

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDVARD PARONYAN,

Defendant.

No. CR 20-00579-SVW-7

[PROPOSED] PRELIMINARY ORDER OF
FORFEITURE PURSUANT TO PLEA
AGREEMENT AS TO 4910 TOPEKA
DRIVE, TARZANA, CALIFORNIA

Upon consideration of the application of Plaintiff, United States of America, for a preliminary order of forfeiture pursuant to the plea agreement of, and guilty plea to Counts One and Twenty-six of the First Superseding Indictment entered by, defendant EDVARD PARONYAN, and, good cause appearing thereon, IT IS HEREBY ORDERED:

I. FORFEITABLE PROPERTY

For the reasons set out below, any right, title and interest of defendant Edvard Paronyan in the following described property (hereinafter, the "Forfeitable Property") is hereby

1 forfeited to the United States. The Court finds that the
2 government has established the requisite nexus between the
3 Forfeitable Property and the offenses described in Counts One
4 and Twenty-six of the First Superseding Indictment, which charge
5 defendant with 18 U.S.C. § 1349 (conspiracy to commit bank and
6 wire fraud) and 18 U.S.C. § 1956(h) (conspiracy to commit money
7 laundering). The Forfeitable Property is more particularly
8 described as:

9 a. The real property located at 4910 Topeka Drive,
10 Tarzana, California, APN: 2176-029-031, more particularly
11 described as:

12 DESCRIPTION: THE LAND REFERRED TO HEREIN IS SITUATED IN THE
13 COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS
14 DESCRIBED AS FOLLOWS:

15 PARCEL 1:

16 THOSE PORTIONS OF LOT 71 and 72 OF TRACT 2605, IN THE CITY
17 OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA,
18 AS PER MAP RECORDED IN BOOK 27 PAGE 55 ET SEQ. OF MAPS, AND
19 THAT PORTION OF PARCEL "A" OF PARCEL MAP L.A. NO. 2015 AS
20 PER MAP FILED IN BOOK 32 PAGE 19 OF PARCEL MAPS, IN THE
21 OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS
22 FOLLOWS:

23 BEGINNING AT A POINT IN THE CENTERLINE OF TOPEKA DRIVE, 40
24 FEET WIDE, AS SHOWN ON SAID MAP, DISTANT THEREON SOUTH 15°
25 10' 00" WEST 178.55 FEET FROM THE NORTHEASTERLY TERMINUS OF
26 THAT CERTAIN COURSE IN THE CENTERLINE OF TOPEKA DRIVE SHOWN
27
28

1 ON SAID MAP AS HAVING A BEARING OF NORTH 15° 10' 00" EAST
2 AND LENGTH OF 1055.19 FEET;
3 THENCE SOUTH 74° 50' 00" EAST 56.09 FEET TO THE BEGINNING
4 OF A TANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A
5 RADIUS OF 129.86 FEET;
6 THENCE EASTERLY ALONG SAID CURVE 128.40 FEET; TO THE TRUE
7 POINT OF BEGINNING;
8 THENCE TANGENT TO SAID CURVE NORTH 48° 30' 50" EAST 147.14
9 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE TO THE
10 SOUTHEAST, HAVING A RADIUS OF 100.05 FEET;
11 THENCE EASTERLY ALONG SAID CURVE, 125.14 FEET, A RADIAL
12 LINE TO SAID POINT BEARS NORTH 30° 10' 46" EAST;
13 THENCE NORTH 10° 52' 46" EAST 45.32 FEET;
14 THENCE SOUTH 84° 29' 18" EAST 182.82 FEET;
15 THENCE SOUTH 04° 13' 10" WEST 195.63 FEET TO A POINT IN A
16 CURVE CONCAVE WESTERLY HAVING A RADIUS OF 175.31 FEET; A
17 RADIAL LINE TO SAID POINT BEARS NORTH 62° 22' 50" EAST;
18 THENCE CONTINUING EASTERLY AND SOUTHERLY ALONG SAID CURVE
19 THROUGH A CENTRAL ANGLE OF 50° 06' 30" AN ARC DISTANCE OF
20 153.32 FEET;
21 THENCE TANGENT TO SAID CURVE SOUTH 22° 29' 20" WEST 63.38
22 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE
23 NORTHWEST HAVING A RADIUS OF 375.00 FEET;
24 THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL
25 ANGLE OF 13° 52' 00" 90.76 FEET TO THE BEGINNING OF A
26 REVERSE CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF
27 161.89 FEET;
28

1 THENCE SOUTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL
2 ANGLE OF $17^{\circ} 46' 00''$ 50.20 FEET TO THE BEGINNING OF A
3 REVERSE CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF
4 75.69 FEET;

5 THENCE SOUTHWESTERLY AND WESTERLY ALONG SAID CURVE, THROUGH
6 A CENTRAL ANGLE OF $33^{\circ} 58' 30''$ 44.88 FEET TO A POINT OF
7 CUSP IN THE NORTHERLY LINE OF SAID PARCEL "A" SAID
8 NORTHERLY LINE BEING A CURVE CONCAVE SOUTHWESTERLY HAVING A
9 RADIUS OF 30.00'; A RADIAL LINE TO SAID POINT BEARS SOUTH
10 $38^{\circ} 26' 10''$ EAST;

11 THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE
12 $116^{\circ} 31' 20''$ AN ARC DISTANCE OF 61.01 FEET;

13 THENCE SOUTH $10^{\circ} 54' 50''$ EAST 92.71 FEET;

14 THENCE SOUTH $80^{\circ} 16' 17''$ WEST 20.00 FEET;

15 THENCE NORTH $31^{\circ} 28' 33''$ WEST 120.33 FEET;

16 THENCE NORTH $22^{\circ} 17' 48''$ WEST 20.00 FEET TO THE BEGINNING
17 OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 55.69
18 FEET;

19 THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL
20 ANGLE OF $49^{\circ} 06' 52''$ AN ARC DISTANCE OF 47.74 FEET TO THE
21 BEGINNING OF A REVERSE CURVE CONCAVE SOUTHEASTERLY HAVING A
22 RADIUS OF 181.89 FEET;

23 THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL
24 ANGLE OF $17^{\circ} 46' 00''$ AN ARC DISTANCE OF 56.40 FEET TO THE
25 BEGINNING OF A REVERSE CURVE CONCAVE NORTHWESTERLY HAVING A
26 RADIUS OF 355.00 FEET;
27
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1 THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL
2 ANGLE OF 12° 45' 16" AN ARC DISTANCE OF 79.03 FEET;
3 THENCE NORTH 67° 12' 02" WEST 268.30 FEET;
4 THENCE NORTH 15° 10' 00" EAST 43.00 FEET;
5 THENCE NORTH 47° 02' 30" WEST 175.00 FEET TO THE TRUE POINT
6 OF BEGINNING.

7 PARCEL 2:

8 THE RIGHT OF INGRESS AND EGRESS FOR SAID PROPERTY OVER A
9 ROADWAY EASEMENT FROM TOPEKA DRIVE OVER THAT PORTION OF LOT
10 71, OF TRACT NO. 2605, IN THE CITY OF LOS ANGELES, COUNTY
11 OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN
12 BOOK 27, PAGE 55, ET SEQ., OF MAPS, IN THE OFFICE OF THE
13 COUNTY RECORDER OF SAID COUNTY, INCLUDED WITHIN A STRIP OF
14 LAND 30.00 FEET IN WITH, LYING 15.00 FEET ON EACH SIDE OF
15 THE FOLLOWING DESCRIBED CENTER LINE:

16 BEGINNING AT THE SOUTHWESTERLY CORNER OF THE LAND CONVEYED
17 TO CIRELLA G. SMITH AND HUSBAND, BY DEED RECORDED JULY 8,
18 1943 AS INSTRUMENT NO. 118, IN BOOK 20132 PAGE 100,
19 OFFICIAL RECORDS, SAID CORNER BEING DISTANT 261.45 FEET
20 NORTHERLY FROM THE SOUTHWESTERLY CORNER OF LOT 71, SAID
21 TRACT 2605; THENCE NORMAL TO THE EASTERLY LINE OF TOPEKA
22 DRIVE, SOUTH 74° 50' 00" EAST 36.09 FEET TO THE BEGINNING
23 OF A TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS
24 OF 129.86 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE,
25 128.40 FEET; THENCE TANGENT TO SAID CURVE, NORTH 48° 30'
26 50" EAST 147.14 FEET TO THE BEGINNING OF A TANGENT CURVE
27 CONCAVE SOUTHERLY, HAVING A RADIUS OF 100.05 FEET; THENCE
28

1 EASTERLY ALONG SAID CURVE, 144.70 FEET; THENCE TANGENT TO
2 SAID CURVE, SOUTH 48° 37' 10" EAST, 161.06 FEET TO THE
3 BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY, HAVING A
4 RADIUS OF 175.31 FEET, THENCE SOUTHERLY ALONG SAID CURVE,
5 217.57 FEET; THENCE TANGENT TO SAID CURVE, SOUTH 22° 29'
6 20" WEST 42.15 FEET TO A POINT.

7
8 **II. IMPLEMENTATION**

9 IT IS FURTHER ORDERED as follows:

10 A. Upon the entry of this Order, and pursuant to Fed. R.
11 Crim. P. 32.2(b)(3) and 21 U.S.C. § 853, the United States
12 Attorney General (or a designee) is authorized to seize the
13 Forfeitable Property.

14 B. Upon entry of this Order, the United States is further
15 authorized to conduct any discovery for the purpose of
16 identifying, locating, or disposing of the Forfeitable Property
17 subject to forfeiture pursuant to this Order, 21 U.S.C. § 853(m)
18 and Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure.
19 "Any discovery" shall include all methods of discovery permitted
20 under the Federal Rules of Civil Procedure.

21 C. Upon entry of this Order (and at any time in the
22 future after amendment of the applicable order of forfeiture in
23 this matter), the United States Attorney General (or a designee)
24 is authorized to commence any applicable proceeding to comply
25 with statutes governing third party rights, including giving
26 notice of this and any other Order affecting specific property.
27 The following paragraphs shall apply to any ancillary proceeding
28 conducted in this matter:

1 (1) Pursuant to 21 U.S.C. § 853(n)(1) and
2 Supplemental Rule G(4)(a)(iv)(C) of the Supplemental Rules for
3 Admiralty or Maritime Claims and Asset Forfeiture Actions, the
4 government shall forthwith publish for at least thirty (30)
5 consecutive days on an official government website notice of
6 this order and any other Order affecting the Forfeitable
7 Property, and notice that any person, other than the defendant,
8 having or claiming a legal interest in the property must file a
9 petition with the Court within thirty (30) days of the
10 publication of notice or receipt of actual notice, whichever is
11 earlier. The United States shall also, to the extent
12 practicable, provide written notice to any person known to have
13 an alleged interest in the Forfeitable Property.

14 (2) Any person other than defendant EDVARD PARONYAN
15 ("defendant") asserting a legal interest in the Forfeitable
16 Property may, within thirty days of the publication of notice or
17 receipt of notice, whichever is earlier, petition the court for
18 a hearing without a jury to adjudicate the validity of his or
19 her alleged interest in the property, and for an amendment of
20 the order of forfeiture, pursuant to 21 U.S.C. § 853(n)(2).

21 (3) Any petition filed by a third party asserting an
22 interest in the Forfeitable Property shall be signed by the
23 petitioner under penalty of perjury and shall set forth the
24 nature and extent of the petitioner's right, title, or interest
25 in such property, the time and circumstances of the petitioner's
26 acquisition of the right, title or interest in the property, any
27 additional facts supporting the petitioner's claim, and the
28 relief sought. 21 U.S.C. § 853(n)(3).

1 (4) The United States shall have clear title to the
2 Forfeitable Property following the Court's disposition of all
3 third-party interests or, if no petitions are filed, following
4 the expiration of the period provided in 21 U.S.C. § 853(n)(2)
5 for the filing of third party petitions.

6 D. Pursuant to Fed. R. Crim. P. 32.2(b)(3) and
7 defendant's consent, this Preliminary Order of Forfeiture shall
8 become final as to defendant EDVARD PARONYAN upon entry and
9 shall be made part of his sentence and included in his judgment.

10 E. The Court shall retain jurisdiction to enforce this
11 Order, and to amend it as necessary, pursuant to Fed. R. Crim.
12 P. 32.2(e).

13 DATED: _____
14 HONORABLE STEPHEN V. WILSON
UNITED STATES DISTRICT JUDGE

15 PRESENTED BY:

16 TRACY L. WILKISON
17 Acting United States Attorney

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

20 /s/Brent A. Whittlesey
21 BRENT A. WHITTLESEY
22 Assistant United States Attorney
Asset Forfeiture Section

23 Attorneys for Plaintiff
UNITED STATES OF AMERICA
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