

DECLARATION OF MICHAEL G. FREEDMAN

I, Michael G. Freedman, do declare and state:

1. I am counsel for Edvard Paronyan in this matter. I am licensed to practice in the State of California, and admitted to practice before this Court.

2. On March 9, 2021, Mr. Paronyan was charged by the First Superseding indictment in this matter with several counts of conspiracy and wire and bank fraud relating to an alleged scheme to submit fraudulent loan applications seeking COVID-19 relief funds guaranteed by the Small Business Administration (SBA) under the Coronavirus Aid, Relief, and Economic Security (CARES) Act. (Dkt. 154).

3. On March 11, 2021, the Honorable Maria A. Audero, United States Magistrate Judge, ordered Mr. Paronyan released on a \$75,000 unsecured bond to be signed by his brother, Zaven Paronian. (Dkt. 177). Judge Audero ordered that the unsecured bond be replaced by a \$75,000 bond secured by Zaven Paronian's real property on or before April 1, 2021. (Id.) On March 30, 2021, Mr. Paronyan filed an ex parte application for a thirty-day extension to post the secured bond due to a Coronavirus-related backlog at the Los Angeles County Registrar-Recorder. (Dkt. 228). That extension was granted on March 31, 2021 (Dkt. 252), and Mr. Paronyan posted the secured bond on April 28, 2021 (Dkt. 320).

4. Mr. Paronyan signed a plea agreement with the government on May 26, 2021 (Dkt. 368), but the Court declined to accept the plea at a change of plea hearing on May 27, 2021 (Dkt. 375). Mr. Paronyan signed a revised plea agreement with the government on June 8, 2021, which the Court accepted on June 11, 2021. (Dkt. 524).

5. The conditions of Mr. Paronyan's release restrict him to his residence except for medical needs or treatment, attorney visits, court appearances, and employment, all of which must be preapproved by U.S. Pretrial Services.

6. On May 31, 2021, Mr. Paronyan filed an ex parte request to modify

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1 the conditions of his pretrial release to allow him to attend his son's fifth grade
2 graduation at the AGBU School in Canoga Park, California on Sunday, June 6,
3 2021 from approximately 9:00 a.m. to 2:00 p.m. (Dkt 387). The Court granted that
4 request on June 1, 2021. (Dkt. 396).

5 7. On June 22, 2021, Mr. Paronyan filed an ex parte application to modify
6 the conditions of his pretrial release to allow him to attend his daughter's
7 kindergarten graduation ceremony and his godchildren's baptism, both on June 25,
8 2021. (Dkt. 561). The Court granted that request on June 22, 2021. (Dkt. 570).

9 8. On July 6, 2021, the Court granted Mr. Paronyan's unopposed ex parte
10 request to modify the conditions of his release from home confinement to a curfew
11 requiring him to be home between the hours of 10:00 p.m. and 5:00 a.m. (Dkt.
12 668). Mr. Paronyan's request was based on the need to leave his home during the
13 day to help take care of his family, especially during the summer months when his
14 children are out of school. (Dkt. 662). Additionally, Pretrial Services Officer
15 Theophile noted at the time that this request "would allow Mr. Paronyan to seek
16 employment and help provide for his family and take care of his family." (*Id.*)
17 Furthermore, she noted that "Mr. Paronyan has been compliant in regards to his
18 supervision and is abiding by all of his reporting instructions. Although born in
19 Armenia, he has strong ties to the CAC and willing sureties." (*Id.*)

20 9. On August 5, 2021, the Court granted Mr. Paronyan's unopposed ex parte
21 application to continue his sentencing from August 30 to September 27, 2021.
22 (Dkt. 859). The request was based on the fact that Mr. Paronyan's wife must be
23 away from the family for much of August to take care of her own mother, who is
24 receiving chemotherapy. (Dkt. 806). As Mr. Paronyan's wife cannot leave her
25 mother's side, Mr. Paronyan is the sole parent with his two young children for
26 much of August. (*Id.*)

27 10. Following the Court's July 6 order modifying Mr. Paronyan's release
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1 conditions from home confinement to a curfew, Mr. Paronyan was placed on stand
2 alone location monitoring. Whereas previously he would receive location
3 monitoring phone calls throughout the day to ensure that he was either home or at
4 work, now he was allowed out of the home during the day, so the location
5 monitoring calls were only necessary at night, during the curfew hours of 10:00
6 p.m. to 5:00 a.m. As a result, since that time, Mr. Paronyan receives the location
7 monitoring calls every night, typically around 3:00 or 4:00 a.m. This is obviously
8 highly disruptive as it forces him to wake up in the middle of the night every night.
9 Additionally, when the phone rings it often also wakes up his young children. As
10 Mr. Paronyan is asleep at the time of the calls, he often misses the first call, and
11 then the subsequent calls continue ringing throughout the house, at an even louder
12 volume. As a result, Mr. Paronyan and his family have not had uninterrupted sleep
13 for over a month, and regularly suffer from headaches each morning as a result.

14 11. Additionally, the curfew condition is specific to Mr. Paronyan's residence,
15 which means he cannot stay overnight at a hotel without modifying the curfew.
16 Mr. Paronyan does not seek to leave California or travel by air, but he does wish to
17 take his children on a few short trips by car within and near the Central District this
18 month and next before they return to school and before his sentencing. For
19 example, Mr. Paronyan wishes to take his son fishing near Yosemite, in the
20 Eastern District of California, from approximately August 12 to approximately
21 August 14. And he is also thinking of taking his children to Disneyland, Palm
22 Springs, and/or Laguna Beach. Because these trips will be by car, Mr. Paronyan
23 does not yet have precise plans. Mr. Paronyan wishes to avoid burdening the
24 Court with separate requests to lift the curfew for each trip. Additionally, by the
25 time Mr. Paronyan plans a trip, there may not be sufficient time to get the
26 government's position, file an ex parte application, and receive an order from the
27 Court in order to make the trip. Thus, Mr. Paronyan seeks to lift the curfew
28 generally at this time.

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1 12.I have exchanged numerous emails regarding this request with Christopher
2 Fenton, government counsel, and Mr. Paronyan's pretrial services officer. The
3 government proposed that the location monitoring issue described above could be
4 addressed by Mr. Paronyan switching to location monitoring by an ankle bracelet.
5 But, as I noted in response to the government, this would be a more onerous
6 condition than the location monitoring originally imposed, and far more onerous
7 than the condition as recently modified by the Court. Mr. Fenton further informed
8 me that the government does oppose Mr. Paronyan's request to eliminate location
9 monitoring altogether.

10 13.In addition to the position of the government, Mr. Paronyan's surety, his
11 brother Zaven Paronian, consents to the modification as well, as noted in the
12 concurrently filed declaration.

13 I declare under penalty of perjury under the laws of the United States of
14 America that the foregoing is true and correct and that this declaration is executed
15 at Monte Rio, California on August 10, 2021.

16 /s/Michael G. Freedman

17 Michael G. Freedman

18 Counsel for Defendant

19 Edvard Paronyan
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