

4 A Yes.

5 Q And are you familiar that that means it was
6 produced by the government in this case?

7 A Yes.

8 MR. SILVERMAN: Move to admit it, your Honor.

9 THE COURT: Received.

10 (Exhibit 19 received in evidence.)

11 MR. SILVERMAN: If we can go to page 19, please.

12 Or actually stay on page 1 for a moment. I apologize,
13 Ms. Romero. And can we publish, please. Permission to
14 publish.

15 THE COURT: Yes.

16 Q Which three customer names does this document
17 regard?

18 A As indicated the document, it indicates customer
19 name, Edvard Paronyan on the top. In the middle, it
20 indicates Ulia Zhadco. And on the bottom, it indicates
21 Manuk Grigoryan.

22 Q And if we can go to page 19, please. And if we can
23 zoom in slightly.

24 And about two-thirds of the way down the
25 screen, you are going to see 104.34.75.188. Can you

1 highlight that, please. On April 7th.

2 Now, Agent Clark, does that show that on
3 April 7th the .188 IP address was used to log into Manuk
4 Grigoryan's account?

5 A I have no idea what this document is.

6 Q Next to the .188 number, what user number does it
7 say?

8 MR. FENTON: Objection, your Honor. The witness
9 just said he doesn't know what this document is.

10 THE COURT: Sustained.

11 Q BY MR. SILVERMAN: Agent Clark, you have reviewed
12 bank records in this case; right?

13 A Yes.

14 Q I believe you said voluminous bank records?

15 A Yes.

16 Q If there was an important bank record, you were
17 going to review it; correct?

18 MR. FENTON: Objection, your Honor.

19 THE COURT: Overruled at this point. Go ahead.

20 THE WITNESS: Define important. When I looked at
21 the bank records, I am looking at financial transactions.

22 Q BY MR. SILVERMAN: And so you were looking at
23 financial transactions specifically in connection with
24 Ulia Zhadco; right?

25 A And others.

1 Q And this document contains a number of entries with
2 respect to -- well, actually let's go back to page 10,
3 please. And if we can zoom in on the information.

4 Suffice it to say this document contains a
5 large number of transactions involving Ulia Zhadco;
6 correct?

7 MR. FENTON: Objection, your Honor. He is asking
8 him to testify about the same document he just said he
9 does not understand.

10 THE COURT: Overruled.

11 THE WITNESS: I don't know if the document -- I
12 never looked at these types of documents.

13 THE COURT: One minute here. Just -- question and
14 answer. Question and answer. I mean, the question was
15 is Zhadko or whoever mentioned frequently in this
16 document. That was the question, wasn't it?

17 MR. SILVERMAN: Correct, your Honor.

18 THE COURT: All right. So he can answer "yes" or
19 "no" regardless of what else he knows about it.

20 Q BY MR. SILVERMAN: Agent --

21 THE COURT: Let him answer.

22 MR. SILVERMAN: Yes.

23 THE WITNESS: In reading the document, it says
24 Ulia Zhadco 11.

25 Q BY MR. SILVERMAN: And specifically it says that

1 under user; correct?

2 A Yes.

3 Q And under IP, it says 104.34.75.188?

4 A Again, in reading the document --

5 THE COURT: Is this document in evidence?

6 MR. SILVERMAN: Yes, your Honor.

7 THE COURT: All right. Then you can ask him these
8 questions.

9 Q BY MR. SILVERMAN: So, Agent Clark, is it your
10 testimony that you have not reviewed this document in the
11 past?

12 A That's correct.

13 Q And you decided that it wasn't important to look
14 into what IP addresses access Ulia Zhadco's account?

15 MR. FENTON: Objection, your Honor.
16 Argumentative.

17 THE COURT: Overruled.

18 THE WITNESS: The question again, please.

19 Q BY MR. SILVERMAN: You decided that it wasn't
20 important to look into which IP addresses accessed Ulia
21 Zhadco's account?

22 A The task of looking into IP addresses was not what
23 my role is in this investigation. I am a financial
24 investigator. I trace the money to where it goes.

25 Q Agent Clark, on direct examination you testified

1 that you reviewed IP addresses; right?

2 A I reviewed the subscriber.

3 Q And you reviewed financial transactions?

4 A Yes.

5 Q And you decided that it was not important to review
6 the IP addresses connected with those financial
7 transactions?

8 MR. FENTON: Objection, your Honor. Asked and
9 answered. Argumentative.

10 THE COURT: All right. He has answered. He said
11 whatever value it has that he wasn't assigned to do what
12 you are asking him about. So he has answered the
13 question.

14 MR. SILVERMAN: Yes, your Honor.

15 THE COURT: Let's move to something else.

16 Q BY MR. SILVERMAN: Now, if we can move to page 19 of
17 this document, just to close the loop. And on April
18 April 7th, the item that we started to discuss before
19 that is the same 104.34.75.188 that was used to access
20 Ulia Zhadco's account; correct?

21 A From the subscriber information. Yes.

22 Q And if we can go to the next page, and go to May 6
23 and May 7.

24 And, again, that is the same 104.34.75.188
25 that was used to access Ulia Zhadco's account?

1 A You know, I don't know if that was used for the
2 account. I didn't review these documents.

3 Q It was the same number that showed up on the page
4 that said Ulia Zhadco; correct?

5 A I mean, I don't know, does this correspond to the
6 Ulia Zhadco account or is this a culmination of all
7 the -- I don't know what this document is.

8 Q Agent Clark, I am going to try and clarify what I
9 am trying to ask you.

10 THE COURT: Well, get to it, because so far it is
11 not entirely clear. He is not familiar with this
12 document. To the extent you want him to read literally
13 from the document, you can, but, if he doesn't know what
14 this document is, he can't answer other questions.

15 MR. SILVERMAN: Yes.

16 Q BY MR. SILVERMAN: The number in column B here is
17 the same number that was listed next to Ulia Zhadco 11 on
18 page 12; right?

19 A Yes.

20 MR. SILVERMAN: Now, if we can bring up defense
21 Exhibit 20 only for the witness please?

22 THE COURT: Is it in evidence?

23 MR. SILVERMAN: It is not.

24 THE COURT: Is that an exhibit or is that the
25 exhibit on the screen?

1 MR. SILVERMAN: No, your Honor. She is pulling up
2 that exhibit.

3 Q BY MR. SILVERMAN: Agent Clark, can you see the
4 spreadsheets on your screen?

5 A Yes.

6 Q And can you read the names in the bottom left-hand
7 tab -- or, I'm sorry. Are you familiar with the names in
8 the bottom left-hand tab?

9 THE COURT: He can't read from something that is
10 not in evidence.

11 MR. SILVERMAN: Yes, your Honor.

12 Q BY MR. SILVERMAN: Can you identify the names in
13 the bottom left-hand tab?

14 MR. SILVERMAN: We will move to offer it, your
15 Honor.

16 THE COURT: Well, I don't know what it is. What
17 does it purport to be? We are looking at a chart with
18 names and columns. What does it purport to be?

19 MR. SILVERMAN: We will circle back to this. It
20 is not clear from the face of it and I have to talk to
21 counsel.

22 THE COURT: I mean, you can't ask him about
23 something that was not in evidence. Maybe it will be,
24 but it is not now.

25 MR. SILVERMAN: Correct, your Honor.

1 Actually, I will offer it into evidence, your
2 Honor?

3 MR. FENTON: No objection from the government.

4 THE COURT: Wait a second. We have to hear other
5 people. Are there other objections?

6 MR. JOHNSON: I'm sorry, your Honor. It is just
7 that the interpreter cannot hear you.

8 THE COURT: You can't hear me?

9 THE INTERPRETER: Yes, your Honor.

10 THE COURT: I apologize. Sometimes I
11 unfortunately do what I tell other people not to do.

12 THE INTERPRETER: I appreciate it, your Honor.

13 THE COURT: All right. So the bottom of this is
14 that it is in evidence. Now you can ask him about its
15 contents.

16 Q BY MR. SILVERMAN: Agent Clark, does this appear to
17 be a record of a user name Ulia Zhadco?

18 A It appears to be it. I don't think I have ever
19 seen this spreadsheet before.

20 Q So I will represent to you this is a production
21 from Bank of America. Have you reviewed the productions
22 from Bank of America?

23 A Voluminous.

24 Q And have you reviewed this spreadsheet?

25 A No.

1 Q And then in that case I am just going to ask you to
2 if you take a look at row 503 and column F there. Is the
3 IP address listed there the same as the IP address that
4 was listed next to Manuk Grigoryan's name on the last
5 exhibit?

6 Oh. Permission to publish, your Honor?

7 THE COURT: Yes.

8 THE WITNESS: In reading the spreadsheet, it is
9 the same number.

10 Q BY MR. SILVERMAN: And if we can go, please, to the
11 top, TQ Contracting tab on the bottom right. And TQ
12 Contracting, do you know if that was a term used to refer
13 to Top Quality Contracting?

14 A Yes, it was.

15 Q And if we can expand column F, please.

16 In column F do you see the same 188 IP address
17 that was used to access Manuk Grigoryan's account in
18 DX19? [[]]

19 A Yes.

20 Q In addition to using this IP address to access bank
21 accounts, it was also used to submit PPP applications;
22 correct?

23 A Yes.

24 Q And if we can bring out government Exhibit 3.E,
25 please. And if we can please go to page 11.

1 And if you can zoom in -- or, I'm sorry, if
2 you can zoom in to the signature of authorized
3 representative of applicant.

4 And what name is there?

5 A The name that is printed is Viktoria Kauichko.

6 Q And what is the date of this submission?

7 A On the document it indicates April 14th, 2020.

8 Q And underneath Viktoria Kauichko's name, it has the
9 .188 IP address; correct?

10 A Yes. As the document reads, yes.

11 Q And if we can flip backwards one page.

12 This is an application for Fiber One Media
13 correct?

14 A As the document reads, yes, Fiber One.

15 Q If we could go to GX3.I.

16 Is the company name here Hart Construction?

17 A Yes.

18 Q And we have heard testimony in this case about Hart
19 Construction and a number of other construction
20 companies?

21 A Yes.

22 Q If you can go to page 73, please. And if you can
23 blow up the center next to signature.

24 This was signed -- or purportedly signed by
25 Michael Hart; correct?

1 A The electronic signature indicates Michael Hart.

2 Q And it was using IP address 104.34.75.188; right?

3 A Yes, in the middle of the bottom there.

4 Q And that is the IP address registered to the Canoga
5 Avenue apartment; right?

6 A The subscriber information yes.

7 Q If we could go to GX3.M, please.

8 You testified on direct examination regarding
9 a PPP loan or EIDL loan application in the name of Mod
10 Interiors; right?

11 A One of the applications in the name of Mod
12 Interiors.

13 Q Is this another application in the name of Mod
14 Interiors?

15 A Yes. There are several.

16 Q And specifically this one preceded that
17 application; right?

18 A I would have to look at the dates.

19 Q That application was in July?

20 A Yes.

21 Q Now, if we can go to page 30 of this application,
22 and if we can blow up the signer events, including the
23 time stamp there.

24 So two months before that application, another
25 one was submitted in the name of Mod Interiors; correct?

1 A Yes. Based off the time date stamp there.

2 Q And the IP address was the Canoga Avenue apartment;
3 right?

4 A Yes.

5 Q Now, this is the last loan application. If we can
6 go to 2.4, please -- 2.8, excuse me.

7 Is this a loan application in the name of G&A
8 Diamonds?

9 A Yes, it is.

10 Q And is the applicant listed as Artashes Grigoryan?

11 A Yes, it is.

12 Q And do you know that to be Manuk Grigoryan's
13 father?

14 A Yes.

15 Q Now, if we can go to page 39, please.

16 At the bottom of the screen, you see the
17 Canoga Avenue IP address again; right?

18 A In the bottom two right cells.

19 Q And that is on May 2nd, 2020?

20 A Yes.

21 Q Now, up above it you see another IP address; right?

22 A Can you point it out?

23 Q (Indicating.)

24 A Yes.

25 Q Are you familiar with that IP address?

1 A If it is on the subscriber info, I reviewed it.

2 Q Let's bring up government Exhibit 73.I, which has
3 that subscriber info. And if we can go to page 2.

4 That second address belongs to Manuk Grigoryan
5 as well; right?

6 A As indicated on this subscriber record. Yes.

7 Q And specifically it is his Dora Street house;
8 right?

9 A Yes, his residence.

10 Q That is his residence where he lives with his
11 family?

12 A As purported. Yes.

13 Q Including his wife, global Edit Madatyan;
14 correct?

15 A I don't know if she lives there.

16 Q The user name is EditMadatyan@yahoo.com?

17 A Yes. As that document states, it's the email
18 address.

19 Q Correct. And just to be precise, Edit Madatyan is
20 his wife, though, whether or not she lives there?

21 A To my knowledge. Yes.

22 Q Now, I am going to ask you some questions about
23 this IP address now rather than the Canoga Avenue one.

24 And I will refer to this as the Dora Street address.

25 Okay?

1 Now, if we can pull up Defense Exhibit 24 just
2 for the witness.

3 Have you seen this before?

4 A I don't recall.

5 MR. SILVERMAN: Your Honor, I will offer this into
6 evidence.

7 THE COURT: Any objection?

8 MR. FENTON: No objection.

9 THE COURT: Received.

10 MR. SILVERMAN: And can we publish, your Honor?

11 THE COURT: Yes.

12 (Exhibit 24 received in evidence.)

13 Q BY MR. SILVERMAN: What does this appear to be?

14 A Production pursuant to -- from Google regarding
15 subscriber information.

16 Q And is it subscriber information for somebody in
17 the name of Viktoria Kauichko?

18 A That is what the document appears to read.

19 Q And specifically for the e-mail address
20 VKauichko.89@gmail.com?

21 A Yes.

22 Q And have you seen that e-mail address before?

23 A Yes.

24 Q It is used on Viktoria Kauichko documents; correct?

25 A A lot of them.

1 Q Now, if we go to page 2, please. And please blow
2 up April 16th through 20th.

3 And that is the Dora Street IP address;
4 correct, on -- I will call it line 3.

5 A Correct.

6 Q And on the second to the last row?

7 A Yes.

8 Q Both of those are the Dora Street IP address?

9 A For the subscriber information. Yes.

10 Q And that address was also used to log in to other
11 accounts; right?

12 A I am not aware of that. I didn't conduct like some
13 analysis of all the IP addresses.

14 Q And you didn't conduct analysis of which ones were
15 used to log in to which bank accounts?

16 A No.

17 Q Or which --

18 A That wasn't my task in this investigation.

19 Q Did you conduct any analysis of which ones were
20 used to log in to which brokerage accounts?

21 A No, I did not.

22 Q So if somebody was logging in to Ulio Zhadko's
23 account, you wouldn't know where they were logging in
24 from; correct?

25 MR. FENTON: Objection, your Honor. Asked and

1 answered several times.

2 THE COURT: You made the point. Move on.

3 Q BY MR. SILVERMAN: Now, we have heard testimony
4 about Anna Manukyan; correct?

5 A Yes.

6 Q And loans applied for in her name?

7 A Yes. And a house purchase.

8 Q And a house purchase. She is Manuk's aunt;
9 correct?

10 A That is my belief. Yes.

11 MR. SILVERMAN: If we can bring up Defense Exhibit
12 73 just for the witness.

13 Q BY MR. SILVERMAN: I want to direct your attention
14 to Medet Murat. Are you familiar with that name?

15 A With the name.

16 Q And Medet Murat was used to apply for a number of
17 loans in this case; correct?

18 A As I recall.

19 Q And if we bring up DX40, which is in evidence. Go
20 to page 2, please.

21 And in the middle there, do you see the Dora
22 Street IP address?

23 A Correct.

24 Q And if we go up to the top. If you can go to the
25 top of the page -- I'm sorry, the top of the document.

1 This is the subscriber information for Medet
2 Murat; correct?

3 A Yes, as it reads on the document.

4 Q And MedetMurat1994@gmail.com?

5 A Yes. That is what it says.

6 Q I want to ask you a few questions about the
7 relevance of Medet Murat. We heard testimony from a
8 Gusto witness this week that she searched all the
9 identities and entities given to her by the government;
10 correct?

11 A Yes.

12 Q And we heard testimony that there was only one hit;
13 correct?

14 A That is my recollection.

15 Q And specifically it was VLA Construction and Medet
16 Murat; right?

17 A Yes.

18 Q If we could bring up GX52, please.

19 And I would move to admit GX52. I don't
20 believe it's in evidence.

21 THE COURT: Any objection?

22 MR. FENTON: No objection.

23 THE COURT: Received.

24 (Exhibit GX52 received in evidence.)

25 Q BY MR. SILVERMAN: If we can go to page 5, please.

1 If we can scroll up slightly here.

2 Does this say "User Details"?

3 A Yes.

4 Q And under e-mail address it says

5 MedetMurat1994@gmail.com?

6 A Yes.

7 Q That is the one we just looked at right?

8 A Yes.

9 Q And can you tell from this document what it is?

10 A Rephrase your question.

11 Q Can you tell from the document who -- which company

12 is the custodian of it?

13 A I think Gusto.

14 Q Correct?

15 A Yes.

16 Q Now, in addition to Medet Murat, we mentioned VLA

17 Construction; right?

18 A Yes.

19 Q And if we could bring up GX54.B, already in

20 evidence. This is a list of companies that was found in

21 the Canoga Street apartment; right?

22 A Yes, it is.

23 Q And do you see VLA on this?

24 A Yes. It is on the second line.

25 Q And you did not attend the Canoga Street search

1 warrant execution; right?

2 A No, I did not.

3 Q Are you familiar with items that were seized at
4 Canoga?

5 A I reviewed photographs of the items seized.

6 Q If we can bring up just for the witness DX48. And
7 if we can scroll through pages 1, 2 and 3.

8 Are these three documents that were seized in
9 the Canoga Street seizures?

10 THE COURT: The Canoga Street seizures?

11 Q BY MR. SILVERMAN: Are these three documents that
12 were seized in the search warrant at Canoga Street?

13 A I don't know if they were seized, but photographs
14 were taken of them.

15 Q At Canoga Street?

16 A Yes. That is Manuk's wife.

17 MR. SILVERMAN: I would offer it.

18 THE COURT: Any objection?

19 MR. FENTON: No objection.

20 THE COURT: Received.

21 (Exhibit 48 received in evidence.)

22 Q BY MR. SILVERMAN: Can we go to page 1, please

23 THE COURT: I think we are going to have to take a
24 brief morning recess now for 10 minutes and then we will
25 complete this exam.

1 (The following proceedings were held outside the
2 presence of the jury:)

3 (Recess from 10:37 a.m. to 10:53 a.m.)

4 (The following proceedings were held in the
5 presence of the jury:)

6 THE COURT: Ready to proceed?

7 MR. SILVERMAN: Yes, your Honor.

8 May I proceed, your Honor?

9 THE COURT: Yes.

10 Q BY MR. SILVERMAN: If we can pull back up government
11 Exhibit 73.I and go to page 2. So just to reorient
12 ourselves, we were talking about this IP address that
13 belongs to Manuk Grigoryan; right?

14 A Okay.

15 Q And it specifically belongs to his Dora Street
16 house; correct?

17 A That is what the subscriber record indicates.

18 Q And it matched up with an IP address used to access
19 Medet Murat's; correct?

20 A What document are you referring to?

21 Q If we can go to DX40, please. And go to the next
22 page.

23 A Yes.

24 Q And so that is a yes to the IP address from the
25 Dora Street matching here to Medet Murat's account;

1 correct?

2 A Yes. On this document.

3 Q And Medet Murat and VLA Construction were the
4 applicants for the Gusto account; correct?

5 A I don't recall the testimony from the Gusto
6 representative, but I know the name is associated to the
7 VLA account.

8 THE COURT: I can't hear you.

9 THE WITNESS: I apologize.

10 THE COURT: Why can't you speak more audibly?
11 Please make a better record.

12 THE WITNESS: Yes.

13 Q BY MR. SILVERMAN: And specifically, it is
14 associated with Medet Murat and the VLA account; correct?

15 A Yes.

16 Q Now, what I was showing you before we took a short
17 break was defense Exhibit 48.

18 And I believe I had offered it into evidence;
19 is that correct?

20 THE CLERK: Yes.

21 MR. SILVERMAN: Thank you.

22 Q BY MR. SILVERMAN: Now, this is an envelope that
23 was found in the Canoga Avenue apartment; correct?

24 A Yes.

25 Q And if we zoom in on the bottom left-hand corner,

1 can you make out that writing?

2 A I mean, I can make it out because I know it.

3 Q And specifically the middle name is Medet; right?

4 A That is what it reads. Yes.

5 Q If we can zoom back out and go into the middle
6 here. And again, there is a reference to Medet and
7 Whitsett; is that right?

8 A Yes.

9 Q And is Whitsett a street that Medet Murat allegedly
10 lived on?

11 A His name was associated to an address on Whitsett.

12 Q All right. We can zoom back out, please. And if
13 we can zoom in on the list on the right-hand side,
14 please.

15 Again, this is found in the Canoga Avenue
16 apartment; correct?

17 A Yes.

18 Q And the list includes Anton Kudiomov and an arrow
19 and Canoga; right?

20 A I'm sorry, I didn't hear you clearly.

21 Q The list includes Anton Kudiomov and then an arrow,
22 Canoga; right?

23 A Yes.

24 Q And when it includes Viktoria Kauichko and then an
25 arrow, Canoga; right?

1 A Yes.

2 Q If we can go to the next page, please.

3 And was this also found at the Canoga Avenue
4 apartment?

5 A Yes.

6 Q And it is a medical bill; right?

7 A Yes. It purports to be.

8 Q And can you read the name that it is addressed to?

9 A Edit Madatyan.

10 Q And that is the person you identified as Manuk's
11 current or former wife; right?

12 A That is my belief. Yes.

13 Q And if you go to the next page, please. And can
14 you identify what this is?

15 A The top one is a franchise tax board notice or some
16 kind of document from them, and the bottom looks like
17 some kind of bill. I can't make out who it is from on
18 there right now.

19 Q Is the remit to address Health Services Asset
20 Management?

21 A Yes.

22 Q And are both of these documents addressed to Edit
23 Madatyan?

24 A Yes.

25 MR. SILVERMAN: Now, we have been talking about

1 the Dora Street IP address, and there was one document
2 that I wasn't able to ask but that I would like to offer
3 into evidence now as DX64. I provided a copy to counsel
4 during the break. Or, I'm sorry, 73.

5 THE COURT: Any objection?

6 MR. FENTON: No objection.

7 THE COURT: Received.

8 MR. SILVERMAN: We can publish to the jury, your
9 Honor?

10 THE COURT: Yes.

11 (Exhibit 73 received in evidence.)

12 Q BY MR. SILVERMAN: Do you see the business name on
13 this form?

14 A Yes.

15 Q What is the business name?

16 A Manuk or Manukyan Construction.

17 Q Now, I will represent to you that this is a
18 production from BlueVine. Do you know what BlueVine is?

19 A It is in the investigation. I don't think it is a
20 bank. I think they do applications for banks that they
21 partner with.

22 Q And if you look at this form in the second column
23 about a halfway down, do you see PPP Celtic first?

24 A Under user account type.

25 Q And based on your knowledge and investigation, does

1 that mean that it is an application to Celtic Bank for a
2 first draw PPP loan?

3 A This is BlueVine, so the application would have
4 been through BlueVine, and I believe funded by Celtic
5 Bank.

6 Q And it would be a PPP application; right?

7 A Yes.

8 Q And if you look at the authorized person just to
9 the low left, that is Anna Manukyan; right?

10 A Yes, it is.

11 Q And we established before that she is Manuk
12 Grigoryan's aunt; correct?

13 A That is my belief.

14 Q If we can blow up the bottom right-hand corner,
15 please. Or actually the bottom of the screen entirely.

16 Thank you.

17 Now, the IP address listed under Params for
18 May 14th, that's the same for Manuk Grigoryan's Dora
19 Street address; right?

20 A Yes.

21 Q Now, you testified about the Topeka search;
22 correct?

23 A Yes.

24 Q And in the Topeka search were several routers
25 recovered?

1 A I believe so.

2 Q And did you do any analysis on the IP address of
3 those routers?

4 A That is not my -- that is not in my job
5 description.

6 Q Whose job description would it be?

7 A That would be like some computer-type person.

8 Q And who on the investigation would have handled
9 that?

10 A I believe all electronic devices were handled by
11 the bureau, the FBI.

12 Q And who would have made the determination about
13 whether it was worthwhile to investigate the IP address
14 on a given router?

15 MR. FENTON: Objection, your Honor.
16 Argumentative.

17 THE COURT: I mean, the question is not
18 argumentative. The objection is overruled on those
19 grounds.

20 THE WITNESS: Can I have the question again?

21 Q BY MR. SILVERMAN: Who would have determined whether
22 it was worthwhile to investigate what the IP address was
23 on the routers recovered from Topeka Avenue?

24 A I don't know.

25 Q Now, you are not aware of any of the routers or

1 modems at Topeka Avenue being used to submit any loans in
2 this case, are you?

3 THE COURT: Now you are being argumentative.

4 MR. SILVERMAN: Yes, your Honor.

5 Q BY MR. SILVERMAN: Now, you testified about Ulio
6 Zhadko buying a house at 834 Calle La Primavera in
7 Glendale.

8 A Yes.

9 Q And you investigated whether or not -- I'm sorry,
10 strike that. You investigated the identity of Ulio
11 Zhadko; correct?

12 THE COURT: Who?

13 MR. SILVERMAN: Of Ulio Zhadko.

14 I can rephrase, your Honor.

15 THE COURT: Somehow your voice at the end drops
16 off. I don't know why that is.

17 MR. SILVERMAN: I will do better.

18 THE COURT: Try and do a little better.

19 Q BY MR. SILVERMAN: You investigated the identity of
20 Ulio Zhadko; right?

21 A Yes. I tried to find him.

22 Q And you tried to find who owned that house?

23 THE COURT: What is "that house"?

24 MR. SILVERMAN: The house --

25 THE COURT: Can I tell you something. In most

1 trials pronouns are not helpful. It is always better not
2 to overdo it, but to be specific. I mean, you are
3 talking about an exhibit, the exhibit number. You are
4 talking about an address, the address.

5 This and that and it and who only create
6 confusion. I am not accusing you of that because a lot
7 of that has gone on. But it shouldn't.

8 MR. SILVERMAN: Thank you, Judge. I do appreciate
9 it.

10 Q BY MR. SILVERMAN: You investigated who was living
11 at the Ulio Zhadko house; correct?

12 A Yes. We attempted to find out who was living
13 there.

14 Q And on direct examination you testified regarding
15 utilities; correct?

16 A Correct.

17 Q And wouldn't you agree that utilities could be
18 registered in anybody's name; right?

19 A I don't know about anybody, but somebody could
20 register for the utilities in that name.

21 THE COURT: Only answer questions if you know. If
22 you don't know, you can just say I don't know. You are
23 not here to speculate.

24 THE WITNESS: I don't know.

25 MR. SILVERMAN: So you don't know whether --

1 THE COURT: He said he doesn't know.

2 MR. SILVERMAN: Yes, your Honor.

3 Q MR. SILVERMAN: Now, as part of your investigation,
4 the team conducted trash pulls from the house owned by
5 Ulio Zhadko; correct?

6 A At Calle La Primavera, yes.

7 THE INTERPRETER: Counsel, can you repeat that
8 question please?

9 Q BY MR. SILVERMAN: As part of your investigation,
10 the team conducted trash pulls from the house at Calle La
11 Primavera?

12 A Yes.

13 Q And in those trash pulls, the team did not find any
14 evidence of Richard Ayvazian, did it?

15 MR. FENTON: Objection, your Honor.

16 THE COURT: I well, I mean there has to be a
17 foundation. I mean, did you participate in that search?

18 THE WITNESS: I did not conduct those trash pulls.

19 Q BY MR. SILVERMAN: And was it relevant to your
20 examination what was discovered in the various searches?

21 THE WITNESS: Yes.

22 THE COURT: And was what was produced in the
23 searches of the homes produced for you in connection with
24 what your role was?

25 THE WITNESS: The searches of the homes? Yes.

1 THE COURT: And including a home that was just
2 mentioned, the -- what was it called?

3 MR. SILVERMAN: Calle La Primavera.

4 THE COURT: La Primavera Street, was that made
5 known to you?

6 THE WITNESS: The search. Yes.

7 THE COURT: You can follow through.

8 MR. SILVERMAN: If we can show just the witness
9 defense Exhibit 3.

10 Q BY MR. SILVERMAN: Have you seen this picture
11 before?

12 A I have seen this picture but I did not conduct this
13 trash pull.

14 Q All right. But it did come from the trash pull at
15 Calle La Primavera?

16 A That is my understanding.

17 MR. SILVERMAN: I would offer Defense Exhibit 3
18 into evidence.

19 THE COURT: Received.

20 (Exhibit 3 received in evidence.)

21 Q BY MR. SILVERMAN: If we can look at Defense Exhibit
22 4, and we will circle that in a moment.

23 And are you familiar with this picture?

24 A I don't know. I don't recognize it as I sit here.

25 MR. SILVERMAN: Your Honor, may I show an image

1 just to the witness to try to refresh his recollection?

2 THE COURT: Yes.

3 MR. FENTON: Objection, your Honor. He didn't say
4 that a document could refresh his recollection.

5 THE COURT: Well, I mean, that is the whole point
6 of refreshing recollection. I mean, you know what is
7 going to jog your memory. So it may or may not. But you
8 can do it or try to do it.

9 MR. SILVERMAN: Just for the witness.

10 THE COURT: Go ahead.

11 MR. SILVERMAN: Just for the witness, can I please
12 have defense Exhibit 2A.

13 THE COURT: But don't say anything more about it.
14 Say you are looking at 2A. Does that refresh your
15 recollection about whatever question you asked. He can
16 say "yes" or "no."

17 Q BY MR. SILVERMAN: If you can read that and look up
18 when you are done, please.

19 A Yes.

20 Q Does that refresh your recollection regarding
21 whether you have seen defense Exhibit 4 before?

22 A Yes.

23 Q Have you seen Defense Exhibit 4 as part of the
24 trash pull at Calle La Primavera?

25 A Yes.

1 MR. SILVERMAN: All right. I would offer Defense
2 Exhibit 4 as well, your Honor.

3 THE COURT: Received.

4 (Exhibit 4 received in evidence.)

5 MR. SILVERMAN: If we could publish defense
6 Exhibit 3, please.

7 Q BY MR. SILVERMAN: So this is a package that was
8 found in the trash at Calle La Primavera; right?

9 A Yes.

10 Q The home owned by or in the name of Ulio Zhadko?

11 A Yes.

12 Q And can we zoom in on the "to" address? And that
13 is a package addressed to Hripsik Grigoryan; right?

14 A Yes. I believe he was an employee of the school
15 there.

16 Q And that is a relative of Manuk Grigoryan's?

17 A I don't know if he is a relative.

18 Q And if we can go to Defense Exhibit 4, please. At
19 the top, we see a prescription in the name of Hripsik
20 Grigoryan; correct?

21 A That is what it says.

22 Q And you don't know if that person is a relative.
23 Did you look into it?

24 A I recall looking into regarding the label of the
25 package, and I looked up the school. I think that is

1 about as far as I remember I went with that.

2 Q And there is also a receipt in the name of Rita
3 Grigoryan; right?

4 A Yes.

5 Q And Rita Grigoryan is a relative of Manuk
6 Grigoryan's; right?

7 A I don't know that one.

8 Q Did you look into that one?

9 A No, I did not.

10 MR. SILVERMAN: We can take that down. I am going
11 to change gears slightly.

12 Q BY MR. SILVERMAN: You are familiar with the
13 indictment in this case; correct?

14 A Yes.

15 Q And the superseding indictment charges a conspiracy
16 involving 151 loans; right?

17 A Yes. 150.

18 Q And as part of the government's investigation, it
19 looked at far more loans than that, didn't it?

20 A Yes.

21 Q Approximately 250?

22 A I don't know the number.

23 Q The government produced discovery on about 250
24 loans?

25 A I don't know the number that was produced.

1 Q And then after the indictment with 151 loans, you
2 heard Ms. Robinson testify that she was given 53 loans;
3 right?

4 A Yes.

5 Q And you saw her charts that had 24 loans; right?

6 A Yes.

7 THE COURT: I mean, you are arguing with this
8 witness. You can say whatever you think is relevant when
9 you give closing argument, but the purpose of these
10 witnesses is not to preview your argument. So don't do
11 that.

12 MR. SILVERMAN: Yes, your Honor. I will move on.

13 Q BY MR. SILVERMAN: Now, as part of the
14 investigation, you investigated a woman named Tamara
15 Dadyan; right?

16 A Yes.

17 Q And you learned that Ms. Dadyan runs an alleged
18 mortgage fraud ring; right?

19 MR. FENTON: Objection, your Honor.

20 THE COURT: Say that question again.

21 Q BY MR. SILVERMAN: You learned that Ms. Dadyan runs
22 an alleged mortgage fraud ring?

23 THE COURT: Objection. Sustained.

24 MR. FENTON: Your Honor, we move to strike the
25 question.

1 THE COURT: It is stricken.

2 MR. SILVERMAN: Can we ask for a sidebar on this
3 point, your Honor?

4 THE COURT: No.

5 Q BY MR. SILVERMAN: You learned that Ms. Dadyan
6 works with people named Grigor Totorian; correct?

7 MR. FENTON: Objection, your Honor. Lack of
8 foundation.

9 THE COURT: Do you know?

10 THE WITNESS: I do not.

11 THE COURT: The objection is sustained.

12 Q BY MR. SILVERMAN: Have you heard of the name Arshak
13 Hartunian?

14 A No.

15 Q And have you heard of the name of Art Mardarosian?

16 A No.

17 Q Earlier we talked about Manuk Grigoryan and his
18 relationship with Armin Hayrapetyan and Parure
19 Hayrapetyan; correct?

20 A Yes.

21 Q And he also had a relationship with Edvard
22 Paronyan; correct?

23 THE COURT: Who is "he"?

24 Q BY MR. SILVERMAN: Manuk Grigoryan also had a
25 relationship with Edvard Paronyan; correct?

1 A Yes.

2 Q And did you learn in your investigation how Manuk
3 Grigoryan paid the people he worked with?

4 A Can you refer to a specific individual?

5 Q Did you learn in your investigation that Manuk
6 Grigoryan paid Parure Hayrapetyan a set amount of check
7 that was deposited?

8 MR. FENTON: Objection, your Honor. Lack of
9 foundation. Calls for speculation. Relevance.

10 THE COURT: You say did you learn. I mean, you
11 are asking him questions about the investigation
12 generally, and he has said that he had a particular role
13 in looking at financial transactions.

14 If you want to get into the thoroughness of
15 what he said in that regard or whether he is being
16 truthful when he says that was his role, you can do that,
17 but you can't ask the type of question you have been
18 asking.

19 MR. SILVERMAN: May I inquire as to the witness'
20 interviews?

21 THE COURT: If he interviewed anybody, you can ask
22 him.

23 Q BY MR. SILVERMAN: You interviewed Armin
24 Hayrapetyan; correct?

25 A I believe that was part of the proffer section.

1 Q And you learned that Manuk Grigoryan paid Parure
2 Hayrapetyan a flat fee?

3 MR. FENTON: Objection, your Honor.

4 THE COURT: Sustained.

5 Q BY MR. SILVERMAN: If we can bring up defense
6 Exhibit 63 only for the witness.

7 Mr. Clark, can you tell what this is?

8 A It looks like a cover letter from JPMorgan Chase.

9 Q And if we go the second page, please.

10 MR. SILVERMAN: I would move it into evidence,
11 your Honor.

12 THE COURT: Any objection?

13 MR. FENTON: No objection.

14 THE COURT: Received.

15 (Exhibit 63 received in evidence.)

16 Q BY MR. SILVERMAN: Now, if we can go to page 3,
17 please. Or, I'm sorry, page 12, please.

18 MR. SILVERMAN: And permission to publish, your
19 Honor.

20 THE COURT: Yes.

21 Q BY MR. SILVERMAN: Is this another JPMorgan Chase
22 account in the name of Ulio Zhadko?

23 A Yes. This appears to be the opening statement for
24 this account.

25 Q And it opened on March -- on or around March 11th;

1 correct?

2 A Correct.

3 Q Before the PPP loan program began?

4 THE COURT: What year?

5 Q BY MR. SILVERMAN: If you look in the top right
6 corner, you see March 12th, 2020; correct?

7 A Yes. That's correct.

8 Q And so this account was opened before the PPP loan
9 began; correct?

10 A Right before.

11 Q Specifically, it didn't begin until the end of
12 March; right?

13 The additional deposit was on March 11th. The
14 PPP loan program did not begin until the end of March;
15 correct?

16 A Around there. Yes.

17 Q Now, if we can go to page 19, please. Now, is this
18 a check made out to cash from Armin Hayrapetyan?

19 A Yes.

20 Q And you have learned as part of your investigation
21 that Armin Hayrapetyan wrote checks to Manuk Grigoryan;
22 correct?

23 MR. FENTON: Objection, your Honor. Lacks
24 foundation.

25 THE COURT: I don't know. Can you tell what your

1 specific instruction was in this investigation? In other
2 words, what exactly were you responsible to do? Maybe
3 more than one thing, but tell us.

4 THE WITNESS: I had the task of reviewing the bank
5 accounts specific to the bank statements, following
6 money, identifying transactions which may be of interest,
7 looking at the escrow documents, reviewing --

8 THE COURT: I am not -- maybe the jury is
9 understanding you, but I am not. Can you make it a
10 little clearer? In other words, what were you told to
11 do? Were you given things to trace or were you asked to
12 investigate things on your own?

13 THE WITNESS: In a general sense, follow the
14 money.

15 THE COURT: But how were you instructed in that
16 regard? I mean, what was the beginning of the money that
17 you were following? Were you told to look at certain
18 bank accounts or were you asked to use your judgment in
19 following money?

20 THE WITNESS: The latter is correct. Use my
21 judgment in following the money.

22 THE COURT: So when you used your judgment, how
23 did you decide which money to follow?

24 THE WITNESS: Deciding on which money to follow
25 would be based on the amount of money.

1 THE COURT: Well, I mean, amount from where?
2 Where was the starting point here? Where did you begin
3 your analysis from?

4 THE WITNESS: From the deposit of the PPP funds or
5 the EIDL funds.

6 THE COURT: And were you told to look at certain
7 accounts to which allegedly PPP funds were deposited?

8 THE WITNESS: Yes.

9 THE COURT: And the government told you to do
10 that?

11 THE WITNESS: That was the general understanding.
12 I would look at when the deposit came in, and then I
13 would follow the money from account to account to
14 account.

15 THE COURT: And was that with all the PPP loans?
16 In other words, we heard some reference -- and I don't
17 know what the facts are, but we heard some reference to
18 150 loans.

19 And then there is another reference to 53
20 loans. And then another reference to 24 loans. Which of
21 those numbers were you asked to follow?

22 In other words, which PPP loans were you asked
23 to examine from the point that the PPP loan was deposited
24 to an account?

25 THE WITNESS: As loans came in, I would evaluate

1 each one as they would come in. Not each one, but as
2 they came in, I would evaluate those.

3 THE COURT: So am I correct that you were
4 examining the deposit of these PPP loans, some of them in
5 real time?

6 THE WITNESS: Fairly shortly after we got the
7 documents, yes, your Honor.

8 THE COURT: So in other words, you know what the
9 dates of the indictment are; correct?

10 THE WITNESS: Yes.

11 THE COURT: And it appears that you were examining
12 the deposit of PPP loans actually during the period of
13 the investigation?

14 THE WITNESS: Correct.

15 THE COURT: And so it was an ongoing process? In
16 other words, as PPP loans were deposited to accounts, you
17 began to your tracing or following the funds?

18 THE WITNESS: Yes.

19 THE COURT: And do you know how many loan
20 deposits, PPP loan deposits you performed that analysis
21 with?

22 THE WITNESS: Rough number, 80 plus.

23 THE COURT: And when you say following the money,
24 can you tell exactly what you did in understandable
25 terms? In other words, I am understanding that the PPP

1 funds go to an account. Did you then go to the bank
2 records for that account?

3 THE WITNESS: Yes.

4 THE COURT: And what did do you thereafter?

5 THE WITNESS: I followed where the money flowed
6 out of the account to the destinations, and then once the
7 destination was determined, I could follow the money back
8 to other accounts because following the money isn't
9 linear. It can be cyclical.

10 THE COURT: So are you saying that when the money
11 was followed, you followed it wherever it went?

12 THE WITNESS: Yes.

13 THE COURT: Give us an example.

14 THE WITNESS: I believe like the Timeline
15 Transport, some of the money that was used to fund the
16 Encore escrow for the purchase of the Topeka property.
17 So you could follow to the escrow account, which would
18 also identify other monies used to purchase that
19 property. And then --

20 THE COURT: Wait a minute.

21 THE PROSPECTIVE JUROR: Okay. And then when you
22 find the source of those other funds, you can kind of
23 back into other accounts, and even other PPP loans.

24 THE COURT: I see. So if I understand what you
25 are saying, when you follow the money and it went to

1 purchase some asset of some kind, if that asset was
2 purchased with funds in addition to the PPP loans you
3 would also investigate the other monies that were used to
4 purchase that asset?

5 THE WITNESS: Yes.

6 THE COURT: And is that the extent of what you did
7 in this case?

8 THE WITNESS: Yes.

9 THE COURT: You said you did participate in some
10 searches.

11 THE WITNESS: Yes. I participated in the search
12 warrants.

13 THE COURT: Which searches did you participate in?

14 THE WITNESS: The Topeka property.

15 THE COURT: And did you say your role was like
16 rover or something.

17 THE WITNESS: Yes.

18 THE COURT: And what else did you do in this case?
19 What else were you asked to do.

20 THE WITNESS: I was asked to go to the various
21 locations that were indicated on the PPP loan where the
22 businesses were supposed to be located at and determine
23 if they were located there.

24 THE COURT: What else were you asked to do?

25 THE WITNESS: Interview various tax preparers or

1 accountants.

2 THE COURT: And who did you interview?

3 THE WITNESS: David Dura, Frank Amer, Bruce Durkey
4 (phon.).

5 THE COURT: All right. And anything else? What
6 were you interviewing the accountants generally about?

7 THE WITNESS: About the supporting documents in
8 the loan applications. And the basic question was did
9 they prepare them.

10 THE COURT: Is there any other aspect of the
11 investigation you were asked to participate in?

12 THE WITNESS: No. That is generally it. The
13 following money took up a lot of time.

14 THE COURT: You were asked about the identifying
15 information for cell phones and things in that regard;
16 right?

17 THE WITNESS: I was asked about that. Yes.

18 THE COURT: Was that part of your investigation?

19 THE WITNESS: It was part of the investigation.
20 That was not an aspect that I --

21 THE COURT: I was just interested in what you were
22 asked to do. Were you asked to get into the e-mail
23 identifications?

24 THE WITNESS: No.

25 THE COURT: Was it part of your investigation to

1 investigate electronic devices?

2 THE WITNESS: No.

3 THE COURT: So I think you can ask him any
4 question about what he did. If that is what he did, then
5 you can inquire. That seems the proper scope.

6 MR. SILVERMAN: Yes, your Honor. If I could ask
7 one clarifying question, I think I might be able to
8 remove some ambiguity here.

9 Q BY MR. SILVERMAN: Agent Clark, you were one of
10 three lead agents on this case; right?

11 A One of three agents. I wouldn't describe myself as
12 one of three lead.

13 Q And who would you describe as the lead agent?

14 A We don't really have a lead agent. Each agent
15 brings various sets of skills from their agency to the
16 investigation.

17 Q So all three of you would commonly be on
18 communications about the case; right?

19 A Yes.

20 Q And these communications would go far beyond just
21 financial records; right?

22 A Yes.

23 Q And you would discuss what the right course of
24 action is?

25 THE COURT: You know, keep your voice up and

1 clear.

2 MR. SILVERMAN: Yes, your Honor.

3 THE COURT: I am going to become very directed
4 about that. I am tired of directing that aspect of
5 things, not just with you, but with almost everyone else.

6 And so, don't -- don't swallow words. Keep
7 your voices up.

8 MR. SILVERMAN: Yes, your Honor.

9 THE COURT: And think about that. That goes for
10 everybody. Including me.

11 Go ahead.

12 So you are saying -- let me ask you this.
13 These other agents, were they involved in investigating
14 matters beyond what you were tasked to do?

15 THE WITNESS: I'm sorry. I don't understand the
16 question.

17 THE COURT: Well, you just described what your
18 function was. Were they part of the same function or did
19 the co-IRS agents have totally different functions?

20 THE WITNESS: There is only one other IRS agent on
21 this case with me. He performed basically the same task
22 that I did.

23 THE COURT: So did you sort of divide up the
24 responsibilities as you described them and what you did?

25 THE WITNESS: With the other IRS agent on the

1 case, yes.

2 THE COURT: And did he do essentially the types of
3 things you just described?

4 THE WITNESS: Yes.

5 Q BY MR. SILVERMAN: Were you involved in
6 communications among the other agents outside of the IRS?

7 A Yes.

8 Q And were those communications common?

9 A Yes.

10 THE COURT: What is the relevance of that? He is
11 not the lead agent. He had a discrete task. It is
12 improper at this point to walk him through your case.

13 MR. SILVERMAN: Understood, your Honor.

14 THE COURT: And that is what you are trying to do.
15 And you will have that opportunity, but not at this time.

16 MR. SILVERMAN: Yes, your Honor.

17 THE COURT: Let's move this along.

18 MR. SILVERMAN: All right.

19 Q BY MR. SILVERMAN: Agent Clark, you were tasked
20 with following the money, as you put it; correct?

21 A Yes.

22 Q And you mentioned that the amount of money mattered
23 to you; right?

24 A Yes.

25 Q So maybe a \$1,960 check might not be worth

1 following?

2 MR. FENTON: Objection. Misstates his testimony.

3 THE COURT: I don't know what matters means. What
4 does matter mean?

5 MR. SILVERMAN: I can rephrase, your Honor.

6 Q BY MR. SILVERMAN: You prioritized larger amounts;
7 correct?

8 A Initially.

9 Q And by the end of the investigation, were you
10 following amounts like \$1,960?

11 A Yes.

12 Q And did you follow why this amount was deposited
13 from Armin Hayrapetyan to Ulia Zhadko?

14 A No.

15 Q If we can go to page 23. So just to resituate
16 everyone, if we can go backward one page so we can see on
17 whose behalf this is.

18 This is Exhibit 63 for the record.

19 So this is still Ulio Zhadko's Chase account;
20 correct?

21 A Yes.

22 Q And if we go to page 31. Now, is this a \$50,000
23 check from Armin Hayrapetyan to Ulio Zhadko?

24 A It is a cashier's check.

25 Q And is the remitter listed as Armin Hayrapetyan?

1 A Yes, it is.

2 Q Did you follow this money?

3 A I believe so.

4 Q What did you learn?

5 A If there is something you can refresh my memory.

6 Q So you don't recall what the reason for this
7 transaction was?

8 A No. I believe that this check was also a part of
9 two other checks for I believe in the same amount of
10 50,000 to -- I believe one was Anna Manukyan. I don't
11 recall the other one.

12 Q And Anna Manukyan, again that is Grigoryan's wife?

13 A Yes.

14 Q And Armin Hayrapetyan is an associate of
15 Grigoryan's?

16 A Yes.

17 Q Now, as part of your investigation, did you become
18 aware of an LAPD search of Manuk Grigoryan's home?

19 MR. FENTON: Objection, your Honor. Relevance.

20 THE COURT: Sustained.

21 MR. SILVERMAN: Your Honor, this particular
22 witness has foundational knowledge.

23 THE COURT: You can ask him another question to
24 see where it goes, but -- you can ask another question.

25 Q BY MR. SILVERMAN: From whom did you gather evidence

1 as part of this investigation?

2 MR. FENTON: Objection, your Honor. It is a very
3 vague question.

4 THE COURT: From whom did he get what evidence?

5 Q BY MR. SILVERMAN: Did you receive documents from
6 the LAPD?

7 MR. FENTON: Objection, your Honor. Again, it is
8 a vague question. It is not even tied to this case.

9 THE COURT: Sustained.

10 Q BY MR. SILVERMAN: Did you receive documents --

11 THE COURT: Sustained.

12 MR. SILVERMAN: Your Honor, if I could make an
13 offer of proof here.

14 THE COURT: Not now. We will take it up at a
15 recess or the lunch hour.

16 Q BY MR. SILVERMAN: Now, you mentioned interviewing
17 accountants; correct?

18 A Yes.

19 Q And tax preparers?

20 A Yes.

21 Q And you went through a list of names from memory;
22 right?

23 A No.

24 Q You listed off a number of people that you
25 interviewed?

1 A Yes, I did.

2 Q And one of the people you didn't list was a woman
3 named Asya Vostanikyan; correct?

4 A Yes.

5 Q And that was somebody you interviewed; right?

6 A Yes.

7 Q And she is a credit repair specialist and tax
8 return preparer?

9 A I only know her as a tax preparer.

10 Q And if we could bring up DX45 just for the witness
11 and go to the last page. Have you seen this before?

12 A No.

13 MR. SILVERMAN: I would like to offer it into
14 evidence, your Honor.

15 THE COURT: Objection?

16 MR. FENTON: No objection.

17 THE COURT: Received.

18 (Exhibit DX45 received in evidence.)

19 MR. SILVERMAN: And if we could publish to the
20 jury.

21 THE COURT: Yes.

22 Q BY MR. SILVERMAN: Is this a business card for Asya
23 Vostanikyan?

24 A It appears so.

25 Q And does it list credit repair and income tax?

1 A Yes, in the middle.

2 Q And you interviewed Ms. Vostanikyan on
3 January 13th, 2201; right? Sounds about right.

4 MR. SILVERMAN: And if we can bring up just for
5 the witness Defense Exhibit 35. And go to page three.

6 Q BY MR. SILVERMAN: Now, have you seen this document
7 before?

8 A This looks familiar. Yes.

9 Q And can we go to page 4, please.

10 Have you seen this document before?

11 A Looks familiar.

12 Q And page 5, please. Have you seen this document
13 before?

14 A Looks familiar, yes.

15 MR. SILVERMAN: I move to admit pages 3 through 5
16 of Defense Exhibit 35.

17 MR. FENTON: No objection.

18 THE COURT: Received.

19 (Exhibit 35, pages 3-5 received in evidence.)

20 THE WITNESS: I believe she indicated she didn't
21 prepare any of those.

22 THE COURT: No question pending.

23 MR. SILVERMAN: Permission to publish to the jury,
24 your Honor.

25 THE COURT: Yes.

1 MR. SILVERMAN: Can we zoom in on top here?

2 Q BY MR. SILVERMAN: This is Defense Exhibit 35, page
3 5. At the top, does it say "Profit and loss for Top
4 Quality Contracting"?

5 A Yes.

6 Q And it is January 1st, 2020 through June 30th,
7 2020; right?

8 A Yes.

9 Q And if we can zoom back out. And then there are a
10 series of numbers right?

11 A Yes.

12 Q And at the bottom it is signed in the name of Asya
13 Vostanikyan; correct?

14 A It appears so.

15 Q And it says "I have reviewed and prepared this
16 profit and loss statement July 16th, 2020"?

17 A Yes.

18 Q And you were aware that this was used in
19 conjunction with the home purchase; right?

20 THE COURT: With a what?

21 MR. SILVERMAN: A home purchase.

22 THE WITNESS: Yes.

23 Q BY MR. SILVERMAN: Do you know which home it was
24 used to purchase?

25 A Not this one. I would have to read my memo.

1 Q Was it either the Ulio Zhadko home or the Viktoria
2 Kauichko home?

3 A Yes.

4 MR. SILVERMAN: Now, if we can go back to page 4,
5 please. And if we can zoom in slightly so he can read
6 the language.

7 Q BY MR. SILVERMAN: And this is another letter
8 purportedly signed by Asya Vostanikyan; correct?

9 A Yes.

10 Q And it says that she is certifying that Ulio Zhadko
11 owns 100 percent of Top Quality Contracting; right?

12 A That is what it reads.

13 Q And if we can go back to page 3, please.

14 This is a letter dated July 17th from Asya
15 Vostanikyan -- excuse me.

16 A Yes. It is dated in handwriting.

17 Q And this too was used as part of a home purchase;
18 correct?

19 A Yes.

20 Q And it says that, "With this letter I certify that
21 Ulio Zhakdo owns 100 percent of Top Quality"; right?

22 A Yes.

23 MR. SILVERMAN: Now, if we can bring up just for
24 the witness Defense Exhibit 46, please.

25 Q BY MR. SILVERMAN: Agent Clark, have you seen this

1 before?

2 A I don't recall. If could you refresh my memory
3 with a memo.

4 Q Did you review a document production from Asya
5 Vostanikyan?

6 A Yes.

7 Q Was this document in that production?

8 A Yes.

9 MR. SILVERMAN: I would offer it, your Honor.

10 THE COURT: Received.

11 MR. FENTON: Your Honor, the government has an
12 objection. I think the issue is -- and this is a
13 question --

14 THE COURT: Just tell me.

15 MR. FENTON: Lack of --

16 THE COURT: You haven't been objecting so maybe I
17 ruled prematurely. Let me take a look at this document.

18 So what is the objection. What is the legal
19 ground?

20 MR. FENTON: The objection is lack of
21 authentication and lack of foundation as well.

22 THE COURT: But the question seemed to be this
23 letter became part of what this witness has said he was
24 investigating. Is that the question?

25 MR. SILVERMAN: Your Honor, that is going to be

1 the question. Yes.

2 THE COURT: And so it falls within that category,
3 at least at the outset.

4 MR. FENTON: And I understand that, your Honor. I
5 think the preliminary question now is whether Asya
6 Vostanikyan said whether she produced these documents,
7 prepared these documents.

8 THE COURT: Well, there is no evidence about that
9 yet.

10 MR. SILVERMAN: Your Honor, if I may be heard on
11 that.

12 THE COURT: Just go to the question that I think
13 you are going to ask, and let's proceed with the question
14 and answer.

15 Q BY MR. SILVERMAN: Agent Clark, you just testified
16 that you read this as part of the Vostanikyan production;
17 correct?

18 A I believe so.

19 MR. SILVERMAN: I would offer it, your Honor.

20 THE COURT: All right. Received.

21 (Exhibit 46 received in evidence.)

22 MR. SILVERMAN: And permission to publish.

23 THE COURT: Yes.

24 Q BY MR. SILVERMAN: Now, on page 1 does it say that
25 she certifies based on tax returns prepared and reviewed

1 by me that Viktoria Kauichko owns 100 percent of Fiber
2 One Media?

3 MR. FENTON: Your Honor, I object on hearsay
4 grounds.

5 THE COURT: Overruled.

6 THE WITNESS: That is what it says.

7 Q BY MR. SILVERMAN: And the author is listed as Asya
8 Vostanikyan; right?

9 A Yes.

10 Q And if we can go to page 2, please.

11 And is this an income and expenses worksheet
12 for Fiber One Media?

13 A I don't recall seeing this document.

14 Q And if we can go to page 3.

15 Is this an assets and liability sheet?

16 A Yes. I don't recall seeing this document.

17 MR. SILVERMAN: Now, if we could pull up defense
18 Exhibit 38, please, just for the witness.

19 Or, I'm sorry, if we can hold here for one
20 second.

21 Q BY MR. SILVERMAN: Just to clarify, because as part
22 of the record it does have a DOJ production stamp in the
23 bottom right-hand corner; correct?

24 A Yes.

25 MR. SILVERMAN: And if we can go to Defense

1 Exhibit 38, please, just for the witness.

2 Q BY MR. SILVERMAN: Agent Clark, have you seen this
3 before?

4 A Yes.

5 MR. SILVERMAN: I would offer it, your Honor.

6 THE COURT: Any objection?

7 MR. FENTON: Your Honor, same objection.

8 THE COURT: You saw it before. In what
9 connection?

10 THE WITNESS: I believe this was included in one
11 of the loan applications.

12 THE COURT: Was that for -- did you have a
13 different answer?

14 THE WITNESS: These types of documents were found
15 in escrow documents and also we served a subpoena, so it
16 was part of the subpoena production.

17 THE COURT: But I mean, were these documents
18 examined by you in connection with the tasks that you
19 described you performed?

20 THE PROSPECTIVE JUROR: Yes.

21 THE COURT: All right. Received.

22 MR. SILVERMAN: And may it be admitted into
23 evidence, your Honor, and published to the jury?

24 THE COURT: Yes. Yes.

25 (Exhibit 38 received in evidence.)

1 Q BY MR. SILVERMAN: So in this letter, Asya
2 Vostanikyan is certifying that Mr. Anton Kudiomov has
3 been self-employed; right?

4 A That is what it states.

5 Q And you said it was the type of document that was
6 included in the home purchase files that you reviewed;
7 right?

8 A That is my recollection; right.

9 Q Do you know why this kind of document would be
10 included?

11 A Based on my experience, it would be to support the
12 application for whether they could afford the house.

13 Q I'm sorry, I didn't mean to cut you off.

14 A I guess it would be required by a lender. They
15 would provide some documentation regarding their
16 affiliation to a business ownership.

17 Q So if it would be required by a lender and they
18 would provide documentation, by "they," you mean the
19 buyer; right?

20 A Generally, yes.

21 Q Or if somebody is giving a gift --

22 A I don't understand your question.

23 Q It would be coming from the buyer's side; right?

24 A If it was requested.

25 Q And so in this instance it would be on behalf of

1 Anton Kudiomov; right?

2 A Yes.

3 Q Now, you interviewed Ms. Vostanikyan on
4 January 13th regarding these topics; right?

5 A Yes. I believe I spoke with her a couple of times.

6 Q And on the 13th you interviewed her for about 45
7 minutes?

8 A Sounds about right.

9 Q You were there with another agent?

10 A Yes.

11 Q And you asked her about these certifications;
12 right?

13 A Yes.

14 Q And I believe you began telling me this earlier,
15 she denied preparing these certifications?

16 A That is my recollection. Yes.

17 Q She said they were fraudulent.

18 A She indicated she did not prepare the documents I
19 presented her.

20 MR. SILVERMAN: If we could bring up just for the
21 witness Defense Exhibit 34.

22 Q BY MR. SILVERMAN: And I would ask for you to read
23 paragraphs three and four to yourself and then look up
24 when you are done.

25 A Yes.

1 Q Agent Clark, does that refresh your recollection
2 regarding whether she used the word fraudulent?

3 THE COURT: I didn't hear what you said.

4 Q BY MR. SILVERMAN: Agent Clark, does that refresh
5 your recollection regarding whether she used the word
6 fraudulent?

7 A Yes, it does.

8 Q And she said that these applications, these letters
9 were fraudulent; right?

10 A In the memo it says she believes the documents are
11 fraudulent but says she did not prepare them.

12 MR. FENTON: Objection, your Honor. Hearsay and
13 the witness is reading from the document.

14 THE COURT: Well, he shouldn't be. You don't know
15 what he should be doing.

16 Let's just get through it.

17 MR. SILVERMAN: I am going to take down the
18 document and put back defense Exhibit 37, please, which
19 is in evidence.

20 Q BY MR. SILVERMAN: So after you questioned her
21 about these letters for, among other people, Anton
22 Kudiomov; correct?

23 A Yes.

24 Q And in response she said she didn't know who Anton
25 Kudiomov was?

1 MR. FENTON: Objection, your Honor. Hearsay.

2 THE COURT: Sustained.

3 MR. SILVERMAN: Your Honor, it is not offered for
4 the truth of the matter asserted. Rather the very
5 opposite.

6 THE COURT: The objection is sustained.

7 Q BY MR. SILVERMAN: What did you understand her
8 connection to be to Anton Kudiomov?

9 MR. FENTON: Objection, your Honor. Vague.

10 THE COURT: Sustained.

11 Q BY MR. SILVERMAN: After this interview with
12 Ms. Vostanikyan, did you follow up with her?

13 A This was the first time that -- I believe I did go
14 back another time.

15 Q And between those two interviews, you did
16 additional investigation, didn't you?

17 A Regarding what?

18 Q You did additional investigation regarding Asya
19 Vostanikyan's relationship with the synthetic identities,
20 didn't you?

21 A I don't recall that.

22 MR. SILVERMAN: If we could pull up for the
23 witness alone Defense Exhibit 47.

24 Q BY MR. SILVERMAN: You mentioned reviewing the
25 Vostanikyan production; correct?

1 A Yes.

2 Q And did you review this document as part of the
3 production?

4 A Yes.

5 MR. SILVERMAN: We would move it in, your Honor.

6 THE COURT: Objection?

7 MR. FENTON: No objection.

8 THE COURT: Received.

9 (Exhibit 47 received in evidence.)

10 MR. SILVERMAN: And publish to the jury, please.

11 THE COURT: Yes.

12 MR. SILVERMAN: If we could go to the next page,
13 please.

14 Q BY MR. SILVERMAN: Now, is this a tax return for
15 Fiber One Media Incorporated?

16 A Yes.

17 Q And is it signed by Asya Vostanikyan?

18 A It is not signed but it has her name in the
19 preparer part.

20 Q And it was produced by her company; right?

21 A Yes.

22 Q And she is listed as the president here?

23 A Viktoria Kauichko is president.

24 Q I apologize. And on page 7, please.

25 There is a K-1; correct?

1 A Yes.

2 Q Also produced by Asya Vostanikyan?

3 A Yes. Part of the production.

4 Q And it is a K-1 planning income for Victoria
5 Kauichko; correct?

6 A That would be her shareholder's income.

7 Q Can you explain what a K-1 is?

8 A In general terms, the K-1 is a distribution to one
9 of the partners or various owners of a corporation.
10 There is one or more divided up based on ownership
11 percentage.

12 Q And so it might be used by a shareholder to
13 demonstrate income; right?

14 A It could be.

15 MR. SILVERMAN: And if we can go back to Defense
16 Exhibit 35, please. And at page 6 just for the witness.

17 Q BY MR. SILVERMAN: Agent Clark, do you recognize
18 this?

19 A Yes.

20 Q And did you attach this to a memorandum that you
21 wrote?

22 A Yes.

23 Q Is it a bank statement that you reviewed?

24 A Yes.

25 MR. SILVERMAN: I would offer it into evidence,

1 your Honor.

2 THE COURT: Received.

3 (Exhibit 35, page 6 received in evidence.)

4 MR. SILVERMAN: Permission to publish, your Honor.

5 THE COURT: Yes.

6 MR. SILVERMAN: Please publish to the jury,

7 Ms. Romero.

8 Q BY MR. SILVERMAN: Now, is this a bank account
9 statement that you reviewed before your second interview
10 Ms. Vostanikyan?

11 A Yes.

12 Q Up in that top left-hand corner, can we zoom in for
13 a moment. And it says Anton Kudiomov; right?

14 A Yes.

15 Q And if we zoom in on July 30th, there is a payment
16 from Mr. Kudiomov to K&A Consultants; right?

17 A Yes.

18 Q And that is Asya Vostanikyan's firm; right?

19 A Yes.

20 Q So you brought it back to her and you asked about
21 it; right?

22 A Yes, I did. I believe I brought that before we
23 served the subpoena on her.

24 THE COURT: Let's take the recess. It is now
25 12:00 o'clock. Come back at 1:00 o'clock.

1 Thank you.

2 (The following proceedings were held outside the
3 presence of the jury:)

4 THE COURT: What was your offer of proof on that
5 question some time ago?

6 What was the question and what is your offer
7 of proof?

8 MR. SILVERMAN: There was a question regarding the
9 LAPD search of Manuk Grigoryan's home.

10 THE COURT: Is that in connection with the
11 mortgage fraud?

12 MR. SILVERMAN: No, your Honor.

13 THE COURT: Then what is it in connection with?

14 MR. SILVERMAN: In connection -- the search was
15 conducted in connection with an LAPD case unrelated to
16 this, but Agent Clark received the documents.

17 THE COURT: Let's take it a step at a time. So
18 the search that you wanted to ask about was conducted by
19 the LAPD for an investigation different than the mortgage
20 fraud?

21 MR. SILVERMAN: Correct.

22 THE COURT: And whose home was it again that was
23 searched?

24 MR. SILVERMAN: Manuk Grigoryan's.

25 THE COURT: In that investigation -- maybe we took

1 that up before and I just forgot, but were any of the
2 defendants in this case subject to investigation?

3 MR. SILVERMAN: Not to our knowledge, your Honor.
4 And the use case in this instance is very different from
5 the use case --

6 THE COURT: What did you just say, use?

7 MR. SILVERMAN: The use case. The reason we --

8 THE COURT: What is the use case? Is that the
9 name of a case?

10 MR. SILVERMAN: No. I'm sorry. I confused things
11 by using court terminology.

12 MR. RAM: Your Honor, this is the matter we spoke
13 of earlier at sidebar.

14 THE COURT: I thought it was and I just forgot.
15 So let's have it again, just a little more clearly than
16 at sidebar.

17 So when was this search conducted?

18 MR. SILVERMAN: December 17th or 18th of 2020.

19 THE COURT: And the point here is that the
20 identifying information in this case what was found at
21 his home when the defendants had already been arrested or
22 on home confinement?

23 MR. SILVERMAN: Correct.

24 THE COURT: And that is part of your theory, that
25 Grigoryan was Zhadko?

1 MR. SILVERMAN: That he was responsible for at
2 least some of the Zhadko transactions, including ones
3 that are specifically charged against my client.

4 THE COURT: I see. All right. Then you can get
5 into that.

6 MR. SILVERMAN: Thank you, your Honor.

7 MR. FENTON: Your Honor, the concern that we have
8 is this is very confusing to the jury.

9 THE COURT: It is your job to make it unconfusing.
10 I mean, there are a lot of documents and a lot of
11 numbers, and you are going to have to bring this home at
12 some point to the jury.

13 My experience is, to the extent I know, that
14 juries follow their responsibilities closely, and if they
15 are unsure about things, they are not going to convict.
16 And so they have to have a firm conviction.

17 In fact, that is the language of the
18 instruction. They have to be firmly convinced that the
19 evidence points at least in part to the government.

20 I mean, this is part of the theory of the
21 defendant's case. The cases are pretty clear. All you
22 have to do is look at this case from the Ninth Circuit,
23 United States versus Hernandez Mesa. And the Court even
24 says in that case lawyers don't even have to believe it.
25 They can sort of think it. And if it is something that

1 can help their client, they can do it. And the cases are
2 uniform.

3 I mean, there are limits, and Rule 403 is
4 always in play. But the theory here is that Grigoryan,
5 Rosodco(Phon.) or Grigoryan made all the PPP loans and
6 whatever, and this may be a piece of the argument they
7 can make. It is not for me to weigh evidence. So you
8 can get into that. All right?

9 How much longer will you be on this witness?

10 MR. SILVERMAN: I think less than 20 minutes.

11 THE COURT: And what about the government. Do you
12 intend to redirect or direct him?

13 MR. FENTON: I do, but only briefly. Three to
14 five minutes.

15 THE COURT: All right. Who is the next witness
16 after that?

17 MR. FENTON: This is our last witness. The only
18 thing remaining is for the government to read two factual
19 stipulations into the record for the jury.

20 MR. SILVERMAN: And, your Honor, as the witness is
21 still on the stand, we would ask that he not meet with
22 the government over lunch.

23 THE COURT: Yes.

24 MR. MESEREAU: Your Honor, I have a very short
25 cross.

1 THE COURT: Okay.

2 MR. LITTRELL: And of course, your Honor, I expect
3 there will be motions following the government resting.
4 Does the Court want to set aside time to hear those after
5 the government rests?

6 THE COURT: Yes. I have been following the
7 evidence as closely as I can, so I don't want the
8 arguments to be too extensive, but tell me what they are.
9 I will hear them and consider them.

10 MR. LITTRELL: Very well.

11 THE COURT: And then the defendants are going to
12 have, what, one more witness?

13 MR. RAM: I believe three witnesses, your Honor,
14 but they should all finish this afternoon.

15 THE COURT: And so the next step is go review the
16 jury instructions. Well, I want to do that if we have
17 time, which we probably will this afternoon if we get
18 finished. I send the jury home and then we can spend the
19 rest of the working day going over the jury instructions.

20 MR. MESEREAU: Your Honor, we intend to call one
21 witness.

22 THE COURT: You do?

23 MR. JOHNSON: We may as well, your Honor.

24 THE COURT: I see. So do you think your witnesses
25 will be -- I am not committing you to anything, but do

1 think they will be lengthy?

2 MR. MESEREAU: I don't think so, your Honor.
3 Maybe an hour.

4 THE COURT: An hour. What about you?

5 MR. JOHNSON: I would say the same, your Honor,
6 but it also depends upon the cross.

7 THE COURT: All right. We will see what happens.

8 MR. RAM: Your Honor, if I could have 30 seconds
9 to maybe knock out one of our -- it's actually four
10 witnesses, but one is the probation officer just to
11 testify that Mr. Ayvazian did not leave the State of
12 California at any time during his supervision.

13 Is that something the Court could take
14 judicial notice of?

15 THE COURT: I don't know. I mean there was
16 something about purchases in Las Vegas at a point in time
17 when, if I remember correctly, Ayvazian was on home
18 arrest. I mean, the probation officer wouldn't appear to
19 me to really know where he was. Did he have an ankle
20 monitoring bracelet?

21 MR. RAM: Yes, your Honor. Home confinement and
22 ankle monitoring.

23 THE COURT: So if he had an ankle monitoring
24 bracelet, he would be in a position to know whether the
25 move triggered the ankle. I would think you want to

1 agree to that, but maybe there is some reason you don't.

2 MR. FENTON: If we can have a conversation with
3 the probation officer over lunch.

4 THE COURT: Okay. Do that. What is the next
5 thing?

6 MR. RAM: Because the probation officer is driving
7 two hours from right now from Ventura County.

8 THE COURT: Call her on her cell phone or
9 something. Maybe you can have her make a U-turn
10 somewhere.

11 MR. FENTON: We will reach out to her.

12 THE COURT: Anything else that could be expedited?

13 MR. LITTRELL: I don't think so, your Honor

14 (Proceedings concluded.)
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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: June 22, 2021

/s/ Katie Thibodeaux, CSR No. 9858, RPR, CRR

MR. FENTON: [68] MR. JOHNSON: [3] 53/5 115/22 116/4 MR. LITTELL: [10] 9/17 12/8 12/15 12/22 13/2 13/11 15/22 115/1 115/9 117/12 MR. MESEREAU: [3] 114/23 115/19 116/1 MR. RAM: [16] 5/25 6/2 6/5 6/9 6/14 6/17 6/21 6/23 6/25 7/3 7/8 112/11 115/12 116/7 116/20 117/5 MR. SILVERMAN: [112] MS. AHN: [1] 7/13 THE CLERK: [2] 7/23 66/19 THE COURT: [252] THE INTERPRETER: [3] 53/8 53/11 74/6 THE PROSPECTIVE JUROR: [3] 38/22 87/20 103/19 THE WITNESS: [65] \$ \$1,960 [2] 92/25 93/10 \$50,000 [1] 93/22 - -and [2] 2/5 2/8 . .188 [5] 45/12 45/20 47/3 47/6 55/9 / /s [1] 118/12 1 10 [2] 48/2 64/24 100 [1] 4/15 100 percent [3] 99/11 99/21 102/1 10036 [1] 2/18 101 [1] 4/15 10100 [1] 3/15 102 [1] 4/15 103 [1] 4/15 104.34.75.188 [5] 46/25 49/3 50/19 50/24 56/2 10537 [2] 11/16 33/10 108 [1] 4/16 109 [3] 4/16 4/16 4/17 10:37 [1] 65/3 10:53 [1] 65/3 10th [1] 14/16 11 [5] 23/23 45/15 48/24 51/17 54/25 110 [1] 4/17 1114 [1] 2/17 11th [2] 82/25 83/13 12 [4] 11/19 36/9 51/18 82/17 12:00 [1] 110/25 12th [1] 83/6 1330 [1] 2/23 13th [3] 97/3 105/4 105/6 14 [1] 37/19 1400 [1] 2/10 14th [3] 35/17 55/7 70/18 150 [2] 78/17 85/18 151 [2] 78/16 79/1 16 [1] 17/17 16th [2] 60/2 98/16 17 [1] 7/13 17450 [1] 11/23 17th [2] 99/14 112/18 18 [2] 15/5 16/7 188 [1] 54/16	18th [2] 31/9 112/18 19 [1] 4/10 74/21 16/20 46/11 105/46 16 83/17 1900 [1] 2/15 1935 [1] 3/12 1:00 o'clock [1] 110/25 1N [1] 13/21 1st [2] 1/22 98/6 2 2.4 [1] 57/6 2.8 [1] 57/6 20 [2] 51/21 114/10 20-579 [1] 1/8 2001 [1] 23/3 20036 [1] 2/23 2019 [3] 22/10 33/22 45/15 2020 [23] 8/15 9/3 13/2 13/11 14/17 23/6 27/13 30/10 31/9 31/12 34/2 35/18 36/20 37/3 41/5 41/8 55/7 57/19 83/6 98/6 98/7 98/16 112/18 2021 [3] 1/17 5/1 118/10 20530 [1] 2/10 20th [2] 14/16 60/2 21 [2] 37/22 38/1 216 [1] 3/13 22 [7] 1/17 4/8 4/8 5/1 8/10 38/1 118/10 2201 [1] 97/3 22330 [1] 18/1 22nd [1] 37/22 23 [1] 93/15 23rd [5] 23/3 30/10 31/12 34/11 35/3 24 [8] 4/8 4/8 4/10 35/21 59/1 59/12 79/5 85/20 250 [2] 78/21 78/23 2605 [1] 11/4 27 [1] 4/9 28 [2] 4/9 118/4 2A [2] 76/12 76/14 2nd [1] 57/19 20 [1] 29/25 3 3-5 [2] 4/14 97/19 3.E [1] 54/24 30 [4] 4/9 4/9 56/21 116/8 300 [1] 3/16 303 [1] 18/2 30J [1] 21/13 30th [2] 98/6 110/15 31 [2] 13/23 93/22 312 [1] 2/6 32 [2] 4/5 14/10 337 [1] 11/7 34 [2] 4/16 105/21 35 [8] 4/14 4/17 97/5 97/16 97/19 98/2 109/16 110/3 350 [2] 1/22 3/5 37 [1] 106/18 38 [4] 4/15 102/18 103/1 103/25 39 [1] 57/15 3900 [1] 2/20 4 403 [1] 114/3 409 [1] 3/20 42 [1] 34/6 4311 [1] 1/22 45 [3] 4/10 4/14 105/6 46 [4] 4/10 4/15 99/24 101/21 47 [3] 4/16 107/23 108/9 48 [3] 4/11 64/21 66/17	5 50,000 [1] 94/10 503 [1] 54/2 5141 [1] 16/13 52 [1] 4/11 53 [2] 79/2 85/19 56D [4] 4/9 27/15 28/21 28/24 579 [1] 1/8 59 [2] 4/10 4/10 5th [4] 2/14 3/8 27/13 29/1 6 601 [1] 3/8 6150 [5] 11/6 33/15 33/16 35/19 35/24 62 [2] 4/11 4/11 63 [5] 4/11 4/13 82/6 82/15 93/18 633 [1] 2/14 64 [1] 4/11 651 [1] 3/21 69 [2] 4/12 4/12 6I [1] 17/3 6J [1] 15/4 6L [3] 17/1 17/2 17/2 7 720 [1] 3/8 73 [5] 4/12 55/22 61/12 69/4 69/11 73.I [2] 58/2 65/11 73C [1] 10/20 74 [4] 4/8 22/12 22/21 22/24 75 [6] 4/9 4/12 4/12 30/17 31/1 31/3 753 [1] 118/4 76 [1] 4/13 77 [1] 4/13 7th [3] 47/1 47/3 50/18 8 80 [1] 86/22 803 [1] 23/24 82 [2] 4/13 4/13 834 [1] 72/6 84 [3] 4/8 23/14 24/3 9 90012 [2] 1/23 2/7 90067 [1] 3/16 90071 [2] 2/15 3/9 902 [1] 23/23 90277 [1] 3/21 903 [1] 3/5 91208 [1] 3/13 92673 [1] 3/6 94105 [1] 2/21 96 [2] 4/14 4/14 97 [2] 4/14 4/14 9858 [2] 1/21 118/12 9:00 [2] 5/2 7/13 A a.m [4] 1/16 5/2 65/3 65/3 able [4] 22/7 42/25 69/2 90/7 about [54] 5/12 20/1 26/9 32/18 33/23 38/20 41/2 43/2 43/8 46/24 48/8 48/19 50/12 52/22 53/14 55/18 58/22 61/4 62/6 65/12 68/25 69/23 70/21 71/12 72/5 73/3 73/4 73/19 76/13 76/15 78/1 78/23 80/17 81/11 89/6 89/7 89/14 89/17 90/4 90/18 91/4 91/9 97/3 101/8 105/6 105/8 105/11 106/21 110/20 111/18 113/15
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