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 17 UNITED STATES OF AMERICA

18 UNITED STATES DISTRICT COURT

19 FOR THE CENTRAL DISTRICT OF CALIFORNIA

20 UNITED STATES OF AMERICA,  
 21 Plaintiff,  
 22 v.

No. 2:20-cr-579 (A) -SVW  
GOVERNMENT'S RESPONSE TO  
PRESENTENCE INVESTIGATION  
REPORT FOR MARIETTA TERABELIAN

23 RICHARD AYVAZYAN,  
 aka "Richard Avazian" and  
 24 "Iuliia Zhadko,"  
 MARIETTA TERABELIAN,  
 25 aka "Marietta Abelian" and  
 "Viktoria Kauichko,"  
 26 ARTUR AYVAZYAN,  
 aka "Arthur Ayvazyan," and  
 27 TAMARA DADYAN,  
 MANUK GRIGORYAN,  
 28 aka "Mike Grigoryan," and

Sentencing: October 4, 2021  
 Time: 11:00 a.m.  
 Location: Courtroom of the  
 Hon. Stephen V. Wilson

1 "Anton Kudiumov,"  
2 ARMAN HAYRAPETYAN,  
3 EDVARD PARONYAN,  
4 aka "Edvard Paronian" and  
5 "Edward Paronyan," and  
6 VAHE DADYAN,  
7  
8 Defendant.

9 Plaintiff United States of America, by and through its counsel  
10 of record, the Acting United States Attorney for the Central District  
11 of California, Assistant United States Attorneys Scott Paetty,  
12 Catherine Ahn, and Brian Faerstein, and Department of Justice Trial  
13 Attorney Christopher Fenton, hereby files its an initial response,  
14 pursuant to Federal Rule of Criminal Procedure 32(f), to the  
15 Presentence Investigation Report ("PSR"), prepared by the United  
16 States Probation and Pretrial Services Office ("Probation"), for  
17 defendant Marietta Terabelian (ECF 890).

18 The government concurs in the findings of the PSR for Terabelian  
19 and respectfully submits this response primarily to correct or  
20 clarify the following:

- 21 • The section titled "Release Status" on page 2 should be  
22 corrected to state that Terabelian was arrested on October  
23 20, 2020, not October 21, and that her total aggregate bond  
24 amount is \$175,000, consisting of a \$75,000 corporate  
25 surety bond and a \$100,000 appearance bond (ECF 44, 45).
- 26 • Paragraph 8 under the section titled "Pretrial Adjustment"  
27 should be updated to reflect the fact that on August 29,  
28 2021, Terabelian and her husband and co-defendant Richard  
Ayvazyan ("R. Ayvazyan") removed their location monitoring  
bracelets and absconded together from supervision; on  
August 30, 2021, Judge Stephen V. Wilson signed bench

1 warrants for Terabelian and R. Ayvazyan's arrest; and, as  
2 of the date of this filing, Terabelian and R. Ayvazyan  
3 remain fugitives at large.

- 4 • Paragraphs 9, 10, and 15 under the section titled "Co-  
5 Defendants" should be corrected to state that co-defendants  
6 R. Ayvazyan, Artur Ayvazyan and Vahe Dadyan were found  
7 guilty by jury trial on June 25, 2021, not June 28.
- 8 • Paragraph 26 under the section titled "The Conspiracy"  
9 should be corrected to state the alleged conspiracy  
10 continued "through at least August 2020," not "through July  
11 2020."
- 12 • Footnote 3 under the section titled "The Conspiracy" should  
13 be corrected to state that "T. Dadyan texted R. Ayvazyan,"  
14 not "T. Dadyan texted A. Ayvazyan."
- 15 • Paragraphs 33, 34, and 36 under the section titled "The  
16 Conspiracy" should be corrected to state "T. DADYAN,  
17 TERABELIAN and their co-conspirators", not "TERABELIAN and  
18 her co-conspirators"; these paragraphs should also be  
19 corrected to state "submitted and caused to be submitted",  
20 not "submitted" or "withdrew or caused to withdraw", not  
21 "withdrew".
- 22 • Paragraphs 41 and 43 under the section titled "The  
23 Conspiracy" should be corrected to state "submitted and  
24 caused to be submitted", not "submitted"; these paragraphs  
25 should also be corrected to refer to "Redline Auto  
26 Collision", not "Redline Auto Mechanics".

- 1           • Paragraph 44 under the section titled "The Conspiracy"  
2           should be corrected to refer to "Grigoryan", not  
3           "Paronyan".
- 4           • Paragraph 48 under the section titled "The Conspiracy"  
5           should be corrected to state "submitted and caused to be  
6           submitted", not "submitted".
- 7           • Paragraph 55 under the section titled "The Conspiracy"  
8           should be corrected to state "submitted and caused to be  
9           submitted", not "submitted".
- 10          • Paragraphs 70, 77, 88, and 143 should be corrected to state  
11          that the actual amount of loan funds obtained by Terabelian  
12          and her co-conspirators was \$16,907,071.26, not  
13          \$17,029,484.26, as set forth in the updated information  
14          provided by the government to Probation via email on  
15          September 8, 2021. Moreover, the actual amount of loan  
16          funds obtained from Radius Bank should be corrected to  
17          state zero, not \$122,413. Accordingly, the number of  
18          financial lenders from which Terabelian and her co-  
19          conspirators actually obtained loan funds should be  
20          corrected to state 12, not 13.
- 21          • The second sentence of each of paragraphs 72 and 73 under  
22          the section titled "Arrest of the Defendant" contain  
23          references to information obtained by U.S. Customs and  
24          Border Protection during the manual search of certain  
25          phones that were in the possession of R. Ayvazyan and  
26          Terabelian during the border stop. This information was  
27          the subject of a motion to suppress, which the Court  
28          granted (ECF 296), and therefore should not be included in

1 the PSR or otherwise used in connection with Terabelian's  
2 sentencing. To be clear, the seized credit cards described  
3 in the first sentence of each of paragraphs 72 and 73 were  
4 not implicated by the Court's suppression order, and thus  
5 the references to the credit cards should remain in the  
6 PSR.

- 7 • Paragraph 74 under the section titled "Search of the  
8 Residences" states that law enforcement conducted a search  
9 of "an apartment under Grigoryan's control in Woodland  
10 Hills". Based on the evidence presented at trial, this  
11 apartment - which was located at 6150 Canoga Avenue, Unit  
12 337 - was also under the control of R. Ayvazyan and  
13 Terabelian. Specifically, the evidence showed that, among  
14 other things, at the time of her arrest, Terabelian was in  
15 physical possession of a credit card in the name of  
16 "Viktoria Kauichko" that had been used to the pay the rent  
17 for this apartment which was leased in the name of  
18 "Viktoria Kauichko". (Govt Trial Exhibit ("GEX") 44, 76,  
19 88.)

- 20 • Paragraph 75 under the section titled "The Defendant's  
21 Conduct Regarding Obstruction of Justice" should be  
22 corrected to state October 20, 2020, not October 21.  
23 Moreover, the quote should be corrected to state "[R.  
24 Ayvazyan] and I were caught ... found a card or [I] don't  
25 know what ... you know the charges ... clean the house as  
26 much as you can ...."

- 27 • The quote in paragraph 76 under the section titled "The  
28 Defendant's Conduct Regarding Obstruction of Justice"

1 should be corrected to state "Tell mom me and [R. Ayvazyan]  
2 are both at the Miami Jail ... tell them so they know ...  
3 and try to clean, clean the house as much as you can,  
4 everything ... And whoever calls, whatever they say, you  
5 shouldn't say anything to anyone."

- 6 • The quote in paragraph 78 under the section titled  
7 "Adjustment for Obstruction of Justice" should be corrected  
8 such that "could" should be changed to "can".
- 9 • The Adjustment for Obstruction of Justice, described in  
10 paragraphs 78 and 95, is also appropriate for two  
11 independent reasons not yet reflected in the PSR. First,  
12 Terabelian absconded weeks before her October 4, 2021  
13 sentencing hearing. Application Note 4(E) provides that  
14 "escaping or attempting to escape from custody before trial  
15 or sentencing" is an example of the type of conduct covered  
16 by the Obstruction Adjustment. Second, on November 4,  
17 2020, as law enforcement approached the residence at 4910  
18 Topeka Drive to execute a search warrant, TERABELIAN ran  
19 from the kitchen of the residence into the back yard and  
20 stashed a grocery bag containing nearly \$500,000 in cash in  
21 the bushes behind the house. Terabelian's efforts to hide  
22 the cash from then-approaching law enforcement were  
23 captured in video taken by a drone over the location and  
24 photographs taken by law enforcement at the scene. See  
25 DOJ\_PROD\_0000021407; DOJ\_PROD\_0000022573 -  
26 DOJ\_PROD\_0000022575. Application Note 4(D) provides that  
27 "conceal[ing] evidence that is material to an official  
28 investigation or judicial proceeding (e.g., shredding a

1 document or destroying ledgers upon learning that an  
2 official investigation has commenced or is about to  
3 commence), or attempting to do so" is the type of conduct  
4 covered by the Obstruction Adjustment. Significantly, this  
5 conduct did not take place contemporaneous with  
6 TERABELIAN's arrest; to the contrary, it took place two  
7 weeks following Terabelian's arrest.

- 8 • The government agrees that the counts described in  
9 paragraphs 84 and 85 all group under the "Groups of Closely  
10 Related Counts" rules set forth in U.S.S.G. § 3D1.2.  
11 However, the government believes these counts of conviction  
12 are more appropriately grouped under § 3D1.2(d) as opposed  
13 to § 3D1.2(b) because the offense level for those counts of  
14 conviction "is determined largely on the basis of the total  
15 amount of harm or loss."  
16 • The government agrees that the counts described in  
17 paragraph 86 all group under the "Groups of Closely Related  
18 Counts" rules set forth in U.S.S.G. § 3D1.2. However, the  
19 government believes that, in addition to § 3D1.2(d), these  
20 counts of conviction also may be appropriately grouped  
21 under § 3D1.2(c) which applies "when one of the counts  
22 embodies conduct that is treated as a specific offense  
23 characteristic in, or other adjustment to, the guideline  
24 applicable to another of the counts." See U.S.S.G.  
25 § 2S1.1, App. Note 6 ("In a case in which the defendant is  
26 convicted of a count of laundering funds and a count for  
27 the underlying offense from which the laundered funds were  
28

