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8 UNITED STATES DISTRICT COURT
9 FOR THE CENTRAL DISTRICT OF CALIFORNIA
10 WESTERN DIVISION

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 VARDGES ABELYAN,

15 Defendant.
16

No. 2:23-cr-00285-ODW

PRELIMINARY ORDER OF FORFEITURE

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18 Upon consideration of the application of Plaintiff United States
19 of America, for a Preliminary Order of Forfeiture pursuant to the
20 plea agreement of, and guilty plea to Count Two of the Indictment
21 entered by defendant Vardges Abelyan ("defendant"), and, good cause
22 appearing thereon, IT IS HEREBY ORDERED:

23 **I. FORFEITABLE PROPERTY**

24 For the reasons set out below, any right, title and interest of
25 defendant in the following described property (hereinafter, the
26 "Forfeitable Property") is hereby forfeited to the United States.
27 The Court finds that the government has established the requisite
28 nexus between the Forfeitable Property and the offense described in

1 the Indictment, that is, wire fraud, in violation of 18 U.S.C.
2 § 1343. The Forfeitable Property is particularly described as:

3 a. The real property located at 12720 Burbank Boulevard, Unit
4 118, North Hollywood, California 91607.

5 **II. IMPLEMENTATION**

6 IT IS FURTHER ORDERED as follows:

7 A. Upon the entry of this Order, and pursuant to Rule
8 32.2(b)(3) of the Federal Rules of Criminal Procedure ("Rule") and
9 21 U.S.C. § 853, the United States Attorney General (or a designee)
10 is authorized to seize the Forfeitable Property.

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

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

24 (1) Pursuant to Rule 32.2(b), 21 U.S.C. § 853(n)(1) and
25 Supplemental Rule G(4)(a)(iv)(C) of the Supplemental Rules for
26 Admiralty or Maritime Claims and Asset Forfeiture Actions under Title
27 XIII of the Federal Rules of Civil Procedure, the government shall
28 forthwith publish for at least thirty (30) consecutive days on an

1 official government website notice of this order and any other Order
2 affecting the Forfeitable Property. And to the extent practicable,
3 the government shall send notice to any person, other than defendant,
4 who is known to have an alleged interest in the Forfeitable Property
5 or reasonably appears to be a potential claimant with standing to
6 contest the forfeiture in the ancillary proceeding. Any person
7 having or claiming a legal interest in the Forfeitable Property must
8 file a petition with the Court within thirty (30) days of the
9 publication of notice or receipt of actual notice, whichever is
10 earlier.

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

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

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

1 filing of third-party petitions.

2 D. Pursuant to Rule 32.2(b)(4) and the Plea Agreement, this
3 Preliminary Order of Forfeiture shall become final as to defendant at
4 the time of entry and shall be made part of his sentence and included
5 in his judgment.

6 Order, and to amend it as necessary, pursuant to Rule 32.2(e).

7 IT IS SO ORDERED.

8 March 12, 2024

9 DATE



HONORABLE OTIS D. WRIGHT
UNITED STATES DISTRICT JUDGE