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16 Attorneys for Plaintiff  
 UNITED STATES OF AMERICA

17 UNITED STATES DISTRICT COURT

18 FOR THE CENTRAL DISTRICT OF CALIFORNIA

19 UNITED STATES OF AMERICA,

No. CR 20-579(A)-SVW

20 Plaintiff,

PLEA AGREEMENT FOR DEFENDANT  
ARMAN HAYRAPETYAN

21 v.

22 ARMAN HAYRAPETYAN,

23 Defendant.  
 24

25 1. This constitutes the plea agreement between ARMAN  
 26 HAYRAPETYAN ("defendant") and the United States Attorney's Office for  
 27 the Central District of California and the United States Department  
 28 of Justice, Criminal Division, Fraud Section (collectively referred

1 to herein as the "United States") in the above-captioned case. This  
2 agreement is limited to the United States and cannot bind any other  
3 federal, state, local, or foreign prosecuting, enforcement,  
4 administrative, or regulatory authorities.

5 DEFENDANT'S OBLIGATIONS

6 2. Defendant agrees to:

7 a. At the earliest opportunity requested by the United  
8 States and provided by the Court, appear and plead guilty to count  
9 twenty-six of the first superseding indictment in United States v.  
10 Richard Ayvazyan et al., CR No. 20-579(A), which charges defendant  
11 with conspiracy to commit money laundering, in violation of 18 U.S.C.  
12 § 1956(h).

13 b. Agree that all court appearances, except his  
14 sentencing hearing, may proceed by video-teleconference ("VTC") or  
15 telephone, if VTC is not reasonably available, so long as such  
16 appearances are authorized by Order of the Chief Judge 20-097 or  
17 another order, rule, or statute. Defendant understands that, under  
18 the United States Constitution, the United States Code, and the  
19 Federal Rules of Criminal Procedure (including Rules 11 and 43), he  
20 may have the right to be physically present at these hearings.  
21 Defendant understands that right and, after consulting with counsel,  
22 voluntarily agrees to waive it and to proceed remotely. Defense  
23 counsel also joins in this consent, agreement, and waiver.  
24 Specifically, this agreement includes, but is not limited to, the  
25 following:

26 i. Defendant consents under Federal Rules of  
27 Criminal Procedure 5(f) and 10(c) and Section 15002(b) of the CARES  
28

1 Act to proceed with his initial appearance and arraignment by VTC or  
2 telephone, if VTC is not reasonably available.

3 ii. Defendant consents under Section 15002(b) of the  
4 CARES Act to proceed with his waiver of indictment, under Federal  
5 Rule of Criminal Procedure 7(b), by VTC or telephone, if VTC is not  
6 reasonably available.

7 iii. Defendant consents under Section 15002(b) of the  
8 CARES Act to proceed with his change of plea hearing by VTC or  
9 telephone, if VTC is not reasonably available.

10 iv. Defendant consents under 18 U.S.C. § 3148 and  
11 Section 15002(b) of the CARES Act to proceed with any hearing  
12 regarding alleged violations of the conditions of pretrial release by  
13 VTC or telephone, if VTC is not reasonably available.

14 c. Not contest facts agreed to in this agreement.

15 d. Abide by all agreements regarding sentencing contained  
16 in this agreement.

17 e. Appear for all court appearances, surrender as ordered  
18 for service of sentence, obey all conditions of any bond, and obey  
19 any other ongoing court order in this matter.

20 f. Not commit any crime; however, offenses that would be  
21 excluded for sentencing purposes under United States Sentencing  
22 Guidelines ("U.S.S.G." or "Sentencing Guidelines") § 4A1.2(c) are not  
23 within the scope of this agreement.

24 g. Be truthful at all times with the United States  
25 Probation and Pretrial Services Office and the Court.

26 h. Pay the applicable special assessment at or before the  
27 time of sentencing unless defendant has demonstrated a lack of  
28 ability to pay such assessments.

1           i. Ability to pay shall be assessed based on the  
2 Financial Disclosure Statement, referenced below, and all other  
3 relevant information relating to ability to pay.

4           j. Defendant agrees that any and all restitution/fine  
5 obligations ordered by the Court will be due in full and immediately.  
6 The government is not precluded from pursuing, in excess of any  
7 payment schedule set by the Court, any and all available remedies by  
8 which to satisfy defendant's payment of the full financial  
9 obligation, including referral to the Treasury Offset Program.

10           k. Complete the Financial Disclosure Statement on a form  
11 provided by the United States and, within 30 days of defendant's  
12 entry of a guilty plea, deliver the signed and dated statement, along  
13 with all of the documents requested therein, to the United States by  
14 either email at usacac.FinLit@usdoj.gov (preferred) or mail to the  
15 United States Financial Litigation Section at 300 N. Los Angeles St.,  
16 Suite 7516, Los Angeles, CA 90012.

17           l. Authorize the United States to obtain a credit report  
18 upon returning a signed copy of this plea agreement.

19           m. Consent to the United States inspecting and copying  
20 all of defendant's financial documents and financial information held  
21 by the United States Probation and Pretrial Services Office.

22           3. Defendant further agrees:

23           a. To forfeit all right, title, and interest in and to  
24 any and all monies, properties, and/or assets of any kind, derived  
25 from or acquired as a result of the illegal activity to which  
26 defendant is pleading guilty (collectively, the "Forfeitable  
27 Assets").

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1           b. To the Court's entry of an order of forfeiture at or  
2 before sentencing with respect to the Forfeitable Assets and to the  
3 forfeiture of the assets.

4           c. To take whatever steps are necessary to pass to the  
5 United States clear title to the Forfeitable Assets, including,  
6 without limitation, the execution of a consent decree of forfeiture  
7 and the completing of any other legal documents required for the  
8 transfer of title to the United States.

9           d. Not to contest any administrative forfeiture  
10 proceedings or civil judicial proceedings commenced against the  
11 Forfeitable Assets. If defendant submitted a claim and/or petition  
12 for remission for all or part of the Forfeitable Assets on behalf of  
13 himself or any other individual or entity, defendant shall and hereby  
14 does withdraw any such claims or petitions, and further agrees to  
15 waive any right he may have to seek remission or mitigation of the  
16 forfeiture of the Forfeitable Assets.

17           e. Not to assist any other individual in any effort  
18 falsely to contest the forfeiture of the Forfeitable Assets.

19           f. Not to claim that reasonable cause to seize the  
20 Forfeitable Assets was lacking.

21           g. To prevent the transfer, sale, destruction, or loss of  
22 any and all assets described above to the extent defendant has the  
23 ability to do so.

24           h. To fill out and deliver to the United States a  
25 completed financial statement listing defendant's assets on a form  
26 provided by the United States.

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1           i. That forfeiture of Forfeitable Assets shall not be  
2 counted toward satisfaction of any special assessment, fine,  
3 restitution, costs, or other penalty the Court may impose.

4           4. Defendant further agrees to cooperate fully with the United  
5 States, the Federal Bureau of Investigation ("FBI"), the Internal  
6 Revenue Service-Criminal Investigation ("IRS-CI"), the Small Business  
7 Administration-Office of Inspector General ("SBA-OIG"), and, as  
8 directed by the United States, any other federal, state, local, or  
9 foreign prosecuting, enforcement, administrative, or regulatory  
10 authority. This cooperation requires defendant to:

11           a. Respond truthfully and completely to all questions  
12 that may be put to defendant, whether in interviews, before a grand  
13 jury, or at any trial or other court proceeding.

14           b. Attend all meetings, grand jury sessions, trials or  
15 other proceedings at which defendant's presence is requested by the  
16 United States or compelled by subpoena or court order.

17           c. Produce voluntarily all documents, records, or other  
18 tangible evidence relating to matters about which the United States,  
19 or its designee, inquires.

20           5. For purposes of this agreement: (1) "Cooperation  
21 Information" shall mean any statements made, or documents, records,  
22 tangible evidence, or other information provided, by defendant  
23 pursuant to defendant's cooperation under this agreement or pursuant  
24 to the letter agreement previously entered into by the parties dated  
25 May 6, 2021 (the "Letter Agreement"); and (2) "Plea Information"  
26 shall mean any statements made by defendant, under oath, at the  
27 guilty plea hearing and the agreed to factual basis statement in this  
28 agreement.

THE UNITED STATES' OBLIGATIONS

6. The United States agrees to:

a. Not contest facts agreed to in this agreement.

b. Abide by all agreements regarding sentencing contained in this agreement.

c. At the time of sentencing, move to dismiss the remaining counts of the superseding indictment and move to dismiss the underlying indictment as against defendant. Defendant agrees, however, that at the time of sentencing the Court may consider any dismissed charges in determining the applicable Sentencing Guidelines range, the propriety and extent of any departure from that range, and the sentence to be imposed.

d. At the time of sentencing, provided that defendant demonstrates an acceptance of responsibility for the offense up to and including the time of sentencing, recommend a two-level reduction in the applicable Sentencing Guidelines offense level, pursuant to U.S.S.G. § 3E1.1, and recommend and, if necessary, move for an additional one-level reduction if available under that section.

e. Recommend that defendant be sentenced to a term of imprisonment no higher than the low end of the applicable Sentencing Guidelines range, provided that the offense level used by the Court to determine that range is 21 or higher and provided that the Court does not depart downward in offense level or criminal history category. For purposes of this agreement, the low end of the Sentencing Guidelines range is that defined by the Sentencing Table in U.S.S.G. Chapter 5, Part A.

7. The United States further agrees:

1           a. Not to offer as evidence in its case-in-chief in the  
2 above-captioned case or any other criminal prosecution that may be  
3 brought against defendant by the United States, or in connection with  
4 any sentencing proceeding in any criminal case that may be brought  
5 against defendant by the United States, any Cooperation Information.  
6 Defendant agrees, however, that the United States may use both  
7 Cooperation Information and Plea Information: (1) to obtain and  
8 pursue leads to other evidence, which evidence may be used for any  
9 purpose, including any criminal prosecution of defendant; (2) to  
10 cross-examine defendant should defendant testify, or to rebut any  
11 evidence offered, or argument or representation made, by defendant,  
12 defendant's counsel, or a witness called by defendant in any trial,  
13 sentencing hearing, or other court proceeding; and (3) in any  
14 criminal prosecution of defendant for false statement, obstruction of  
15 justice, or perjury.

16           b. Not to use Cooperation Information against defendant  
17 at sentencing for the purpose of determining the applicable guideline  
18 range, including the appropriateness of an upward departure, or the  
19 sentence to be imposed, and to recommend to the Court that  
20 Cooperation Information not be used in determining the applicable  
21 guideline range or the sentence to be imposed. Defendant  
22 understands, however, that Cooperation Information will be disclosed  
23 to the United States Probation and Pretrial Services Office and the  
24 Court, and that the Court may use Cooperation Information for the  
25 purposes set forth in U.S.S.G § 1B1.8(b) and for determining the  
26 sentence to be imposed.

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1 c. In connection with defendant's sentencing, to bring to  
2 the Court's attention the nature and extent of defendant's  
3 cooperation.

4 d. If the United States determines, in its exclusive  
5 judgment, that defendant has both complied with defendant's  
6 obligations under paragraphs 2 and 3 above and provided substantial  
7 assistance to law enforcement in the prosecution or investigation of  
8 another ("substantial assistance"), to move the Court pursuant to  
9 U.S.S.G. § 5K1.1 to fix an offense level and corresponding guideline  
10 range below that otherwise dictated by the sentencing guidelines, and  
11 to recommend a term of imprisonment within this reduced range.

12 DEFENDANT'S UNDERSTANDINGS REGARDING COOPERATION

13 8. Defendant understands the following:

14 a. Any knowingly false or misleading statement by  
15 defendant will subject defendant to prosecution for false statement,  
16 obstruction of justice, and perjury and will constitute a breach by  
17 defendant of this agreement.

18 b. Nothing in this agreement requires the United States  
19 or any other prosecuting, enforcement, administrative, or regulatory  
20 authority to accept any cooperation or assistance that defendant may  
21 offer, or to use it in any particular way.

22 c. Defendant cannot withdraw defendant's guilty plea if  
23 the United States does not make a motion pursuant to U.S.S.G. § 5K1.1  
24 for a reduced guideline range or if the United States makes such a  
25 motion and the Court does not grant it or if the Court grants such a  
26 United States motion but elects to sentence above the reduced range.

27 d. At this time the United States makes no agreement or  
28 representation as to whether any cooperation that defendant has

1 provided or intends to provide constitutes or will constitute  
2 substantial assistance. The decision whether defendant has provided  
3 substantial assistance will rest solely within the exclusive judgment  
4 of the United States.

5 e. The United States' determination whether defendant has  
6 provided substantial assistance will not depend in any way on whether  
7 the government prevails at any trial or court hearing in which  
8 defendant testifies or in which the government otherwise presents  
9 information resulting from defendant's cooperation.

10 NATURE OF THE OFFENSE

11 9. Defendant understands that for defendant to be guilty of  
12 the crime charged in count twenty-six of the superseding indictment  
13 in United States v. Richard Ayvazyan et al., CR No. 20-579(A), which  
14 charges defendant with conspiracy to commit money laundering, in  
15 violation of 18 U.S.C. § 1956(h), the following must be true:  
16 (1) defendant agreed with one or more co-conspirators to knowingly  
17 conduct a financial transaction involving property that represented  
18 the proceeds of wire fraud and/or bank fraud; (2) defendant knew that  
19 the property represented the proceeds of some form of unlawful  
20 activity; and (3) defendant knew that the transaction was designed in  
21 whole or in part conceal or disguise the nature, location, source,  
22 ownership, or control of the proceeds of such unlawful activity  
23 (i.e., § 1956(a)(1)(B)(i)).

24 PENALTIES AND RESTITUTION

25 10. Defendant understands that the statutory maximum sentence  
26 that the Court can impose for a violation of Title 18, United States  
27 Code, Section 1956(h), is: 20 years' imprisonment; a three-year  
28 period of supervised release; a fine of \$500,000 or twice the gross

1 gain or gross loss resulting from the offense, whichever is greatest;  
2 and a mandatory special assessment of \$100.

3 11. Defendant understands that defendant will be required to  
4 pay full restitution to the victims of the offenses to which  
5 defendant is pleading guilty. Defendant agrees that, in return for  
6 the United States' compliance with its obligations under this  
7 agreement, the Court may order restitution to persons other than the  
8 victims of the offenses to which defendant is pleading guilty and in  
9 amounts greater than those alleged in the counts to which defendant  
10 is pleading guilty. In particular, defendant agrees that the Court  
11 may order restitution to any victim of any of the following for any  
12 losses suffered by that victim as a result: (a) any relevant conduct,  
13 as defined in U.S.S.G. § 1B1.3, in connection with the offenses to  
14 which defendant is pleading guilty; and (b) any counts dismissed and  
15 charges not prosecuted pursuant to this agreement as well as all  
16 relevant conduct, as defined in U.S.S.G. § 1B1.3, in connection with  
17 those counts and charges. The parties currently believe that there  
18 is no restitution owed in this case, but recognize and agree that a  
19 restitution amount may be determined based on facts that come to the  
20 attention of the parties prior to sentencing.

21 12. Defendant understands that supervised release is a period  
22 of time following imprisonment during which defendant will be subject  
23 to various restrictions and requirements. Defendant understands that  
24 if defendant violates one or more of the conditions of any supervised  
25 release imposed, defendant may be returned to prison for all or part  
26 of the term of supervised release authorized by statute for the  
27 offense that resulted in the term of supervised release, which could  
28

1 result in defendant serving a total term of imprisonment greater than  
2 the statutory maximum stated above.

3 13. Defendant understands that, by pleading guilty, defendant  
4 may be giving up valuable government benefits and valuable civic  
5 rights, such as the right to vote, the right to possess a firearm,  
6 the right to hold office, and the right to serve on a jury.  
7 Defendant understands that he is pleading guilty to a felony and that  
8 it is a federal crime for a convicted felon to possess a firearm or  
9 ammunition. Defendant understands that the conviction in this case  
10 may also subject defendant to various other collateral consequences,  
11 including but not limited to revocation of probation, parole, or  
12 supervised release in another case and suspension or revocation of a  
13 professional license. Defendant understands that unanticipated  
14 collateral consequences will not serve as grounds to withdraw  
15 defendant's guilty plea.

16 14. Defendant and his counsel have discussed the fact that, and  
17 defendant understands that, if defendant is not a United States  
18 citizen, the convictions in this case makes it practically inevitable  
19 and a virtual certainty that defendant will be removed or deported  
20 from the United States. Defendant may also be denied United States  
21 citizenship and admission to the United States in the future.  
22 Defendant understands that while there may be arguments that  
23 defendant can raise in immigration proceedings to avoid or delay  
24 removal, removal is presumptively mandatory and a virtual certainty  
25 in this case. Defendant further understands that removal and  
26 immigration consequences are the subject of a separate proceeding and  
27 that no one, including his attorney or the Court, can predict to an  
28 absolute certainty the effect of his convictions on his immigration

1 status. Defendant nevertheless affirms that he wants to plead guilty  
2 regardless of any immigration consequences that his pleas may entail,  
3 even if the consequence is automatic removal from the United States

4 FACTUAL BASIS

5 15. Defendant admits that defendant is, in fact, guilty of the  
6 offense to which defendant is agreeing to plead guilty. Defendant  
7 and the United States agree to the statement of facts provided below  
8 and agree that this statement of facts is sufficient to support a  
9 plea of guilty to the charge described in this agreement and to  
10 establish the Sentencing Guidelines factors set forth in paragraph 17  
11 below but is not meant to be a complete recitation of all facts  
12 relevant to the underlying criminal conduct or all facts known to  
13 either party that relate to that conduct.

14 Beginning in or around March 2020 and continuing at least until  
15 in or around October 2020, defendant, together with co-conspirators  
16 known and unknown, including Manuk Grigoryan, and others  
17 (collectively, "co-conspirators"), knowingly engaged in a money  
18 laundering conspiracy, the object of which was to transfer the  
19 illicit proceeds of a scheme in order to conceal the nature, source,  
20 location, ownership and control of those proceeds. These proceeds  
21 constituted fraudulently obtained disaster relief funds under the  
22 Paycheck Protection Program ("PPP") and Economic Injury Disaster Loan  
23 Program ("EIDL"), two federal relief programs that were created  
24 through the Coronavirus Aid, Relief, and Economic Security ("CARES")  
25 Act, a federal law that was enacted in or about March 2020 and that  
26 was designed to provide emergency financial assistance to Americans  
27 suffering economic harm as a result of the COVID-19 pandemic. As a  
28 result of the money laundering conspiracy, such proceeds were

1 distributed among the co-conspirators for their own personal benefit,  
 2 including the purchase of luxury goods, services, and real estate,  
 3 rather than being used for permissible business expenditures under  
 4 the provisions of the PPP and EIDL programs.

5 Defendant was recruited by codefendant Grigoryan to join the  
 6 money laundering conspiracy. In furtherance of the conspiracy and  
 7 for the purpose of carrying out its object, at the direction of  
 8 Grigoryan and others, defendant opened various business checking  
 9 accounts at a federally-insured financial institution with account  
 10 names that included Arman Hayrapetyan DBA S. Construction, Arman  
 11 Hayrapetyan DBA H. Construction, and Arman Hayrapetyan DBA S. Dental,  
 12 as set forth in the below chart (the "DBA bank accounts"), for the  
 13 purpose of receiving deposits of criminal proceeds, which included  
 14 the fraudulently obtained PPP and EIDL loans listed below. Defendant  
 15 opened these accounts based on Grigoryan's representation that  
 16 defendant would be a partner in the businesses listed in the account  
 17 names; in fact, defendant was never legally associated with any of  
 18 those businesses.

Type	Business Applicant	Amount	Deposit Date	Deposit Bank Acct	Acct#
PPP	S. Construction	\$182,637	5/1/2020	CHASE Arman Hayrapetyan ("AH") DBA S. Construction Co.	XXX9906
PPP	S. Construction	\$113,750	5/1/2020	CHASE AH DBA S. Construction Co.	XXX9906
	<i>Subtotal</i>	\$296,387			

Type	Business Applicant	Amount	Deposit Date	Deposit Bank Acct	Acct#
PPP	AH DBA H. Construction	\$112,500	5/1/2020	CHASE AH DBA H. Construction Co.	XXX1511
PPP	H. Construction	\$130,000	5/5/2020	CHASE AH DBA H. Construction Co.	XXX1511

1	PPP	H. Construction	\$130,000	5/6/2020	CHASE AH DBA H. Construction Co.	XXX1511
2	PPP	H. Construction	\$130,000	5/1/2020	CHASE AH DBA H. Construction Co.	XXX1511

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3 *Subtotal* \$502,500

4	Type	Business Applicant	Amount	Deposit Date	Deposit Bank Acct	Acct#
5	PPP	S. S. Dental DDS Inc	\$182,500	5/5/2020	CHASE AH DBA S. Dental	XXX5355
6	PPP	S. S. Dental DDS Inc	\$182,500	5/4/2020	CHASE AH DBA S. Dental	XXX5355
7	EIDL	S. S. Dental DDS Inc	\$150,000	6/25/2020	CHASE AH DBA S. Dental	XXX5355
8	EIDL Grant	S. S. Dental DDS Inc	\$10,000	6/23/2020	CHASE AH DBA S. Dental	XXX5355

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9 *Subtotal* \$525,000

10 **Total:** \$ 1,323,887

11

12 At the direction of codefendant Grigoryan, who supervised and

13 managed defendant, defendant then used the DBA bank accounts to

14 launder the proceeds from fraudulently obtained PPP and EIDL loans,

15 which defendant knew were the proceeds of illegal activity undertaken

16 by his co-conspirators, including Grigoryan, R. Ayvazyan, Terabelian,

17 A. Ayvazyan, T. Dadyan, Paronyan, and V. Dadyan, between and among

18 his co-conspirators. For example, on or about May 4, 2020,

19 defendant, together with other coconspirators including Grigoryan,

20 caused a check for approximately \$50,000, drawn on the AH DBA S.

21 Construction Co. bank account and comprised in substantial part of

22 the fraudulent PPP loan proceeds for S. Construction and H.

23 Construction, to be written to the order of Fiber One Media (the

24 "Fiber One Media check"). The Fiber One Media check was endorsed on

25 the back with the name of codefendant Terabelian's alias, "Viktoriya

26 Kauichko."

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1 Furthermore, defendant, together with other coconspirators  
2 including Grigoryan, caused smaller payments to be made out of each  
3 of the above-referenced DBA bank accounts to some of the other  
4 codefendants. To facilitate these transfers, defendant provided his  
5 login and password information for the DBA bank accounts to  
6 codefendant Grigoryan to give Grigoryan access to the accounts. For  
7 instance, after the deposit of fraudulent PPP loan proceeds into the  
8 AH DBA S. Construction Co. account, defendant and codefendant  
9 Grigoryan caused the transfer of \$500 to "Iuliia Zhadko," the alias  
10 of codefendant R. Ayvazyan. Similarly, after the deposit of the  
11 proceeds from two of the PPP loans into the AH DBA H. Construction  
12 account, defendant and codefendant Grigoryan caused the transfer of  
13 two separate payments (\$600 and \$400) to codefendant Terabelian's  
14 alias, "Viktoria Kauichko".

15 Defendant agrees that he received approximately five percent of  
16 the fraudulent proceeds as payment for his agreement to launder the  
17 funds. Defendant agrees that deposits of fraudulently obtained PPP  
18 and EIDL loan proceeds into bank accounts that defendant controlled  
19 totaled approximately \$1,323,887.

20 SENTENCING FACTORS

21 16. Defendant understands that in determining defendant's  
22 sentence the Court is required to calculate the applicable Sentencing  
23 Guidelines range and to consider that range, possible departures  
24 under the Sentencing Guidelines, and the other sentencing factors set  
25 forth in 18 U.S.C. § 3553(a). Defendant understands that the  
26 Sentencing Guidelines are advisory only, that defendant cannot have  
27 any expectation of receiving a sentence within the calculated  
28 Sentencing Guidelines range, and that after considering the



1 Sentencing Guidelines and the other § 3553(a) factors, the Court will  
2 be free to exercise its discretion to impose any sentence it finds  
3 appropriate up to the maximum set by statute for the crime of  
4 conviction.

5 17. Defendant and the United States agree to the following  
6 applicable Sentencing Guidelines factors:

7	Base Offense Level:	22	U.S.S.G. § 2S1.1(a)(2),
			U.S.S.G. §§ 2B1.1(b)(1)(H)
8	Specific Offense		
	Characteristics		
9	Conviction under § 1956	+2	U.S.S.G. § 2S1.1(b)(2)(B)

10  
11 Defendant and the United States reserve the right to argue that  
12 additional specific offense characteristics, adjustments, and  
13 departures under the Sentencing Guidelines are appropriate.

14 18. Defendant understands that there is no agreement as to  
15 defendant's criminal history or criminal history category.

16 19. Defendant and the United States reserve the right to argue  
17 for a sentence outside the sentencing range established by the  
18 Sentencing Guidelines based on the factors set forth in 18 U.S.C.  
19 §§ 3553(a)(1), (a)(2), (a)(3), (a)(6), and (a)(7).

20 WAIVER OF CONSTITUTIONAL RIGHTS

21 20. Defendant understands that by pleading guilty, defendant  
22 gives up the following rights:

- 23 a. The right to persist in a plea of not guilty.
  - 24 b. The right to a speedy and public trial by jury.
  - 25 c. The right to be represented by counsel - and if
- 26 necessary have the Court appoint counsel - at trial. Defendant  
27 understands, however, that, defendant retains the right to be

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1 represented by counsel - and if necessary have the Court appoint  
2 counsel - at every other stage of the proceeding.

3 d. The right to be presumed innocent and to have the  
4 burden of proof placed on the government to prove defendant guilty  
5 beyond a reasonable doubt.

6 e. The right to confront and cross-examine witnesses  
7 against defendant.

8 f. The right to testify and to present evidence in  
9 opposition to the charges, including the right to compel the  
10 attendance of witnesses to testify.

11 g. The right not to be compelled to testify, and, if  
12 defendant chose not to testify or present evidence, to have that  
13 choice not be used against defendant.

14 h. Any and all rights to pursue any affirmative defenses,  
15 Fourth Amendment or Fifth Amendment claims, and other pretrial  
16 motions that have been filed or could be filed.

17 WAIVER OF APPEAL OF CONVICTION

18 21. Defendant understands that, with the exception of an appeal  
19 based on a claim that defendant's guilty plea was involuntary, by  
20 pleading guilty defendant is waiving and giving up any right to  
21 appeal defendant's conviction on the offense to which defendant is  
22 pleading guilty. Defendant understands that this waiver includes,  
23 but is not limited to, arguments that the statute to which defendant  
24 is pleading guilty is unconstitutional, and any and all claims that  
25 the statement of facts provided herein is insufficient to support  
26 defendant's plea of guilty.

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1                                    LIMITED MUTUAL WAIVER OF APPEAL OF SENTENCE

2            22. Defendant gives up the right to appeal all of the  
3 following: (a) the procedures and calculations used to determine and  
4 impose any portion of the sentence; (b) the term of imprisonment  
5 imposed by the Court, provided it is no more than the high-end of the  
6 Sentencing Guidelines range calculated by the Court; (c) the fine  
7 imposed by the Court, provided it is within the statutory maximum;  
8 (d) to the extent permitted by law, the constitutionality or legality  
9 of defendant's sentence, provided it is within the statutory maximum;  
10 (e) the amount and terms of any restitution order; (f) the term of  
11 probation or supervised release imposed by the Court, provided it is  
12 within the statutory maximum; and (g) any of the following conditions  
13 of probation or supervised release imposed by the Court: the  
14 conditions set forth in Second Amended General Order 20-04 of this  
15 Court; the drug testing conditions mandated by 18 U.S.C.  
16 §§ 3563(a)(5) and 3583(d); and the alcohol and drug use conditions  
17 authorized by 18 U.S.C. § 3563(b)(7).

18            23. Defendant also gives up any right to bring a post-  
19 conviction collateral attack on the conviction or sentence, including  
20 any order of restitution, except a post-conviction collateral attack  
21 based on a claim of ineffective assistance of counsel, a claim of  
22 newly discovered evidence, or an explicitly retroactive change in the  
23 applicable Sentencing Guidelines, sentencing statutes, or statutes of  
24 conviction. Defendant understands that this waiver includes, but is  
25 not limited to, arguments that the statute to which defendant is  
26 pleading guilty is unconstitutional, and any and all claims that the  
27 statement of facts provided herein is insufficient to support  
28 defendant's plea of guilty.

1           24. The United States agrees that, provided (a) all portions of  
2 the sentence are at or below the statutory maximum specified above  
3 and (b) the Court imposes a term of imprisonment of no less than the  
4 low-end of the Sentencing Guidelines range calculated by the Court  
5 the United States gives up its right to appeal any portion of the  
6 sentence, with the exception that the United States reserves the  
7 right to appeal the amount of any restitution ordered.

8                           RESULT OF WITHDRAWAL OF GUILTY PLEA

9           25. Defendant agrees that if, after entering a guilty plea  
10 pursuant to this agreement, defendant seeks to withdraw and succeeds  
11 in withdrawing defendant's guilty plea on any basis other than a  
12 claim and finding that entry into this plea agreement was  
13 involuntary, then (a) the United States will be relieved of all of  
14 its obligations under this agreement, including in particular its  
15 obligations regarding the use of Cooperation Information; (b) in any  
16 investigation, criminal prosecution, or civil, administrative, or  
17 regulatory action, defendant agrees that any Cooperation Information  
18 and any evidence derived from any Cooperation Information shall be  
19 admissible against defendant, and defendant will not assert, and  
20 hereby waives and gives up, any claim under the United States  
21 Constitution, any statute, or any federal rule, that any Cooperation  
22 Information or any evidence derived from any Cooperation Information  
23 should be suppressed or is inadmissible; and (c) should the United  
24 States choose to pursue any charge that was either dismissed or not  
25 filed as a result of this agreement, then (i) any applicable statute  
26 of limitations will be tolled between the date of defendant's signing  
27 of this agreement and the filing commencing any such action; and  
28 (ii) defendant waives and gives up all defenses based on the statute

1 of limitations, any claim of pre-indictment delay, or any speedy  
2 trial claim with respect to any such action, except to the extent  
3 that such defenses existed as of the date of defendant's signing this  
4 agreement.

5 RESULT OF VACATUR, REVERSAL OR SET-ASIDE

6 26. Defendant agrees that if the count of conviction is  
7 vacated, reversed, or set aside, both the USAO and defendant will be  
8 released from all their obligations under this agreement.

9 EFFECTIVE DATE OF AGREEMENT

10 27. This agreement is effective upon signature and execution of  
11 all required certifications by defendant, defendant's counsel, and an  
12 Assistant United States Attorney.

13 BREACH OF AGREEMENT

14 28. Defendant agrees that if defendant, at any time after the  
15 signature of this agreement and execution of all required  
16 certifications by defendant, defendant's counsel, and an Assistant  
17 United States Attorney, knowingly violates or fails to perform any of  
18 defendant's obligations under this agreement ("a breach"), the United  
19 States may declare this agreement breached. For example, if  
20 defendant knowingly, in an interview, before a grand jury, or at  
21 trial, falsely accuses another person of criminal conduct or falsely  
22 minimizes defendant's own role, or the role of another, in criminal  
23 conduct, defendant will have breached this agreement. All of  
24 defendant's obligations are material, a single breach of this  
25 agreement is sufficient for the United States to declare a breach,  
26 and defendant shall not be deemed to have cured a breach without the  
27 express agreement of the United States in writing. If the United  
28

1 States declares this agreement breached, and the Court finds such a  
2 breach to have occurred, then:

3 a. If defendant has previously entered a guilty plea  
4 pursuant to this agreement, defendant will not be able to withdraw  
5 the guilty plea.

6 b. The United States will be relieved of all its  
7 obligations under this agreement; in particular, the United States:  
8 (i) will no longer be bound by any agreements concerning sentencing  
9 and will be free to seek any sentence up to the statutory maximum for  
10 the crime to which defendant has pleaded guilty; (ii) will no longer  
11 be bound by any agreements regarding criminal prosecution, and will  
12 be free to criminally prosecute defendant for any crime, including  
13 charges that the United States would otherwise have been obligated to  
14 dismiss; and (iii) will no longer be bound by any agreement regarding  
15 the use of Cooperation Information and will be free to use any  
16 Cooperation Information in any way in any investigation, criminal  
17 prosecution, or civil, administrative, or regulatory action.

18 c. The United States will be free to criminally prosecute  
19 defendant for false statement, obstruction of justice, and perjury  
20 based on any knowingly false or misleading statement by defendant.

21 d. In any investigation, criminal prosecution, or civil,  
22 administrative, or regulatory action: (i) defendant will not assert,  
23 and hereby waives and gives up, any claim that any Cooperation  
24 Information was obtained in violation of the Fifth Amendment  
25 privilege against compelled self-incrimination; and (ii) defendant  
26 agrees that any Cooperation Information and any Plea Information, as  
27 well as any evidence derived from any Cooperation Information or any  
28 Plea Information, shall be admissible against defendant, and

1 defendant will not assert, and hereby waives and gives up, any claim  
2 under the United States Constitution, any statute, Rule 410 of the  
3 Federal Rules of Evidence, Rule 11(f) of the Federal Rules of  
4 Criminal Procedure, or any other federal rule, that any Cooperation  
5 Information, any Plea Information, or any evidence derived from any  
6 Cooperation Information or any Plea Information should be suppressed  
7 or is inadmissible.

8 29. Following the Court's finding of a knowing breach of this  
9 agreement by defendant, should the United States choose to pursue any  
10 charge that was either dismissed or not filed as a result of this  
11 agreement, then:

12 a. Defendant agrees that any applicable statute of  
13 limitations is tolled between the date of defendant's signing of this  
14 agreement and the filing commencing any such action.

15 b. Defendant waives and gives up all defenses based on  
16 the statute of limitations, any claim of pre-indictment delay, or any  
17 speedy trial claim with respect to any such action, except to the  
18 extent that such defenses existed as of the date of defendant's  
19 signing this agreement.

20 COURT AND UNITED STATES PROBATION AND PRETRIAL SERVICES

21 OFFICE NOT PARTIES

22 30. Defendant understands that the Court and the United States  
23 Probation and Pretrial Services Office are not parties to this  
24 agreement and need not accept any of the United States' sentencing  
25 recommendations or the parties' agreements to facts or sentencing  
26 factors.

27 31. Defendant understands that both defendant and the United  
28 States are free to: (a) supplement the facts by supplying relevant

1 information to the United States Probation and Pretrial Services  
2 Office and the Court, (b) correct any and all factual misstatements  
3 relating to the Court's Sentencing Guidelines calculations and  
4 determination of sentence, and (c) argue on appeal and collateral  
5 review that the Court's Sentencing Guidelines calculations and the  
6 sentence it chooses to impose are not error, although each party  
7 agrees to maintain its view that the calculations in paragraph 17 are  
8 consistent with the facts of this case. While this paragraph permits  
9 both the United States and defendant to submit full and complete  
10 factual information to the United States Probation and Pretrial  
11 Services Office and the Court, even if that factual information may  
12 be viewed as inconsistent with the facts agreed to in this agreement,  
13 this paragraph does not affect defendant's and the United States'  
14 obligations not to contest the facts agreed to in this agreement.

15 32. Defendant understands that even if the Court ignores any  
16 sentencing recommendation, finds facts or reaches conclusions  
17 different from those agreed to, and/or imposes any sentence up to the  
18 maximum established by statute, defendant cannot, for that reason,  
19 withdraw defendant's guilty plea, and defendant will remain bound to  
20 fulfill all defendant's obligations under this agreement. Defendant  
21 understands that no one -- not the prosecutor, defendant's attorney,  
22 or the Court -- can make a binding prediction or promise regarding  
23 the sentence defendant will receive, except that it will be within  
24 the statutory maximum.

25 NO ADDITIONAL AGREEMENTS

26 33. Defendant understands that, except as set forth herein,  
27 there are no promises, understandings, or agreements between the  
28 United States and defendant or defendant's attorney, and that no



1 additional promise, understanding, or agreement may be entered into  
2 unless in a writing signed by all parties or on the record in court.

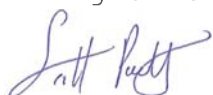
3 PLEA AGREEMENT PART OF THE GUILTY PLEA HEARING

4 34. The parties agree that this agreement will be considered  
5 part of the record of defendant's guilty plea hearing as if the  
6 entire agreement had been read into the record of the proceeding.

7 AGREED AND ACCEPTED

8 UNITED STATES ATTORNEY'S OFFICE  
9 FOR THE CENTRAL DISTRICT OF  
CALIFORNIA

10 TRACY L. WILKISON  
Acting United States Attorney

11 

12 May 28, 2021

13 SCOTT PAETTY  
14 BRIAN FAERSTEIN  
Assistant United States Attorneys

Date

15 CHRISTOPHER FENTON  
16 Trial Attorney, DOJ Fraud Section

17 

18 5/25/21

19 ARMAN HAYRAPETYAN  
20 Defendant

Date

21 GILBERT TAHMAZIAN  
Attorney for Defendant ARMAN  
22 HAYRAPETYAN

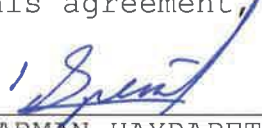
Date

May 27, 2021

23 CERTIFICATION OF DEFENDANT

24 This agreement has been read to me in Armenian, the language I  
25 understand best. I have had enough time to review and consider this  
26 agreement, and I have carefully and thoroughly discussed every part  
27 of it with my attorney. I understand the terms of this agreement,  
28 and I voluntarily agree to those terms. I have discussed the

1 evidence with my attorney, and my attorney has advised me of my  
2 rights, of possible pretrial motions that might be filed, of possible  
3 defenses that might be asserted either prior to or at trial, of the  
4 sentencing factors set forth in 18 U.S.C. § 3553(a), of relevant  
5 Sentencing Guidelines provisions, and of the consequences of entering  
6 into this agreement. No promises, inducements, or representations of  
7 any kind have been made to me other than those contained in this  
8 agreement. No one has threatened or forced me in any way to enter  
9 into this agreement. I am satisfied with the representation of my  
10 attorney in this matter, and I am pleading guilty because I am guilty  
11 of the charge and wish to take advantage of the promises set forth in  
12 this agreement, and not for any other reason.

13   
14 \_\_\_\_\_  
15 ARMAN HAYRAPETYAN  
16 Defendant

13 \_\_\_\_\_  
14 Date 5/25/21  
15

16 CERTIFICATION OF INTERPRETER

17 I, ALEN DERPETROSSIAN am fluent in the written and spoken English  
18 and Armenian languages. I accurately translated this entire  
19 agreement from English into Armenian to defendant ARMAN HAYRAPETYAN  
20 on this date.

21   
22 \_\_\_\_\_  
23 INTERPRETER

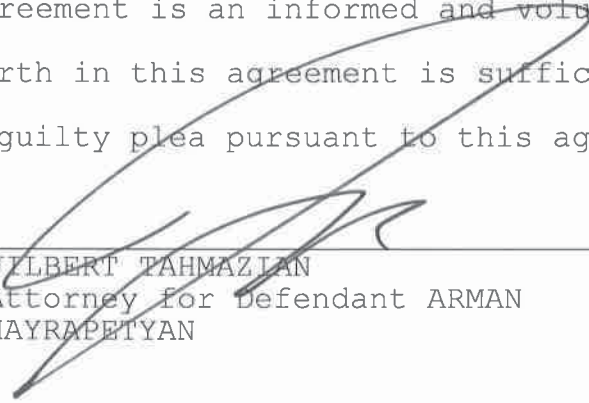
21 \_\_\_\_\_  
22 Date 5/27/2021  
23

24 Certificate number: 301094

25 CERTIFICATION OF DEFENDANT'S ATTORNEY

26 I am ARMAN HAYRAPETYAN's attorney. I have carefully and  
27 thoroughly discussed every part of this agreement with my client.  
28 Further, I have fully advised my client of his rights, of possible  
pretrial motions that might be filed, of possible defenses that might

1 be asserted either prior to or at trial, of the sentencing factors  
2 set forth in 18 U.S.C. § 3553(a), of relevant Sentencing Guidelines  
3 provisions, and of the consequences of entering into this agreement.  
4 To my knowledge: no promises, inducements, or representations of any  
5 kind have been made to my client other than those contained in this  
6 agreement; no one has threatened or forced my client in any way to  
7 enter into this agreement; my client's decision to enter into this  
8 agreement is an informed and voluntary one; and the factual basis set  
9 forth in this agreement is sufficient to support my client's entry of  
10 a guilty plea pursuant to this agreement.

11  
12   
13 \_\_\_\_\_  
14 JILBERT TAHMAZIAN  
15 Attorney for Defendant ARMAN  
16 HAYRAPETYAN

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Date

May 27, 2021