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CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY: \_\_\_\_\_

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
October 2013 Grand Jury

<p>12 UNITED STATES OF AMERICA;</p> <p>13                   Plaintiff,</p> <p>14                   v.</p> <p>15 YAROSLAV PROSHAK,</p> <p>16       aka "Steven Proshak,"</p> <p>17 SHARETTA MICHELE WALLACE,</p> <p>18       aka "Michele Wallace,"</p> <p>19 DAVID PUSTILNIKOV,</p> <p>20       aka "David Pustilnikova," and</p> <p>21 EMILIA E. ZVEREV,</p> <p>22       aka "Mila Zverev,"</p> <p>23       aka "Emilia Zvereva,"</p> <p>24                   Defendants.</p>	<p>) CR No. 13-00264(A)-SJO</p> <p>)</p> <p>) F I R S T</p> <p>) S U P E R S E D I N G</p> <p>) I N D I C T M E N T</p> <p>)</p> <p>) [18 U.S.C. § 1349: Conspiracy</p> <p>) to Commit Health Care Fraud;</p> <p>) 18 U.S.C. § 1347: Health Care</p> <p>) Fraud; 18 U.S.C. § 2(b):</p> <p>) Causing an Act to be Done; 18</p> <p>) U.S.C. § 982(a)(7), 21 U.S.C.</p> <p>) § 853, and 28 U.S.C.</p> <p>) § 2461(c): Forfeiture]</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>
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The Grand Jury charges:

COUNT ONE

[18 U.S.C. § 1349]

A. INTRODUCTORY ALLEGATIONS

At all times relevant to this First Superseding Indictment:

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1           The Conspirators

2           1. Defendant YAROSLAV PROSHAK ("PROSHAK"), also known as  
3 ("aka") "Steven Proshak," was the Chief Executive Officer,  
4 Secretary, and Registered Agent of ProMed Medical Transportation,  
5 Inc. ("ProMed"), an ambulance transportation company located in  
6 Gardena, California.

7           2. Defendant SHARETTA MICHELE WALLACE ("WALLACE"), aka  
8 "Michele Wallace," was a Manager at ProMed.

9           3. Defendant DAVID PUSTILNIKOV ("PUSTILNIKOV"), aka "David  
10 Pustilnikova," was a Shareholder of, and Biller for, ProMed.

11           4. Defendant EMILIA E. ZVEREV ("ZVEREV"), aka "Mila  
12 Zverev," aka "Emilia Zvereva," was the Billing Manager for  
13 ProMed.

14           5. Co-conspirator Sergey Alekseyevich Mumjian ("Mumjian"),  
15 aka "Serge Mumjian," aka "Sergey A. Mumdzhyan," was the Office  
16 Manager and Biller for ProMed.

17           The Medicare Program

18           6. The Medicare Program ("Medicare") was a federal health  
19 care benefit program, affecting commerce, that provided benefits  
20 to individuals who were over the age of 65 or disabled. Medicare  
21 was administered by the Centers for Medicare and Medicaid  
22 Services ("CMS"), a federal agency under the United States  
23 Department of Health and Human Services. Medicare was a "health  
24 care benefit program" as defined by Title 18, United States Code,  
25 Section 24(b).

26           7. Medicare was subdivided into multiple parts. Medicare  
27 Part B covered, among other things, ambulance services.

1           8. Individuals who qualified for Medicare benefits were  
2 commonly referred to as "Medicare beneficiaries." Each Medicare  
3 beneficiary was given a Medicare identification number.

4           9. Medicare covered ambulance services only if furnished  
5 to a beneficiary whose medical condition at the time of transport  
6 was such that ambulance transportation was medically necessary. A  
7 patient whose condition permitted transport in any type of  
8 vehicle other than an ambulance did not qualify for Medicare  
9 payment. Medicare payment for ambulance transportation depended  
10 on the patient's condition at the actual time of the transport  
11 regardless of the patient's diagnosis. To be deemed medically  
12 necessary for payment, the patient must have required both the  
13 transportation and the level of service provided.

14           10. Ambulance transportation was only covered when the  
15 patient's condition required the vehicle itself or the  
16 specialized services of the trained ambulance personnel. A  
17 requirement of coverage was that the needed services of the  
18 ambulance personnel were provided and clear clinical  
19 documentation validated their medical need and their provision in  
20 the record of the service, which was usually in the form of a  
21 document referred to as a "run-sheet."

22           11. In the absence of an emergency condition, ambulance  
23 services were covered only under the following circumstances:  
24 (1) the patient being transported could not be transported by any  
25 other means without endangering the individual's health; or (2)  
26 the patient was before, during, and after transportation, bed  
27 confined. For purposes of Medicare coverage, "bed confined"  
28 meant the patient met all of the following three criteria: (1)

1 unable to get up from bed without assistance; (2) unable to  
2 ambulate; and (3) unable to sit in a chair (including a  
3 wheelchair).

4 12. A thorough assessment and documented description of the  
5 patient's current state was essential for coverage. All  
6 statements about the patient's medical condition or bed confined  
7 status must have been validated in the documentation using  
8 contemporaneous, objective observations and findings.

9 13. For ambulance services to have been covered by  
10 Medicare, the transport must have been to the nearest institution  
11 with appropriate facilities for the treatment of the illness or  
12 injury involved. The term "appropriate facilities" meant that the  
13 institution was generally equipped to provide care necessary to  
14 manage the illness or injury involved. Covered destinations for  
15 non-emergency transports included: (1) hospitals; (2) skilled  
16 nursing facilities; (3) dialysis facilities; (4) from a skilled  
17 nursing facility to the nearest supplier of medically necessary  
18 services not available at the skilled nursing facility where the  
19 beneficiary was a resident, including the return trip, when the  
20 patient's condition at the time of transport required ambulance  
21 services; and (5) the patient's residence only if the transport  
22 was to return from a hospital and the patient's condition at the  
23 time of transport required ambulance services.

24 14. CMS contracted with Medicare Administrative Contractors  
25 ("MACs") to process claims for payment. Prior to September 2008,  
26 the MAC that processed and paid Medicare ambulance claims in  
27 Southern California was National Heritage Insurance Company  
28 ("NHIC"). After September 2008, Palmetto GBA was the MAC that

1 processed and paid Medicare ambulance claims in Southern  
2 California.

3 15. To bill Medicare for services rendered, an ambulance  
4 company submitted a claim form (Form 1500) to NHIC or Palmetto  
5 GBA. When a Form 1500 was submitted, usually in electronic form,  
6 the provider certified:

- 7 a. the contents of the form were true, correct, and  
8 complete;
- 9 b. the form was prepared in compliance with the laws  
10 and regulations governing Medicare; and
- 11 c. the services being billed were medically  
12 necessary.

13 16. A Medicare claim for payment was required to set forth,  
14 among other things, the following: the beneficiary's name and  
15 unique Medicare identification number; the item or service  
16 provided; the cost of the item or service; and the name and  
17 Unique Physician Identification Number ("UPIN") and/or the  
18 National Provider Identifier ("NPI") of the physician who  
19 prescribed or ordered the item or service.

20 B. THE OBJECT OF THE CONSPIRACY

21 17. Beginning on or about May 6, 2008, and continuing  
22 through on or about October 8, 2010, in Los Angeles County,  
23 within the Central District of California, and elsewhere,  
24 defendants PROSHAK, WALLACE, PUSTILNIKOV, and ZVEREV, together  
25 with co-conspirator Mumjian, and others known and unknown to the  
26 Grand Jury, knowingly combined, conspired, and agreed to commit  
27 health care fraud, in violation of Title 18, United States Code,  
28 Section 1347.

1 C. THE MANNER AND MEANS OF THE CONSPIRACY

2 18. The object of the conspiracy was carried out, and to be  
3 carried out, in substance, as follows:

4 a. On or about April 10, 2008, defendant PROSHAK  
5 opened two corporate bank accounts for ProMed at Bank of America,  
6 account numbers xxxxx-042867 and xxxxx-45440.

7 b. On or after April 10, 2008, defendant PROSHAK  
8 became a signatory on an existing corporate bank account for  
9 ProMed at Bank of America, account number xxxxx-06672.

10 c. On or about May 1, 2008, defendant PROSHAK  
11 purchased ProMed.

12 d. On or about May 6, 2008, defendant PROSHAK filed a  
13 Statement of Information with the State of California as the  
14 Chief Executive Officer, Secretary, and Registered Agent of  
15 ProMed.

16 e. On or about July 4, 2008, defendant PROSHAK  
17 executed and submitted an electronic funds transfer agreement to  
18 Medicare, requesting that all future reimbursements from Medicare  
19 be directly deposited into ProMed's Bank of America account,  
20 account number xxxxx-06672.

21 f. On or about July 17, 2008, defendant ZVEREV  
22 executed and submitted to Medicare an Electronic Data Interchange  
23 ("EDI") Agreement as Billing Manager for ProMed.

24 g. On or about August 7, 2009, defendants PROSHAK and  
25 ZVEREV opened a corporate bank account for ProMed at Bank of  
26 America, account number xxxxx-03077.

27 h. Between on or about May 6, 2008, and on or about  
28 October 8, 2010, defendants PROSHAK, WALLACE, PUSTILNIKOV,

1 ZVEREV, and co-conspirator Mumjian provided ambulance  
2 transportation services, through ProMed, to Medicare  
3 beneficiaries knowing that the beneficiaries' medical condition  
4 did not necessitate the ambulance transportation services.

5 i. Between on or about May 6, 2008, and on or about  
6 October 8, 2010, defendants PROSHAK, WALLACE, and ZVEREV, and co-  
7 conspirator Mumjian instructed ProMed employees to document a  
8 reason justifying ambulance transportation services on run-sheets  
9 even if one did not exist.

10 j. Between on or about May 6, 2008, and on or about  
11 October 8, 2010, defendants WALLACE and ZVEREV, and co-  
12 conspirator Mumjian instructed ProMed employees not to write  
13 certain words, such as "walk" or "assisted to gurney," on run-  
14 sheets because Medicare would not pay for the ambulance  
15 transportation services if these words were present.

16 k. Defendants PROSHAK, WALLACE, PUSTILNIKOV, and  
17 ZVEREV, and co-conspirator Mumjian knowingly submitted, and  
18 caused the submission of, false and fraudulent claims to Medicare  
19 on behalf of ProMed for these medically unnecessary ambulance  
20 transportation services.

21 l. As a result of the submission of false and  
22 fraudulent claims, Medicare made payments to ProMed's corporate  
23 bank account at Bank of America, account number xxxxx-06672.  
24 Between on or about May 6, 2008, and on or about October 8, 2010,  
25 defendants PROSHAK, PUSTILNIKOV, and ZVEREV, then would transfer  
26 and disburse, and cause the transfer and disbursement of, monies  
27 from ProMed's corporate bank accounts to themselves and others,  
28 including co-conspirator Mumjian and defendant WALLACE.

1 m. Between on or about May 6, 2008, and on or about  
2 October 8, 2010, defendants PROSHAK, WALLACE, PUSTILNIKOV, and  
3 ZVEREV, and co-conspirator Mumjian concealed, and attempted to  
4 conceal, their submission of false and fraudulent claims to  
5 Medicare by altering and causing the alteration of run-sheets and  
6 other documentation related to the ambulance transportation  
7 services provided by ProMed.

8 19. Between on or about May 6, 2008, and on or about  
9 October 8, 2010, ProMed submitted to Medicare claims totaling  
10 approximately \$5,169,069 for ambulance transportation and related  
11 services, and Medicare paid ProMed approximately \$2,679,854 on  
12 those claims.

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COUNTS TWO THROUGH SIX

[18 U.S.C. §§ 1347, 2(b)]

A. INTRODUCTORY ALLEGATIONS

20. The Grand Jury incorporates by reference and re-alleges paragraphs 1 through 16 above of this First Superseding Indictment as though set forth in their entirety here.

B. THE SCHEME TO DEFRAUD

21. Beginning on or about May 6, 2008, and continuing through on or about October 8, 2010, in Los Angeles County, within the Central District of California, and elsewhere, defendants PROSHAK, WALLACE, PUSTILNIKOV, and ZVEREV, together with co-conspirator Mumjian, and others known and unknown to the Grand Jury, knowingly, willfully, and with intent to defraud, executed, and attempted to execute, a scheme and artifice: (a) to defraud a health care benefit program, namely Medicare, as to material matters in connection with the delivery of, and payment for, health care benefits, items, and services; and (b) to obtain money from Medicare by means of materially false and fraudulent pretenses and representations and the concealment of material facts in connection with the delivery of, and payment for, health care benefits, items, and services.

C. MEANS TO ACCOMPLISH THE SCHEME TO DEFRAUD

22. The fraudulent scheme operated, in substance, as described in Paragraph 18 of this First Superseding Indictment, which is hereby incorporated by reference as if stated in its entirety here.

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1 D. THE EXECUTION OF THE FRAUDULENT SCHEME

2 23. On or about the dates set forth below, within the  
 3 Central District of California, and elsewhere, defendants  
 4 PROSHAK, WALLACE, PUSTILNIKOV, and ZVEREV, together with co-  
 5 schemer Mumjian, and others known and unknown to the Grand Jury,  
 6 including co-schemer Mumjian, for the purpose of executing and  
 7 attempting to execute the fraudulent scheme described above,  
 8 knowingly and willfully submitted and caused to be submitted to  
 9 Medicare the following false and fraudulent claims for payment  
 10 for Basic Life Support, non-emergency ambulance transportation  
 11 (Code A0428):

12 <u>COUNT</u>	13 <u>BENEFICIARY</u>	14 <u>CLAIM NUMBER</u>	15 <u>APPROX. DATE</u> <u>SUBMITTED</u>	16 <u>APPROX.</u> <u>AMOUNT OF</u> <u>CLAIM</u>
17 TWO	M.N.	551109245852050	09/02/2009	\$891
18 THREE	R.P.	551109334911780	11/30/2009	\$918
19 FOUR	A.L.	551110078829510	03/19/2010	\$864
20 FIVE	G.G.	551110265739110	09/22/2010	\$418.50
21 SIX	R.T.	551110270510810	09/27/2010	\$810

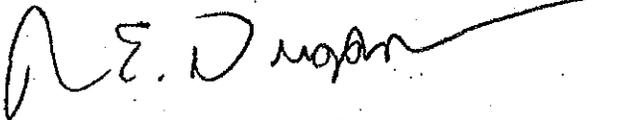


1 exercise of due diligence; has been transferred, sold to, or  
2 deposited with a third party; has been placed beyond the  
3 jurisdiction of this court; has been substantially diminished in  
4 value; or has been commingled with other property that cannot be  
5 divided without difficulty.

6  
7 A TRUE BILL

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9 151  
10 Foreperson

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12 ANDRÉ BIROTTE JR.  
United States Attorney

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15 ROBERT E. DUGDALE  
Assistant United States Attorney  
16 Chief, Criminal Division

17 RICHARD E. ROBINSON  
Assistant United States Attorney  
18 Chief, Major Frauds Section

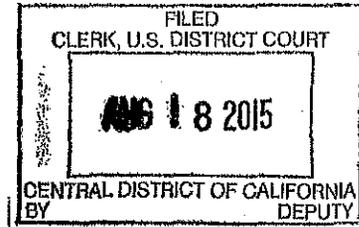
19 CONSUELO WOODHEAD  
Assistant United States Attorney  
20 Deputy Chief, Major Frauds Section

21 BEN SINGER  
Deputy Chief, Fraud Section  
22 United States Department of Justice

23 BEN CURTIS  
Assistant Chief, Fraud Section  
24 United States Department of Justice

25 BLANCA QUINTERO  
Trial Attorney, Fraud Section  
26 United States Department of Justice

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UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

EMILIA E. ZVEREV,

Defendant.

No. CR 13-0264(A)-SJO

VERDICT FORM

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COUNT ONE

Conspiracy to Commit Health Care Fraud- 18 U.S.C. Section 1349

We, the jury in the above-captioned case, unanimously find the defendant EMILIA E. ZVEREV:

A handwritten signature in black ink, appearing to be "EMILIA E. ZVEREV", written over a horizontal line.

NOT GUILTY

A large handwritten "X" in black ink, written over a horizontal line.

GUILTY

of conspiracy to commit health care fraud charged in Count One of the First Superseding Indictment.

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COUNT TWO

We, the jury in the above-captioned case, unanimously find the defendant EMILIA E. ZVEREV:

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NOT GUILTY  
  
X  
GUILTY

of health care fraud as charged in Count Two of the First Superseding Indictment, which alleges a claim for \$891 submitted to Medicare on approximately September 2, 2009, for a medically unnecessary ambulance transportation service provided to Maria Navarette.

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COUNT THREE

We, the jury in the above-captioned case, unanimously find the defendant EMILIA E. ZVEREV:

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NOT GUILTY  
  
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GUILTY

of health care fraud as charged in Count Three of the First Superseding Indictment, which alleges a claim for \$918 submitted to Medicare on approximately November 30, 2009, for a medically unnecessary ambulance transportation service provided to Ray Polk.

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COUNT FOUR

We, the jury in the above-captioned case, unanimously find the defendant EMILIA E. ZVEREV:

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NOT GUILTY

  X    
GUILTY

of health care fraud as charged in Count Four of the First Superseding Indictment, which alleges a claim for \$864 submitted to Medicare on approximately March 19, 2010, for a medically unnecessary ambulance transportation service provided to Arnold Levingston.

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COUNT SIX

We, the jury in the above-captioned case, unanimously find the defendant EMILIA E. ZVEREV:

_____	NOT GUILTY
X _____	GUILTY

of health care fraud as charged in Count Six of the First Superseding Indictment, which alleges a claim for \$810 submitted to Medicare on approximately September 27, 2010, for a medically unnecessary ambulance transportation service provided to Rheuben Thomas.

DATED: August 18, 2015, at Los Angeles, California

*Redacted As to  
Foreperson's  
Signature*  
FOREPERSON OF THE JURY

**United States District Court  
Central District of California  
CORRECTED JUDGMENT**

UNITED STATES OF AMERICA vs.

Docket No. CR 13-00264 (A) SJO-5

Defendant ZVEREV, Emilia E.

Social Security No. █ █ █ █

Also Known As: Zverev, Emiliya  
akas: Also Known As: Fishman, Emiliya

(Last 4 digits)

**JUDGMENT AND PROBATION/COMMITMENT ORDER**

In the presence of the attorney for the government, the defendant appeared in person on this date.

MO	DAY	YEAR
Dec.	2,	2015

**COUNSEL** Shaun Khojayan (Appointed)  
(Name of Counsel)

**PLEA**  **GUILTY**, and the court being satisfied that there is a factual basis for the plea.  **NOLO**  **NOT**  
**CONTENDERE** **GUILTY**

**FINDING** There being a finding/verdict of **GUILTY**, defendant has been convicted as charged of the offense(s) of:  
**18 U.S.C. § 1349: Conspiracy to Commit Health Care Fraud as charged in Count 1 of the First Superseding Indictment ; 18 U.S.C. §§ 1347, 2(b): Health Care Fraud; Causing an Act to be Done as charged in Counts 2, 3, 4, 5, and 6 of the First Superseding Indictment .**

**JUDGMENT AND PROB/ COMM ORDER** The Court asked whether there was any reason why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the Court, the Court adjudged the defendant guilty as charged and convicted and ordered that: Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the Court that the defendant is hereby committed to the custody of the Bureau of Prisons to be imprisoned for a term of:

**THE FINDINGS PORTION OF THIS JUDGMENT IS CORRECTED TO REFLECT THAT DEFENDANT WAS CONVICTED AS TO THE FIRST SUPERSEDING INDICTMENT.**

It is ordered that the defendant shall pay to the United States a special assessment of \$600, which is due immediately. Any unpaid balance shall be due during the period of imprisonment, at the rate of not less than \$25 per quarter, and pursuant to the Bureau of Prisons' Inmate Financial Responsibility Program.

Defendant shall pay restitution in the total amount of \$804,755 pursuant to 18 U.S.C. § 3663A, to victims as set forth in a separate victim list prepared by the probation office which this Court adopts and which reflects the Court's determination of the amount of restitution due to each victim. The victim list, which shall be forwarded to the fiscal section of the clerk's office, shall remain confidential to protect the privacy interests of the victims.

A partial payment of \$ 5,000 shall be paid immediately. Restitution shall be due during the period of imprisonment, at the rate of not less than \$25 per quarter, and pursuant to the Bureau of Prisons' Inmate Financial Responsibility Program. If any amount of the restitution remains unpaid after release from custody, nominal monthly payments of at least 10% of defendant's gross monthly income but not less than \$3,000, whichever is greater, shall be made during the period of supervised release and shall begin 30 days after the commencement of supervision. Nominal restitution payments are ordered as the Court finds that the defendant's economic circumstances do not allow for either immediate or future payment of the amount ordered.

The defendant shall be held jointly and severally liable with co-participants Yaroslav Proshak, Sharetta Michele Wallace, and Sergey Alekseyevich Mumjian for payment of restitution to the extent that said co-participants are determined liable for the same victim losses ordered in this judgment. The victim's recovery is limited to the amount of its loss and the defendant's liability for restitution ceases if and when the victim receives full restitution for the amount of restitution ordered in this judgment.

Pursuant to 18 U.S.C. § 3612(f)(3)(A), interest on the restitution ordered is waived because the defendant does not have the ability to pay interest. Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

All fines are waived as it is found that the defendant does not have the ability to pay a fine in addition to restitution.

Pursuant to the Sentencing Reform Act of 1984, it is the judgment of the Court that the defendant, Emilia E. Zverev, is hereby committed on Counts 1, 2, 3, 4, 5, and 6 of the First Superseding Indictment to the custody of the Bureau of Prisons for a term of 36 months. This term consists of 36 months on each of Counts 1, 2, 3, 4, 5, and 6 all to be served concurrently.

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of three years. This term consists of three years on each of Counts 1, 2, 3, 4, 5, and 6 of the First Superseding Indictment, all such terms to run concurrently under the following terms and conditions:

1. The defendant shall comply with the rules and regulations of the United States Probation Office, General Order 05-02, and General Order 01-05, including the three special conditions delineated in General Order 01-05.
2. The defendant shall not commit any violation of local, state, or federal law or ordinance.
3. During the period of community supervision, the defendant shall pay the special assessment and restitution in accordance with this judgment's orders pertaining to such payment.
4. The defendant shall cooperate in the collection of a DNA sample from the defendant.
5. The defendant shall apply all monies received from income tax refunds to the outstanding court-ordered financial obligation. In addition, the defendant shall apply all monies received from lottery winnings, inheritance, judgments and any anticipated or unexpected financial gains to the outstanding court-ordered financial obligation.
6. The defendant shall not be employed in any position that requires licensing and/or certification by any local, state, or federal agency without the prior written approval of the Probation Officer.

USA vs. ZVEREV, Emilia E.

Docket No.: CR 13-00264 (A) SJO-5

The drug testing condition mandated by statute is suspended based on the Court's determination that the defendant poses a low risk of future substance abuse.

The Court advises the Defendant of her right to appeal.

The Court recommends that the defendant shall be designated at a Prison camp or minimum security facility in Southern California that can best accommodate the defendant's medical needs.

In the interest of justice the Court dismisses the underlying indictment as to this defendant only.

The Court Orders the bond exonerated.

The Court Orders that the defendant's passport shall be returned by pretrial services to defendant's daughter, Michelle Zverev.

The Court Orders the defendant remanded into the custody of the U.S. Marshal forthwith. Clerk issues to U. S. Marshal remand order # D 9823.

In addition to the special conditions of supervision imposed above, it is hereby ordered that the Standard Conditions of Probation and Supervised Release within this judgment be imposed. The Court may change the conditions of supervision, reduce or extend the period of supervision, and at any time during the supervision period or within the maximum period permitted by law, may issue a warrant and revoke supervision for a violation occurring during the supervision period.

*S. James Otero*

December 2, 2015.

Date

S. James Otero

U. S. District Judge/Magistrate Judge

It is ordered that the Clerk deliver a copy of this Judgment and Probation/Commitment Order to the U.S. Marshal or other qualified officer.

Clerk, U.S. District Court

December 2, 2015.

Filed Date

By Victor Paul Cruz

Deputy Clerk

*Victor Paul Cruz*

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below).

**STANDARD CONDITIONS OF PROBATION AND SUPERVISED RELEASE**

While the defendant is on probation or supervised release pursuant to this judgment:

USA vs. ZVEREV, Emilia E.Docket No.: CR 13-00264 (A) SJO-5

1. The defendant shall not commit another Federal, state or local crime;
2. the defendant shall not leave the judicial district without the written permission of the court or probation officer;
3. the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
4. the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
5. the defendant shall support his or her dependents and meet other family responsibilities;
6. the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
7. the defendant shall notify the probation officer at least 10 days prior to any change in residence or employment;
8. the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
9. the defendant shall not frequent places where controlled substances are illegally sold, used, distributed or administered;
10. the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
11. the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
12. the defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer;
13. the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
14. as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to conform the defendant's compliance with such notification requirement;
15. the defendant shall, upon release from any period of custody, report to the probation officer within 72 hours;
16. and, for felony cases only: not possess a firearm, destructive device, or any other dangerous weapon.

The defendant will also comply with the following special conditions pursuant to General Order 01-05 (set forth below).

#### STATUTORY PROVISIONS PERTAINING TO PAYMENT AND COLLECTION OF FINANCIAL SANCTIONS

The defendant shall pay interest on a fine or restitution of more than \$2,500, unless the court waives interest or unless the fine or restitution is paid in full before the fifteenth (15<sup>th</sup>) day after the date of the judgment pursuant to 18 U.S.C. §3612(f)(1). Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. §3612(g). Interest and penalties pertaining to restitution, however, are not applicable for offenses completed prior to April 24, 1996.

If all or any portion of a fine or restitution ordered remains unpaid after the termination of supervision, the defendant shall pay the balance as directed by the United States Attorney's Office. 18 U.S.C. §3613.

The defendant shall notify the United States Attorney within thirty (30) days of any change in the defendant's mailing address or residence until all fines, restitution, costs, and special assessments are paid in full. 18 U.S.C. §3612(b)(1)(F).

The defendant shall notify the Court through the Probation Office, and notify the United States Attorney of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay a fine or restitution, as required by 18 U.S.C. §3664(k). The Court may also accept such notification from the government or the victim, and may, on its own motion or that of a party or the victim, adjust the manner of payment of a fine or restitution-pursuant to 18 U.S.C. §3664(k). See also 18 U.S.C. §3572(d)(3) and for probation 18 U.S.C. §3563(a)(7).

Payments shall be applied in the following order:

1. Special assessments pursuant to 18 U.S.C. §3013;
2. Restitution, in this sequence:
  - Private victims (individual and corporate),
  - Providers of compensation to private victims,
  - The United States as victim;
3. Fine;
4. Community restitution, pursuant to 18 U.S.C. §3663(c); and
5. Other penalties and costs.

USA vs. ZVEREV, Emilia E.

Docket No.: CR 13-00264 (A) SJO-5

**SPECIAL CONDITIONS FOR PROBATION AND SUPERVISED RELEASE**

As directed by the Probation Officer, the defendant shall provide to the Probation Officer: (1) a signed release authorizing credit report inquiries; (2) federal and state income tax returns or a signed release authorizing their disclosure; and (3) an accurate financial statement, with supporting documentation as to all assets, income and expenses of the defendant. In addition, the defendant shall not apply for any loan or open any line of credit without prior approval of the Probation Officer.

The defendant shall maintain one personal checking account. All of defendant's income, "monetary gains," or other pecuniary proceeds shall be deposited into this account, which shall be used for payment of all personal expenses. Records of all other bank accounts, including any business accounts, shall be disclosed to the Probation Officer upon request.

The defendant shall not transfer, sell, give away, or otherwise convey any asset with a fair market value in excess of \$500 without approval of the Probation Officer until all financial obligations imposed by the Court have been satisfied in full.

These conditions are in addition to any other conditions imposed by this judgment.

**RETURN**

I have executed the within Judgment and Commitment as follows:

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_

Defendant noted on appeal on \_\_\_\_\_

Defendant released on \_\_\_\_\_

Mandate issued on \_\_\_\_\_

Defendant's appeal determined on \_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_

at \_\_\_\_\_  
the institution designated by the Bureau of Prisons, with a certified copy of the within Judgment and Commitment.

United States Marshal

By \_\_\_\_\_  
Deputy Marshal

\_\_\_\_\_  
Date

**CERTIFICATE**

I hereby attest and certify this date that the foregoing document is a full, true and correct copy of the original on file in my office, and in my legal custody.

Clerk, U.S. District Court  
By \_\_\_\_\_

USA vs. ZVEREV, Emilia E.

Docket No.: CR 13-00264 (A) SJO-5

\_\_\_\_\_  
Filed Date

\_\_\_\_\_  
Deputy Clerk

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**FOR U.S. PROBATION OFFICE USE ONLY**

Upon a finding of violation of probation or supervised release, I understand that the court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

These conditions have been read to me. I fully understand the conditions and have been provided a copy of them.

(Signed) \_\_\_\_\_  
Defendant

\_\_\_\_\_  
Date

\_\_\_\_\_  
U. S. Probation Officer/Designated Witness

\_\_\_\_\_  
Date

PASPR

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)  
CRIMINAL DOCKET FOR CASE #: 2:13-cr-00264-SJO-5**

Case title: USA v. Proshak et al

Date Filed: 04/17/2013

Date Terminated: 12/02/2015

Assigned to: Judge S. James Otero

Appeals court case number: 15-50535

9th CCA

**Defendant (5)****Emilia E Zverev***TERMINATED: 12/02/2015**also known as*

Mila Zverev

*TERMINATED: 12/02/2015**also known as*

Emilia Zvereva

*TERMINATED: 12/02/2015*represented by **Shaun Khojayan**

Shaun Khojayan and Associates PLC

515 S. Flower St., 36th Floor

Los Angeles, CA 90071

310-927-5885

Fax: 310-274-6211

Email: shaun@khojayan.com

**LEAD ATTORNEY****ATTORNEY TO BE NOTICED***Designation: CJA Appointment***Pending Counts**

18:1349 Conspiracy to Commit Health

Care Fraud

(1)

**Disposition**

Bureau of Prisons for a term 36 months on Counts 1, 2, 3, 4, 5, and 6 of the First Superseding Indictment. This term consists of 36 months on each of Counts 1, 2, 3, 4, 5, and 6 all to be served concurrently. Supervised release for a term of 3 years. This term consists of three years on each of Counts 1, 2, 3, 4, 5, and 6 of the First Superseding Indictment, all such terms to run concurrently under United States Probation Office General Order 05-02, and General Order 01-05, including the three special conditions delineated in General Order 01-05. Pay the United States Special assessment of 600.00 due immediately. Defendant shall pay restitution in the total amount of \$804,755.00, to victims as set forth in a

18:1347: 18:347,2(b): HEALTH CARE FRAUD;CAUSING AN ACT TO BE DONE (2-6)

separate confidential victim list. Interest on restitution waived.

Bureau of Prisons for a term 36 months on Counts 1, 2, 3, 4, 5, and 6 of the First Superseding Indictment. This term consists of 36 months on each of Counts 1, 2, 3, 4, 5, and 6 all to be served concurrently. Supervised release for a term of 3 years. This term consists of three years on each of Counts 1, 2, 3, 4, 5, and 6 of the First Superseding Indictment, all such terms to run concurrently under United States Probation Office General Order 05-02, and General Order 01-05, including the three special conditions delineated in General Order 01-05. Pay the United States Special assessment of 600.00 due immediately. Defendant shall pay restitution in the total amount of \$804,755.00, to victims as set forth in a separate confidential victim list. Interest on restitution waived.

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition**

**Plaintiff**

USA

represented by **Blanca Quintero**  
AUSA - Office of US Attorney  
Southern District of California  
880 Front Street Room 6293  
San Diego, CA 92101  
619-546-7118  
Fax: 619-546-0510

Email: blanca.quintero2@usdoj.gov  
 TERMINATED: 10/26/2016  
 Designation: Assistant US Attorney

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 Designation: Assistant US Attorney

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 ATTORNEY TO BE NOTICED  
 Designation: Assistant US Attorney

**Ritesh K Srivastava**  
 US Department of Justice  
 Trial Attorney Criminal Division -  
 Fraud Section  
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 562-982-1746  
 Fax: 562-982-1799  
 Email: Ritesh.srivastava@usdoj.gov  
 TERMINATED: 05/28/2017  
 Designation: Assistant US Attorney

Date Filed	#	Docket Text
03/20/2014	<u>95</u>	First SUPERSEDING INDICTMENT Filed as to Steven Proshak (1) count(s) 1s, 2s-6s, Sharetta Michelle Wallace (3) count(s) 1s, 2s-6s, David Pustilnikov (4) count(s) 1, 2-6, Emilia E Zverev (5) count(s) 1, 2-6. (mat) Modified on 3/28/2014 (csi). (Entered: 03/24/2014)
03/20/2014	<u>96</u>	SEALED DOCUMENT- GOVERNMENT'S EXPARTE APPLICATION for Order Sealing Indictment and Related Documents; Declaration of Blanca Quintero. (mat) (Entered: 03/24/2014)
03/20/2014	<u>97</u>	

		SEALED DOCUMENT- ORDER Sealing Indictment and Related Documents. (mat) (Entered: 03/24/2014)
03/20/2014	<u>101</u>	CASE SUMMARY filed by AUSA Blanca Quintero as to Defendant Emilia E Zverev; defendants Year of Birth: 1957. (mat) (Entered: 03/24/2014)
03/20/2014	<u>104</u>	NOTICE OF REQUEST FOR DETENTION filed by Plaintiff USA as to Defendant Emilia E Zverev. (mat) (Entered: 03/24/2014)
03/20/2014	<u>105</u>	MEMORANDUM filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev. Re Magistrate Judge Jacqueline Chooljian, Magistrate Judge Patrick J. Walsh, Magistrate Judge Sheri Pym, Magistrate Judge Michael Wilner. (mat) (Entered: 03/24/2014)
03/20/2014	<u>106</u>	MEMORANDUM filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev. This criminal action, being filed on 3/20/14, was not pending in the U. S. Attorneys Office before the date on which Judge Michael W. Fitzgerald began receiving criminal matters. (mat) (Entered: 03/24/2014)
03/24/2014	94	SCHEDULING NOTICE by Judge S. James Otero as to Defendant Steven Proshak. COUNSEL ARE NOTIFIED that on the Court's own motion, the hearing on Defendant Steven Proshak's Ex Parte Application to Continue Trial Date set for March 25, 2014 at 10:00 a.m. is hereby taken off calendar, and will be re-set at a later date and time determined by the Court. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(cch) TEXT ONLY ENTRY (Entered: 03/24/2014)
03/24/2014	<u>111</u>	REPORT COMMENCING CRIMINAL ACTION as to Defendant Emilia E Zverev; defendants Year of Birth: 1957; date of arrest: 3/24/2014 (mhe) (Entered: 03/26/2014)
03/24/2014	<u>112</u>	MINUTES OF ARREST ON INDICTMENT HEARING held before Magistrate Judge John E. McDermott as to Defendant Emilia E Zverev. Defendant states true name as charged. Court orders bail set as: Emilia E Zverev (5) \$50,000 Appearance Bond, see attached bond for terms and conditions. Defendant remanded to the custody of the USM. PIA held, see separate minutes. (RUSSIAN) INTERPRETER Required as to Defendant Emilia E Zverev Court Reporter: Pat Cuneo. (mhe) (Entered: 03/26/2014)
03/24/2014	<u>113</u>	STATEMENT OF CONSTITUTIONAL RIGHTS filed by Defendant Emilia E Zverev (mhe) (Entered: 03/26/2014)
03/24/2014	<u>115</u>	MINUTES OF POST-INDICTMENT ARRAIGNMENT: held before Magistrate Judge John E. McDermott as to Defendant Emilia E Zverev (5) Count 1,2-6. Defendant arraigned, states true name: As charged. Defendant entered not guilty plea to all counts as charged. Attorney: Shaun Khojayan, Appointed present. Case assigned to Judge S. James Otero.( Jury Trial set for 5/20/2014 09:00 AM before Judge S. James Otero.), (Russian) INTERPRETER Required as to Defendant Emilia E Zverev Court Reporter: Pat Cuneo. (tba) (Entered: 03/26/2014)

03/25/2014	107	SCHEDULING NOTICE SETTING HEARING RE EX PARTE APPLICATION TO CONTINUE TRIAL DATE by Judge S. James Otero as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev. The Court sets the Ex Parte Application to Continue Trial 88 for hearing on Wednesday, 3/26/2014 at 09:00 AM before Judge S. James Otero. All parties are ordered to appear.THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(vcr) TEXT ONLY ENTRY (Entered: 03/25/2014)
03/25/2014	<u>125</u>	BOND AND CONDITIONS OF RELEASE filed as to Defendant Emilia E Zverev conditions of release: \$50,000.00 Unsecured appearance bond approved by Magistrate Judge John E. McDermott. (tba) (Entered: 03/27/2014)
03/25/2014	<u>126</u>	PASSPORT RECEIPT from U. S. Pretrial Services as to Defendant Emilia E Zverev. USA passport was received on 03/25/2014. Re: Bond and Conditions (CR-1) <u>125</u> . (tba) (Entered: 03/27/2014)
03/26/2014	<u>117</u>	MINUTES OF HEARING RE EX PARTE APPLICATION TO CONTINUE THE TRIAL 88 as to defendants Steven Proshak (1), Sharetta Michelle Wallace(3), David Pustilnikov (4) and Emilia E Zverev (5 )held before Judge S. James Otero. The Court grants the ex Parte Application to Continue the Trial and the oral application to continue the trial of the newly added defendants to November 5, 2014 9:00 a.m. The Court grants the continuance based on the findings and conclusions placed on the record. The Court concludes that failure to grant the continuance would result in a miscarriage of justice as to the newly added defendants, and to defendant (1) Proshak. The Court notes that the Government joins in the request to continue the trial to November 5, 2014. (SEE DOCUMENT FOR OTHER DETAILS). Court Reporter: Debbie Hino-Spaan. (lc) (Entered: 03/26/2014)
04/10/2014	<u>131</u>	ORDER RE: MODIFICATION OF PREVIOUSLY SET BONDS by Judge S. James Otero as to Defendant David Pustilnikov, Emilia E Zverev to allow them to Car-Pool to work on a Daily basis. All other conditions of this bond shall remain as previously set. (lc) (Entered: 04/10/2014)
04/14/2014	<u>132</u>	APPLICATION to Modify Conditions of Release Filed by Plaintiff USA as to Defendant David Pustilnikov, Emilia E Zverev Application set for hearing on 4/23/2014 at 10:00 AM before Judge S. James Otero. (Attachments: # <u>1</u> Declaration of HHS-OIG Special Agent Christina Ramirez in Support of Government's Application for Review of Defendants Pustilnikov's and Zverev's Bond Conditions, # <u>2</u> Exhibit 1 to Declaration of HHS-OIG Special Agent Christina Ramirez in Support of Government's Application for Review of Defendants Pustilnikov's and Zverev's Bond Conditions, # <u>3</u> Proposed Order Regarding Modification of Defendant Pustilnikov's and Defendant Zverev's Bond Conditions)(Quintero, Blanca) (Entered: 04/14/2014)
04/15/2014	133	SCHEDULING NOTICE OF HEARING RE GOVERNMENT'S APPLICAITON FOR REVIEW OF BOND by Judge S. James Otero as to Defendant David Pustilnikov, Emilia E Zverev.The APPLICATION to Modify Conditions of Release Filed by Plaintiff USA as to Defendant David Pustilnikov, Emilia E Zverev is set for hearing on 4/23/2014 at 11:00 AM before Judge S. James Otero. THERE IS NO PDF DOCUMENT

		ASSOCIATED WITH THIS ENTRY.(vcr) TEXT ONLY ENTRY (Entered: 04/15/2014)
04/16/2014	<u>135</u>	ARREST WARRANT RETURNED Executed on 3/24/14 as to Defendant Emilia E Zverev. (lc) (Entered: 04/16/2014)
04/17/2014	<u>136</u>	OPPOSITION to APPLICATION to Modify Conditions of Release <u>132</u> filed by Defendant Emilia E. Zverev. (Khojayan, Shaun) (Entered: 04/17/2014)
04/22/2014	<u>140</u>	ORDER by Judge S. James Otero as to Defendant David Pustilnikov, Emilia E Zverev, re APPLICATION to Modify Conditions of Release <u>132</u> ., The hearings originally scheduled have been rescheduled for hearing on 5/8/2014 at 09:00 AM (lc) (Entered: 04/22/2014)
04/25/2014	<u>142</u>	STIPULATION to Continue Hearing on Government's Application to Modify defendants Pustilnikov's and Zverev's Bond Conditions of Release from May 8, 2014 at 9:00 a.m. to May 20, 2014 at 11:00 a.m. filed by Plaintiff USA as to Defendant David Pustilnikov, Emilia E Zverev (Attachments: # <u>1</u> Proposed Order to Continue Hearing on Government's Application to Modify defendants Pustilnikov's and Zverev's Bond Conditions of Release)(Quintero, Blanca) (Entered: 04/25/2014)
05/01/2014	<u>143</u>	TO CONTINUE HEARING ON GOVERNMENT'S APPLICATION TO MODIFY DEFENDANTS' PUSTILNIKOV'S AND ZVEREV'S BOND CONDITIONS OF RELEASE by Judge S. James Otero as to Defendant David Pustilnikov, Emilia E Zverev. IT IS HEREBY ORDERED, that the date currently set for hearing on the government's application to modify defendants' bond conditions of release be continued from May 8, 2014 at 9:00 a.m. to May 20, 2014 at 9:00., re Stipulation to Continue, <u>142</u> . (bp) (Entered: 05/01/2014)
05/19/2014	<u>144</u>	STIPULATION to Continue Hearing Date for Defendants Application to Modify Conditions of Release from May 20, 2014 to June 3, 2014 Re: Order on Stipulation, <u>143</u> filed by Plaintiff David Pustilnikov, Emilia E Zverev as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Attachments: # <u>1</u> Proposed Order)(Altman, Bryan) (Entered: 05/19/2014)
05/19/2014	<u>145</u>	ORDER RE: JOINT STIPULATION TO CONTINUE HEARING DATE FOR DEFENDANTS APPLICATION TO MODIFY CONDITIONS OF RELEASE <u>144</u> by Judge S. James Otero as to Defendant David Pustilnikov, Emilia E Zverev. The Hearing on the <u>132</u> Application to Modify Conditions of Release currently scheduled for May 20, 2014, at 9:00 a.m., is hereby continued to June 3, 2014, at 8:30 a.m., in Courtroom 1. (lc) Modified on 5/19/2014 (lc). Modified on 5/19/2014 (lc). (Entered: 05/19/2014)
06/02/2014	<u>146</u>	TEXT ONLY (IN CHAMBERS) SCHEDULING NOTICE by Judge S. James Otero as to Defendant David Pustilnikov, Emilia E Zverev. The hearing re APPLICATION to Modify Conditions of Release <u>132</u> previously scheduled for 6/3/2014 08:30 AM has been continued. The hearing is now set for 6/11/2014 at 09:00 AM before Judge S. James Otero. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(rne) TEXT ONLY ENTRY (Entered: 06/02/2014)

06/11/2014	<u>147</u>	MINUTES OF Motion Hearing held before Judge S. James Otero as to Defendant David Pustilnikov, Emilia E Zverev. RE EX PARTE APPLICATION to Modify Conditions of Release Filed by Plaintiff <u>132</u> as to David Pustilnikov (4), Emilia E Zverev (5). The Court denies the ex parte application but clarifies the current condition of release as follows: The defendants are not to directly submit claims to Medicare. Additionally, the defendants are to provide to the Pretrial Service officer with full and complete information regarding ownership in any company or any other company that submits claims to Medicare either in ownership interest or in employ. Court Reporter: Debbie Hino-Spaan. (lc) (Entered: 06/11/2014)
08/14/2014	<u>149</u>	STIPULATION for Modification of Conditions of Release filed by Plaintiff Sharetta Michelle Wallace as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Attachments: # <u>1</u> Proposed Order)(Raynor, Richard) (Entered: 08/14/2014)
08/18/2014	<u>302</u>	REDACTED Jury Note (Number: 1) filed (lc) (Entered: 09/01/2015)
09/15/2014	<u>151</u>	NOTICE OF APPEARANCE OR REASSIGNMENT of AUSA Fred G Medick on behalf of Plaintiff USA. Filed by Plaintiff USA. (Attorney Fred G Medick added to party USA(pty:pla))(Medick, Fred) (Entered: 09/15/2014)
09/26/2014	<u>152</u>	STIPULATION to Continue Trial Date from November 5, 2014 to August 4, 2015 filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Attachments: # <u>1</u> Proposed Order Continuing Trial Date and Findings Regarding Excludable Time Periods Pursuant to Speedy Trial Act)(Quintero, Blanca) (Entered: 09/26/2014)
09/29/2014	<u>153</u>	ORDER CONTINUING TRIAL DATE AND FINDINGS REGARDING EXCLUDABLE TIME PERIODSPURSUANT TO SPEEDY TRIAL ACT by Judge S. James Otero as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev. Jury Trial continued to 8/4/2015 09:00 AM. (lc) (Entered: 09/30/2014)
11/03/2014	<u>157</u>	NOTICE OF MOTION AND MOTION to Dismiss Case Filed by Plaintiff Sharetta Michelle Wallace as to Defendant Sharetta Michelle Wallace, Emilia E Zverev. Motion set for hearing on 12/8/2014 at 10:00 AM before Judge S. James Otero. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Proposed Order)(Raynor, Richard) (Entered: 11/03/2014)
11/03/2014	<u>158</u>	JOINDER in MOTION for Order for Production of Grand Jury Transcripts 156 filed by Sharetta Michelle Wallace filed by Defendant Emilia E. Zverev. (Khojayan, Shaun) (Entered: 11/03/2014)
11/12/2014	<u>159</u>	JOINDER filed by Plaintiff David Pustilnikov as to Defendant Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev joining in MOTION to Dismiss Case <u>157</u> . (Altman, Bryan) (Entered: 11/12/2014)
11/17/2014	<u>160</u>	OPPOSITION to MOTION for Order for Production of Grand Jury Transcripts 156 filed by Plaintiff USA as to Defendant Sharetta Wallace and Defendant Emilia Zverev. (Quintero, Blanca) (Entered: 11/17/2014)

11/17/2014	<u>161</u>	OPPOSITION to MOTION to Dismiss Case <u>157</u> filed by Plaintiff USA as to Defendant Sharetta Wallace and Emilia Zverev. (Attachments: # <u>1</u> Declaration of Blanca Quintero in Support of Government's Opposition to Motion to Dismiss the Indictment, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3)(Quintero, Blanca) (Entered: 11/17/2014)
11/25/2014	<u>163</u>	REPLY support MOTION to Dismiss Case <u>157</u> filed by Defendant Sharetta Wallace and Emilia Zverez. (Raynor, Richard) (Entered: 11/25/2014)
12/05/2014	166	The Court finds the MOTION for Order for Production of Grand Jury Transcripts Filed by Defendant Sharetta Michelle Wallace <u>156</u> , the MOTION to Dismiss Case Filed by Plaintiff Sharetta Michelle Wallace as to Defendant Sharetta Michelle Wallace, Emilia E Zverev. <u>157</u> and the Joinder as to Motion to Dismiss. Filed by Defendant Steven Proshak. 162 suitable for disposition without oral argument and vacates the hearing set for hearing on December 8, 2014. No appearance is required. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(vcr) TEXT ONLY ENTRY (Entered: 12/05/2014)
03/31/2015	<u>171</u>	MINUTES (IN CHAMBERS) by Judge S. James Otero: as to defendants Steven Proshak (1),David Pustilnikov (4),Sharetta Wallace (3),Emilia Zverev (5): ORDER GRANTING DEFENDANTS YAROSLAV PROSHAK'S MOTION FOR JOINDER AND DENYING DEFENDANTS' MOTION TO DISMISS AND MOTION FOR PRODUCTION OF GRAND JURY TRANSCRIPTS <u>156</u> , <u>157</u> , and <u>162</u> . (lc) (Entered: 04/01/2015)
04/07/2015	<u>172</u>	EX PARTE APPLICATION for Extension of Time to File Notice of Appeal on the Court's Denial of Motions to Dismiss (Docket # <u>171</u> ). Filed by Plaintiff Emilia E Zverev as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev. (Attachments: # <u>1</u> Proposed Order) (Khojayan, Shaun) (Entered: 04/07/2015)
04/08/2015	<u>174</u>	RESPONSE IN OPPOSITION to EX PARTE APPLICATION for Extension of Time to File Notice of Appeal on the Court's Denial of Motions to Dismiss (Docket # <u>171</u> ). <u>172</u> , filed by Plaintiff USA as to Defendant Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Quintero, Blanca) (Entered: 04/08/2015)
04/14/2015	<u>175</u>	ORDER by Judge S. James Otero: granting Defendants' <u>172</u> Ex Application for Extension of Time to File NOTICE OF APPEAL ON THE COURTS DENIAL OF MOTIONS TO DISMISS (#171) FROM APRIL 14, 2015. (mat) (Entered: 04/15/2015)
06/11/2015	<u>177</u>	EX PARTE APPLICATION for Order for to file documents under seal Filed by Plaintiff Emilia E Zverev as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev. (Attachments: # <u>1</u> Proposed Order) (Khojayan, Shaun) (Entered: 06/11/2015)
06/16/2015	<u>178</u>	STIPULATION TO PRE-SCREEN PROSPECTIVE JURORS FOR TIME filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Attachments: # <u>1</u> Proposed

		Order to Pre-Screen Prospective Jurors for Time)(Quintero, Blanca) (Entered: 06/16/2015)
06/17/2015	<u>179</u>	ORDER TO PRESCREEN PROSPECTIVE JURORS FOR TIME [178 ]by Judge S. James Otero as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev. (lc) Modified on 6/18/2015 (lc). (Entered: 06/18/2015)
06/18/2015	<u>180</u>	DECLARATION OF SHAUN KHOJAYAN IN SUPPORT OF DEFENDANTS EX PARTE APPLICATION TO FILE DOCUMENTS UNDER SEAL <u>177</u> by defendant Shaun Khojayan (lc) (Entered: 06/18/2015)
06/18/2015	<u>181</u>	ORDER SEALING DOCUMENT <u>177</u> as to Emilia E Zverev (5) by Judge S. James Otero (lc) (Entered: 06/18/2015)
06/18/2015	<u>182</u>	SEALED DOCUMENT-DEFENDANTS EX PARTE APPLICATION FOR PROTECTIVE ORDER REGARDING DISCLOSURE OF BENEFICIARY CONFIDENTIAL INFORMATION (lc) (Entered: 06/18/2015)
06/18/2015	<u>183</u>	SEALED DOCUMENT- ORDER GRANTING DEFENDANTS EX PARTE APPLICATION FOR PROTECTIVE ORDER REGARDING DISCLOSURE OF BENEFICIARY CONFIDENTIAL INFORMATION (lc) (Entered: 06/18/2015)
06/29/2015	<u>184</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Ritesh K Srivastava counsel for Plaintiff USA. Adding Ritesh Srivastava as counsel of record for United States of America for the reason indicated in the G-123 Notice. Filed by Plaintiff United States of America. (Attorney Ritesh K Srivastava added to party USA(pty:pla))(Srivastava, Ritesh) (Entered: 06/29/2015)
07/01/2015	<u>185</u>	NOTICE of Intent to Offer Certain Evidence filed by Plaintiff USA as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Quintero, Blanca) (Entered: 07/01/2015)
07/05/2015	<u>187</u>	NOTICE OF MOTION AND MOTION in Limine to Exclude Testimony of Kathy Montoya Filed by Plaintiff Sharetta Michelle Wallace as to Defendant Sharetta Michelle Wallace, Emilia E Zverev Motion set for hearing on 8/4/2015 at 09:00 AM before Judge S. James Otero. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F) (Raynor, Richard) (Entered: 07/05/2015)
07/07/2015	<u>189</u>	EX PARTE APPLICATION to AMEND <i>Standing Order in Criminal Cases regarding Disclosure of Government Witnesses and Exhibit List</i> , EX PARTE APPLICATION for Hearing as to Pretrial Conference and In limine Motions Filed by Plaintiff Emilia E Zverev as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev. (Attachments: # <u>1</u> Proposed Order) (Khojayan, Shaun) (Entered: 07/07/2015)
07/09/2015	<u>191</u>	OPPOSITION to EX PARTE APPLICATION to AMEND <i>Standing Order in Criminal Cases regarding Disclosure of Government Witnesses and Exhibit</i>

		List EX PARTE APPLICATION for Hearing as to Pretrial Conference and In limine Motions <u>189</u> filed by Plaintiff USA as to Defendant Yaroslav Proshak, Sharetta Michele Wallace, David Pustilnikov, Emilia A. Zverev. (Medick, Fred) (Entered: 07/09/2015)
07/09/2015	<u>192</u>	MINUTES (IN CHAMBERS) by Judge S. James Otero: ORDER DENYING DEFENDANTS' EX PARTE APPLICATION TO AMEND STANDING ORDER <u>189</u> as to Steven Proshak (1), Sharetta Michelle Wallace (3), David Pustilnikov (4), Emilia E Zverev (5). The Government must strictly comply with all disclosure and discovery obligations in advance of trial to avoid delay during trial. Failure to do so will result in the imposition of sanctions. All counsel are ordered to meet and confer in person and discuss all motions in limine and proposed stipulations prior to filing any motion with the Court. (lc) (Entered: 07/10/2015)
07/13/2015	<u>193</u>	OPPOSITION to MOTION in Limine to Exclude Testimony of Kathy Montoya <u>187</u> filed by Plaintiff USA as to Defendant Sharetta Wallace and Emilia E. Zverev. (Attachments: # <u>1</u> Declaration of Blanca Quintero In Support of Government's Opposition to Defendants' Motion in Limine to Preclude Kathy Montoya From Testifying At Trial, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3)(Quintero, Blanca) (Entered: 07/13/2015)
07/13/2015	<u>194</u>	OPPOSITION to MOTION in Limine to Preclude Evidence of Phone Calls Between Defendants After the Indictment Period <u>188</u> filed by Plaintiff USA as to Defendant Sharetta Michelle Wallace. (Medick, Fred) (Entered: 07/13/2015)
07/14/2015	<u>195</u>	NOTICE OF MOTION AND MOTION in Limine to Preclude Exculpatory Hearsay Statements Filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero.(Quintero, Blanca) (Entered: 07/14/2015)
07/14/2015	<u>196</u>	NOTICE OF MOTION AND MOTION in Limine to Exclude Certain Anticipated Defense Evidence Filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero. (Quintero, Blanca) (Entered: 07/14/2015)
07/14/2015	<u>197</u>	NOTICE OF MOTION AND MOTION in Limine to Exclude Evidence Related to 42 C.F.R. 410.40 Filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero. (Attachments: # <u>1</u> Declaration of Blanca Quintero, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2) (Quintero, Blanca) (Entered: 07/14/2015)
07/14/2015	<u>198</u>	NOTICE of Manual Filing of Motion in Limine to Preclude Testimony of Michele Freeman and Firooz Pak filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Medick, Fred) (Entered: 07/14/2015)
07/14/2015	<u>199</u>	NOTICE OF MOTION AND Joint MOTION in Limine to Exclude TESTIMONY BY SERGEY MUMJIAN THAT DEFENDANTS OR EMILIA

		ZVEREV "KNOW ALL MEDICARE GUIDELINES" AND DEFENDANTS OR EMILIA ZVEREV "MAY HAVE BEEN" AWARE OF PATIENT'S BEHAVIOR WHEN BEING TRANSPORTED Filed by Plaintiff Steven Proshak as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero.(Berk, Elon) (Entered: 07/14/2015)
07/14/2015	<u>200</u>	NOTICE OF MOTION AND Joint MOTION in Limine to Exclude LAY OPINION TESTIMONY REGARDING MEDICAL NECESSITY Filed by Plaintiff Steven Proshak as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero.(Berk, Elon) (Entered: 07/14/2015)
07/14/2015	<u>201</u>	NOTICE OF MOTION AND MOTION in Limine to Exclude Indictment from the Jury Room Filed by Plaintiff Emilia E Zverev as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero.(Khojayan, Shaun) (Entered: 07/14/2015)
07/14/2015	<u>202</u>	NOTICE OF MOTION AND MOTION in Limine to Exclude Any Audio or Video Evidence Not Timely Identified or Produced Filed by Plaintiff David Pustilnikov as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero.(Altman, Bryan) (Entered: 07/14/2015)
07/14/2015	<u>203</u>	NOTICE OF MOTION AND MOTION in Limine to Exclude Evidence of Defendants Total Billing to Medicare or Other Alleged Fraud Filed by Plaintiff David Pustilnikov as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero.(Altman, Bryan) (Entered: 07/14/2015)
07/14/2015	<u>204</u>	NOTICE OF MOTION AND MOTION in Limine to Allow Evidence Regarding the Source of Sergey Alekseyevic Mumjians Attorney Fees Filed by Plaintiff David Pustilnikov as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero.(Altman, Bryan) (Entered: 07/14/2015)
07/14/2015	<u>205</u>	NOTICE OF MOTION AND MOTION in Limine to Preclude Alleged Kickback Evidence Filed by Plaintiff Sharetta Michelle Wallace as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 09:00 AM before Judge S. James Otero.(Raynor, Richard) (Entered: 07/14/2015)
07/14/2015	<u>206</u>	NOTICE OF MOTION AND MOTION in Limine to Preclude Evidence or Argument regarding Defendants Zverev and Pustilnikov's Employment at Prospective Ambulance Filed by Plaintiff USA as to Defendant David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero.(Medick, Fred) (Entered: 07/14/2015)
07/14/2015	<u>207</u>	

		NOTICE OF MOTION AND MOTION in Limine to Preclude Improper Use of Law Enforcement Interview Reports Filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero.(Quintero, Blanca) (Entered: 07/14/2015)
07/14/2015	<u>208</u>	NOTICE OF MOTION AND MOTION in Limine to Preclude Guilt Assuming Hypotheticals Filed by Plaintiff Emilia E Zverev as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero.(Khojayan, Shaun) (Entered: 07/14/2015)
07/14/2015	<u>209</u>	NOTICE OF MOTION AND MOTION in Limine to Preclude Evidence or Argument of Defendants' Family Circumstances or Medical Conditions Filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero.(Quintero, Blanca) (Entered: 07/14/2015)
07/14/2015	<u>210</u>	NOTICE OF MOTION AND MOTION in Limine to Exclude Various Evidence <i>UNOPPOSED</i> , MOTION in Limine Requesting draft plea agreements and related items <i>UNOPPOSED</i> Filed by Plaintiff Emilia E Zverev as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero.(Khojayan, Shaun) (Entered: 07/14/2015)
07/14/2015	<u>211</u>	NOTICE OF MOTION AND MOTION in Limine to Exclude Anonymous Hotline and Complaints Filed by Plaintiff Emilia E Zverev as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero.(Khojayan, Shaun) (Entered: 07/14/2015)
07/14/2015	<u>212</u>	NOTICE OF MOTION AND MOTION in Limine to Exclude Defendants' Noticed Proffered Expert Testimony of Ellen Barry, Esq. Filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero. (Attachments: # <u>1</u> Declaration of Ritesh Srivastava, # <u>2</u> Exhibit 1)(Quintero, Blanca) (Entered: 07/14/2015)
07/14/2015	<u>213</u>	NOTICE OF MOTION AND MOTION in Limine to Preclude Improper Argument or Evidence Concerning Medical Necessity Filed by Plaintiff Sharetta Michelle Wallace as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 09:00 AM before Judge S. James Otero. (Attachments: # <u>1</u> Exhibit A)(Raynor, Richard) (Entered: 07/14/2015)
07/14/2015	<u>214</u>	NOTICE OF MOTION AND MOTION in Limine to Admit Business and Public Records Pursuant to Federal Rules of Evidence 803(6), 803(8), and 902(4) and 902(11) Filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for

		hearing on 8/4/2016 at 08:30 AM before Judge S. James Otero. (Attachments: # <u>1</u> Exhibit)(Quintero, Blanca) (Entered: 07/14/2015)
07/14/2015	<u>215</u>	NOTICE OF MOTION AND MOTION in Limine Requesting an Order Compelling the Government to Grant Use Immunity to Dr. Michele Freeman and Dr. Firooz Pak Filed by Plaintiff Emilia E Zverev as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero.(Khojayan, Shaun) (Entered: 07/14/2015)
07/15/2015	<u>216</u>	NOTICE OF MOTION AND MOTION in Limine to Preclude Defendants' Proffered Expert Testimony of Wayne van Halem Filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero. (Attachments: # <u>1</u> Declaration of Blanca Quintero, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3)(Quintero, Blanca) (Entered: 07/15/2015)
07/15/2015	<u>217</u>	Amendment to MOTION in Limine Requesting an Order Compelling the Government to Grant Use Immunity to Dr. Michele Freeman and Dr. Firooz Pak <u>215</u> filed by Defendant Emila Zverev and all defendants. (Khojayan, Shaun) (Entered: 07/15/2015)
07/15/2015	<u>218</u>	DECLARATION of Shaun Khojayan filed by Plaintiff Emilia E Zverev as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev RE: Amendment (Motion related) <u>217</u> <i>IN SUPPORT OF DEFENDANTS MOTION IN LIMINE FOR AN ORDER DIRECTING THE GOVERNMENT TO GRANT USE IMMUNITY TO DR. MICHELE FREEMAN AND DR. FIROOZ PAK</i> (Khojayan, Shaun) (Entered: 07/15/2015)
07/16/2015	<u>219</u>	MINUTES (IN CHAMBERS) by Judge S. James Otero: ORDER STRIKING DEFENDANTS' MOTIONS IN LIMINE <u>187</u> , <u>188</u> ; [ <u>199</u> , <u>200</u> , <u>201</u> , <u>202</u> , <u>203</u> , <u>204</u> , <u>205</u> , <u>208</u> , <u>210</u> , <u>211</u> , <u>213</u> , <u>215</u> ; STRIKING PLAINTIFF'S MOTIONS IN LIMINE <u>195</u> <u>196</u> , <u>197</u> ; <u>206</u> , <u>207</u> ; <u>209</u> , <u>212</u> , <u>214</u> , <u>216</u> .The Court STRIKES all twenty-three MILs, the oppositions thereto, and their amendments. Defendants may re-file, but are limited to eight MILs. The Government is limited to five. Per the Order Denying Defendants' Ex Parte Application to Amend Standing Order(ECF No. 192), counsel must personally meet and confer as to each motion, and include a declaration with any new filing that they have complied with the meet and confer requirements. Because counsel are seemingly oblivious to the burden they have placed on this Court, the Court finds it necessary to issue the following additional case management orders. All MILs must be re-filed no later than Tuesday, July 21, 2015. Oppositions are due on or before Monday, July 27. No replies are to be filed unless otherwise ordered by the Court. The Court ORDERS the Government to file and serve its trial brief, final exhibit list and final witness list no later than 12:00 p.m. on July 30, 2015. All Jencks Act material must be disclosed no later than 12:00 p.m. on Monday, August 3. All other pre-trial and trial obligations delineated in this Court's Criminal Standing Order remain in full force and effect. as to defendants Steven Proshak (1)Sharetta Michelle Wallace (3)David Pustilnikov (4)Emilia E. Zverev (5) (lc) (Entered: 07/17/2015)

07/21/2015	<u>220</u>	NOTICE OF MOTION AND MOTION in Limine to Exclude Anonymous Hotline and Complaints <i>with declaration and exhibits</i> Filed by Plaintiff Emilia E Zverev as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero.(Khojayan, Shaun) (Entered: 07/21/2015)
07/21/2015	<u>221</u>	NOTICE OF MOTION AND MOTION in Limine to Preclude Guilt Assuming Hypotheticals <i>with declaration and exhibits</i> Filed by Plaintiff Emilia E Zverev as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero.(Khojayan, Shaun) (Entered: 07/21/2015)
07/21/2015	<u>222</u>	NOTICE OF MOTION AND MOTION in Limine to Exclude Testimony of Kathy Montoya Filed by Plaintiff Sharetta Michelle Wallace as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 09:00 AM before Judge S. James Otero. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Declaration re meet and confer)(Raynor, Richard) (Entered: 07/21/2015)
07/21/2015	<u>223</u>	NOTICE OF MOTION AND MOTION in Limine to Exclude Alleged Kickback Evidence Filed by Plaintiff Sharetta Michelle Wallace as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 09:00 AM before Judge S. James Otero. (Attachments: # <u>1</u> Declaration re meet and confer)(Raynor, Richard) (Entered: 07/21/2015)
07/21/2015	<u>224</u>	NOTICE OF MOTION AND MOTION in Limine to Exclude Evidence of Phone Calls Between Defendants After the Indictment Period Filed by Plaintiff Sharetta Michelle Wallace as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 09:00 AM before Judge S. James Otero. (Attachments: # <u>1</u> Declaration re meet and confer)(Raynor, Richard) (Entered: 07/21/2015)
07/21/2015	<u>225</u>	NOTICE OF MOTION AND Joint MOTION in Limine to Exclude TESTIMONY BY SERGEY MUMJIAN THAT DEFENDANTS OR EMILIA ZVEREV "KNOW ALL MEDICARE GUIDELINES" AND DEFENDANTS OR EMILIA ZVEREV "MAY HAVE BEEN" AWARE OF PATIENT'S BEHAVIOR WHEN BEING TRANSPORTED Filed by Plaintiff Steven Proshak as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero. (Attachments: # <u>1</u> Declaration Declaration of Elon Berk Re: Meet and Confer)(Berk, Elon) (Entered: 07/21/2015)
07/21/2015	<u>226</u>	NOTICE OF MOTION AND MOTION in Limine to Exclude Certain Anticipated Defense Evidence Filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero. (Attachments: # <u>1</u> Declaration of Blanca Quintero)(Quintero, Blanca) (Entered: 07/21/2015)

07/21/2015	<u>227</u>	NOTICE OF MOTION AND MOTION in Limine to Exclude Evidence Related to 42 C.F.R. 410.40, ET SEQ Filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero. (Attachments: # <u>1</u> Declaration of Blanca Quintero, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2)(Quintero, Blanca) (Entered: 07/21/2015)
07/21/2015	<u>228</u>	NOTICE OF MOTION AND MOTION in Limine to Preclude Evidence or Argument regarding Defendants Zverev and Pustilnikov's Employment at Prospective Ambulance Filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero. (Medick, Fred) (Entered: 07/21/2015)
07/21/2015	<u>229</u>	NOTICE OF MOTION AND MOTION in Limine to Preclude Evidence or Argument of Defendants' (1) Family Circumstances and (2) Medical Conditions Filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero. (Attachments: # <u>1</u> Declaration)(Srivastava, Ritesh) (Entered: 07/21/2015)
07/21/2015	<u>230</u>	NOTICE OF MOTION AND MOTION in Limine Requesting Compel the Government to Grant Use Immunity to Dr. Michele Freeman and Dr. Firooz Pak or in the Alternative Grant Defense Witness Immunity Filed by Plaintiff Emilia E Zverev as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero. (Khojayan, Shaun) (Entered: 07/21/2015)
07/21/2015	<u>231</u>	NOTICE OF MOTION AND MOTION in Limine to Preclude Defendants' Noticed Proferred Expert Witness Testimony of Ellen Barry, ESQ. and Wayne H. van Halem Filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit)(Srivastava, Ritesh) (Entered: 07/21/2015)
07/21/2015	<u>232</u>	NOTICE OF MOTION AND Joint MOTION in Limine to Exclude IMPROPER EVIDENCE OR ARGUMENT CONCERNING THE "MEDICAL NECESSITY" STANDARD AND EXCLUDE LAY OPINION TESTIMONY REGARDING MEDICAL NECESSITY Filed by Plaintiff Steven Proshak as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev Motion set for hearing on 8/4/2015 at 08:30 AM before Judge S. James Otero. (Attachments: # <u>1</u> Exhibit Exhibit "A", # <u>2</u> Declaration Declaration of Elon Berk)(Berk, Elon) (Entered: 07/21/2015)
07/23/2015	<u>233</u>	ORDER DENYING that that motion in limine to exclude the testimony of anticipated defense witnesses Michele Freeman and Firooz Pak, filed in the above titled case, together with this ex parte application, the memorandum of points and authorities, and the declaration of Trial Attorney Fred Medick, and

		this Courts sealing order, be kept under seal until further order of the court re <u>198</u> by Judge S. James Otero (lc) (Entered: 07/23/2015)
07/23/2015	<u>234</u>	Stipulations filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Medick, Fred) (Entered: 07/23/2015)
07/24/2015	<u>235</u>	NOTICE of RESOLUTION OF VARIOUS EVIDENTIARY ISSUES DURING MEET AND CONFER SESSIONS filed by Plaintiff Emilia E Zverev as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Khojayan, Shaun) (Entered: 07/24/2015)
07/26/2015	<u>236</u>	Joint NOTICE OF MOTION AND MOTION to Dismiss Case Filed by Plaintiff Steven Proshak as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev. (Attachments: # <u>1</u> Exhibit Exhibit "A", # <u>2</u> Exhibit Exhibit "B") (Berk, Elon) (Entered: 07/26/2015)
07/26/2015	<u>237</u>	NOTICE of Manual Filing of CD of Interview of Dr. Pak filed by Plaintiff Steven Proshak as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Berk, Elon) (Entered: 07/26/2015)
07/26/2015	<u>238</u>	NOTICE of Manual Filing of List of statements of all witnesses to be called by the Government in its case-in-chief filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Quintero, Blanca) (Entered: 07/26/2015)
07/27/2015	<u>239</u>	NOTICE of Manual Filing of Exhibit A to Defendants' Motion to Dismiss for Prosecutorial Misconduct (Docket #236) - Audio CD of Government Agents' Interview with Dr. Firooz Pak dated 7-17-15 filed by Plaintiff Emilia E Zverev as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Khojayan, Shaun) (Entered: 07/27/2015)
07/27/2015	<u>241</u>	OPPOSITION to MOTION in Limine to Preclude Evidence or Argument of Defendants' (1) Family Circumstances and (2) Medical Conditions <u>229</u> filed by Defendant Sharetta Wallace, Steven Proshak, Emilia Zverez, and David Pustilnikov. (Raynor, Richard) (Entered: 07/27/2015)
07/27/2015	<u>242</u>	OPPOSITION to MOTION in Limine Requesting Compel the Government to Grant Use Immunity to Dr. Michele Freeman and Dr. Firooz Pak or in the Alternative Grant Defense Witness Immunity <u>230</u> filed by Plaintiff USA as to Defendant Yaroslav Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia Zverev. (Medick, Fred) (Entered: 07/27/2015)
07/27/2015	<u>243</u>	OPPOSITION to MOTION in Limine to Exclude Evidence of Phone Calls Between Defendants After the Indictment Period <u>224</u> filed by Plaintiff USA as to Defendant Yaroslav Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia Zverev. (Medick, Fred) (Entered: 07/27/2015)
07/27/2015	<u>244</u>	OPPOSITION to MOTION in Limine to Exclude Evidence Related to 42 C.F.R. 410.40, ET SEQ <u>227</u> filed by Defendant Pustilnikov, Zvereva, Wallace and Proshak. (Altman, Bryan) (Entered: 07/27/2015)

07/27/2015	<u>245</u>	OPPOSITION to MOTION in Limine to Preclude Evidence or Argument regarding Defendants Zverev and Pustilnikov's Employment at Prospective Ambulance <u>228</u> filed by Defendant Pustilnikov, Zvereva, Wallace and Proshak. (Attachments: # <u>1</u> Exhibit A)(Altman, Bryan) (Entered: 07/27/2015)
07/27/2015	<u>246</u>	OPPOSITION to MOTION in Limine to Preclude Defendants' Noticed Proffered Expert Witness Testimony of Ellen Barry, ESQ. and Wayne H. van Halem <u>231</u> filed by Defendant Pustilnikov, Zvereva, Wallace and Proshak. (Attachments: # <u>1</u> Exhibit A)(Altman, Bryan) (Entered: 07/27/2015)
07/27/2015	<u>247</u>	OPPOSITION to MOTION in Limine to Exclude Certain Anticipated Defense Evidence <u>226</u> filed by Defendant Pustilnikov, Zvereva, Wallace and Proshak. (Altman, Bryan) (Entered: 07/27/2015)
07/27/2015	<u>248</u>	OPPOSITION to Joint MOTION in Limine to Exclude TESTIMONY BY SERGEY MUMJIAN THAT DEFENDANTS OR EMILIA ZVEREV "KNOW ALL MEDICARE GUIDELINES" AND DEFENDANTS OR EMILIA ZVEREV "MAY HAVE BEEN" AWARE OF PATIENT'S BEHAVIOR WHEN BEING TRANSPORTED <u>225</u> filed by Plaintiff USA as to Defendant Yaroslav Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia Zverev. (Srivastava, Ritesh) (Entered: 07/27/2015)
07/27/2015	<u>249</u>	OPPOSITION to MOTION in Limine to Exclude Testimony of Kathy Montoya <u>222</u> filed by Plaintiff USA as to Defendant Yaroslav Proshak, Sharetta Wallace, David Pustilnikov, and Emilia Zverev. (Attachments: # <u>1</u> Declaration of Blanca Quintero, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3) (Quintero, Blanca) (Entered: 07/27/2015)
07/27/2015	<u>250</u>	OPPOSITION to MOTION in Limine to Preclude Guilt Assuming Hypotheticals <i>with declaration and exhibits</i> <u>221</u> filed by Plaintiff USA as to Defendant Yaroslav Proshak, Sharetta Wallace, David Pustilnikov, and Emilia Zverev. (Quintero, Blanca) (Entered: 07/27/2015)
07/27/2015	<u>251</u>	OPPOSITION to MOTION in Limine to Exclude Anonymous Hotline and Complaints <i>with declaration and exhibits</i> <u>220</u> filed by Plaintiff USA as to Defendant Yaroslav Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia Zverev. (Srivastava, Ritesh) (Entered: 07/27/2015)
07/27/2015	<u>252</u>	OPPOSITION to MOTION in Limine to Exclude Alleged Kickback Evidence <u>223</u> filed by Plaintiff USA as to Defendant Yaroslav Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia Zverev. (Medick, Fred) (Entered: 07/27/2015)
07/27/2015	<u>253</u>	OPPOSITION to Joint MOTION in Limine to Exclude IMPROPER EVIDENCE OR ARGUMENT CONCERNING THE "MEDICAL NECESSITY" STANDARD AND EXCLUDE LAY OPINION TESTIMONY REGARDING MEDICAL NECESSITY <u>232</u> filed by Plaintiff USA as to Defendant Defendant Yaroslav Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia Zverev. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit)(Srivastava, Ritesh) (Entered: 07/27/2015)
07/28/2015	<u>254</u>	PROPOSED VOIR DIRE QUESTIONS filed by Plaintiff Emilia E Zverev as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta

		Michelle Wallace, David Pustilnikov, Emilia E Zverev (Khojayan, Shaun) (Entered: 07/28/2015)
07/28/2015	<u>255</u>	OPPOSITION to Joint NOTICE OF MOTION AND MOTION to Dismiss Case <u>236</u> filed by Plaintiff USA as to Defendant Yaroslav Proshak, Sharetta Wallace, David Pustilnikov, and Emilia Zverev. (Quintero, Blanca) (Entered: 07/28/2015)
07/28/2015	<u>256</u>	NOTICE of SAMPLE PHYSICIAN'S CERTIFICATION STATEMENT IN SUPPORT OF DEFENDANTS OPPOSITION TO GOVERNMENTS MOTION IN LIMINE TO EXCLUDE EVIDENCE RELATED TO 42 C.F.R§ 410.40, ET SEQ. filed by Plaintiff Emilia E Zverev as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev , Re: Opposition to Motion (CR) <u>244</u> (Khojayan, Shaun) (Entered: 07/28/2015)
07/28/2015	<u>257</u>	RESPONSE to Notice (Other), <u>235</u> ,filed by Plaintiff USA as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Medick, Fred) (Entered: 07/28/2015)
07/28/2015	<u>261</u>	EXHIBIT A filed by Defendant Emilia E Zverev in support of Defendants' Motion to Dismiss for Prosecutorial Misconduct. (shb) (Entered: 07/30/2015)
07/29/2015	<u>259</u>	PROPOSED VOIR DIRE QUESTIONS filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Quintero, Blanca) (Entered: 07/29/2015)
07/29/2015	<u>260</u>	JOINT STATEMENT OF THE CASE filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Quintero, Blanca) (Entered: 07/29/2015)
07/30/2015	<u>262</u>	WITNESS LIST filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Quintero, Blanca) (Entered: 07/30/2015)
07/30/2015	<u>263</u>	TRIAL BRIEF filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Quintero, Blanca) (Entered: 07/30/2015)
07/30/2015	<u>264</u>	EXHIBIT LIST filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Medick, Fred) (Entered: 07/30/2015)
07/31/2015	<u>265</u>	PROPOSED JURY INSTRUCTIONS (Annotated set) filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Attachments: # <u>1</u> Supplement Government's Proposed Jury Instructions and Objections, # <u>2</u> Supplement Defendants' Proposed Jury Instructions and Objections)(Medick, Fred) (Entered: 07/31/2015)
07/31/2015	<u>266</u>	PROPOSED JURY VERDICT filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Quintero, Blanca) (Entered: 07/31/2015)
08/02/2015	<u>267</u>	

		JOINT TRIAL WITNESS ESTIMATE FORM filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Quintero, Blanca) (Entered: 08/02/2015)
08/03/2015	<u>268</u>	EXHIBIT LIST filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Medick, Fred) (Entered: 08/03/2015)
08/04/2015	<u>273</u>	MINUTES OF JURY TRIAL - BEGUN (Jury Impanelment) - 1st Day held before Judge S. James Otero: Jury selection begun as to Defendant Steven Proshak (1) on Count 1s,1,2s-6s,2-6 and Sharetta Michelle Wallace (3) on Count 1,1s,2-6,2s-6s and David Pustilnikov (4) on Count 1,2-6 and Emilia E Zverev (5) on Count 1,2-6. Jury empaneled and sworn. Jury Trial continued to 8/5/2015 08:30 AM. The Motion to Dismiss Case Filed by Defendant Steven Proshak <u>236</u> remains submitted. The Court indicates that all motions are joined by all other defendants unless there's a particular defendant that indicates otherwise.Hearing on Motions in Limine:Motion in Limine to Exclude Testimony of Kathy Montoya Filed by Defendant (3) Sharetta Michelle Wallace <u>222</u> . Denied. Motion in Limine to Exclude Evidence of Phone Calls Between Defendants after theIndictment Period Filed by Defendant Sharetta Michelle Wallace <u>224</u> . Denied.Motion in Limine to Exclude Anonymous Hotline and Complaints with Declaration and Exhibits Filed by Defendant (5) Emilia E Zverev <u>220</u> . Granted in part and Denied in part. Motion in Limine to Preclude Guilt Assuming Hypotheticals with Declaration and Exhibits Filed by (5) Emilia E Zverev <u>221</u> . The Court indicates that the defendants are asking the Court to sustain a blanket objection to any hypothetical question counsel would ask of any witness that assumes or suggests any of the defendants' guilt. Defendant's counsel indicates that the intention was only towards character witnesses. The Court refers to a Ninth Circuit ruling and has indicated that hypothetical questions that assume or suggest the defendant's guilt are inappropriate if asked of character witnesses.Motion in Limine to Exclude Alleged Kickback Evidence Filed by Defendant Sharetta Michelle Wallace <u>223</u> . Denied.Motion in Limine to Exclude Testimony by Sergey Mumjian That Defendants or EmiliaZverev "Know All Medicare Guidelines" and Defendants or Emilia Zverev "May HaveBeen" Aware of Patient's Behavior When Being Transported Filed by Defendant Steven Proshak <u>225</u> . The Court defers ruling until the appropriate time at trial.MOTION in Limine Requesting an Order Compelling the Government to Grant Use Immunity to Dr. Michele Freeman and Dr. Firooz Pak Filed by Plaintiff Emilia E Zverev <u>215</u> . The Court defers ruling.Motion in Limine to Exclude Improper Evidence or Argument Concerning the "Medical Necessity" Standard and Exclude Lay Opinion Testimony Regarding Medical Necessity Filed by Defendant Steven Proshak <u>232</u> . Denied.Motion in Limine to Exclude Certain Anticipated Defense Evidence Filed by USA <u>226</u> . Granted in part and Denied in part.Motion in Limine to Exclude Evidence Related to 42 C.F.R. 410.40, et seq filed by USA <u>227</u> . Granted in part and Denied in part. Motion in Limine to Preclude Evidence or Argument Regarding Defendants Zverev and Pustilnikov's Employment at Prospective Ambulance Filed by USA <u>228</u> . Granted.Motion in Limine to Preclude Evidence or Argument of Defendants' (1) Family Circumstances and (2) Medical Conditions Filed by USA <u>229</u> . The

		Government's motion is Denied without prejudice to renew.Motion in Limine Requesting Compel the Government to Grant Use Immunity to Dr. Michele Freeman and Dr. Firooz Pak or in the Alternative Grant Defense Witness Immunity Filed by Defendant Emilia E Zverev <u>230</u> . Ruling deferred.Motion in Limine to Preclude Defendants' Noticed Preferred Expert Witness Testimony of Ellen Barry, Esq. And Wayne H. Van Halem Filed by USA <u>231</u> . The Court defers ruling until the appropriate time. (SEE DOCUMENT FOR OTHER SPECIFICS).Court Reporter: Carol Zurborg. (lc) (Entered: 08/12/2015)
08/05/2015	<u>274</u>	MINUTES OF Jury Trial - 2nd Day held before Judge S. James Otero as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev: Opening statements made. Witnesses called, sworn and testified. Exhibits identified and admitted. Jury Trial continued for 8/6/2015 08:30 AM. Court Reporter: Carol Zurborg. (lc) (Entered: 08/12/2015)
08/06/2015	<u>275</u>	MINUTES OF Jury Trial - 3rd Day held before Judge S. James Otero as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev: Witnesses called, sworn and testified. Exhibits identified and admitted. Jury Trial continued to 8/7/2015 08:30 AM. Court Reporter: Carol Zurborg. (lc) (Entered: 08/12/2015)
08/07/2015	<u>276</u>	MINUTES OF Jury Trial - 4th Day held before Judge S. James Otero as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev: Witnesses called, sworn and testified. Exhibits identified and admitted. Jury Trial continued to 8/10/2015 10:00 AM. Court Reporter: Carol Zurborg. (lc) (Entered: 08/12/2015)
08/10/2015	<u>277</u>	MINUTES OF Jury Trial - 5th Day held before Judge S. James Otero as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev: Witnesses called, sworn and testified. Exhibits identified and admitted. Motion for mistrial by ALL DEFENDANTS is Denied. Jury Trial continued to 8/11/2015 08:30 AM. (SEE DOCUMENT FOR OTHER SPECIFICS).Court Reporter: Carol Zurborg. (lc) (Entered: 08/12/2015)
08/11/2015	<u>271</u>	NOTICE of Notice Related to Anticipated Defense Witnesses Michele Freeman and Firooz Pak filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Medick, Fred) (Entered: 08/11/2015)
08/11/2015	<u>272</u>	MOTION TO RECONSIDER MOTION TO DISMISS INDICTMENT (DOCUMENT 157) re MOTION to Dismiss Case <u>157</u> filed by Defendant (Steven Proshak #1), (Sharetta Michele Wallace #3), (David Pustilnikov #4), (Emilia E. Zverev #5),. (Khojayan, Shaun) Modified on 8/14/2015 (lc). (Entered: 08/11/2015)
08/11/2015	<u>278</u>	MINUTES OF Jury Trial - 6th Day held before Judge S. James Otero as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev: Witnesses called, sworn and testified. Exhibits identified and admitted. Jury Trial continued to for 8/12/2015 08:30 AM. Court Reporter: Carol Zurborg. (lc) (Entered: 08/12/2015)
08/12/2015	<u>280</u>	

		MINUTES OF Jury Trial - 7th Day held before Judge S. James Otero as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev: Witnesses called, sworn and testified. Exhibits identified and admitted. The Court denies Defendant (5) Zverev motion for mistrial. The Court grants the governments request to change Defendants exhibit #1010 into Governments exhibit 69. The Court Orders said exhibit placed in camera under-seal to be maintained by the Clerks office. Following the Government indicating that it has rested, the Court reserves ruling on all defendants Rule 29 motions. Jury Trial continued to 8/13/2015 08:30 AM. Court Reporter: Carol Zurborg. (lc) (Entered: 08/13/2015)
08/13/2015	<u>281</u>	PROPOSED JURY INSTRUCTIONS (Annotated set) filed by Plaintiff Emilia E Zverev as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Khojayan, Shaun) (Entered: 08/13/2015)
08/13/2015	<u>285</u>	MINUTES OF Jury Trial - 9th Day held before Judge S. James Otero as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev: Witnesses called, sworn and testified. Exhibits identified and admitted. The Court Denies the Rule 29 Motion for Acquittal as to defendants (1) Proshak, (3) Wallace and Zverev. The Court reserves ruling on (2) Pustilnokovs Rule 29 Motion for Acquittal <u>272</u> . The Court Denies the Motion to Reconsider <u>272</u> , joined by all defendants. Motion re Witness Tampering <u>236</u> stands submitted. The Court Orders counsel to meet and confer regarding jury instructions and to refile a new set consistent with this Courts rulings. Jury continued to 8/14/2015 8:30 AM. Jury Trial set for 8/14/2015 08:30 PM before Judge S. James Otero.) Court Reporter: Carol Zurborg. (lc) (Entered: 08/14/2015)
08/14/2015	<u>283</u>	TRANSCRIPT filed as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8-05-15 10:22 a.m. Court Reporter: Carol Jean Zurborg, phone number 213-894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 9/4/2015. Redacted Transcript Deadline set for 9/14/2015. Release of Transcript Restriction set for 11/12/2015.(Zurborg, Carol) (Entered: 08/14/2015)
08/14/2015	<u>284</u>	NOTICE OF FILING TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings 8/5/15 10:22 a.m. re Transcript <u>283</u> THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(Zurborg, Carol) TEXT ONLY ENTRY (Entered: 08/14/2015)
08/14/2015	<u>287</u>	MINUTES OF Jury Trial - 9th Day held before Judge S. James Otero as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev: Witnesses called, sworn and testified. Exhibits identified and admitted. The Court Denies defendants oral motion for mistrial. Jury Trial

		continued to 8/17/2015 11:00 AM. Court Reporter: Carol Zurborg. (lc) (Entered: 08/17/2015)
08/16/2015	<u>286</u>	JURY INSTRUCTIONS filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Quintero, Blanca) (Entered: 08/16/2015)
08/17/2015	<u>289</u>	PROPOSED JURY INSTRUCTIONS (Clean set) filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Quintero, Blanca) (Entered: 08/17/2015)
08/17/2015	<u>290</u>	PROPOSED JURY VERDICT filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev (Quintero, Blanca) (Entered: 08/17/2015)
08/17/2015	<u>291</u>	MINUTES OF Jury Trial - 10th Day held before Judge S. James Otero as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev. Closing arguments made. Baliff sworn. Jury retires to deliberate. The Court Denies the Motion for Acquittal (Rule 29 Motion for Judgment of Acquittal) Filed by Defendant David Pustilnikov 279 . The Court Denies Defendants oral Rule 29 motion as to all elements, of all counts. The Court Denies the MOTION to Dismiss Case Filed by Plaintiff Steven Proshak <u>236</u> . Jury Trial continued to 8/18/2015 09:00 AM. Court Reporter: Carol Zurborg. (lc) (Entered: 08/18/2015)
08/18/2015	<u>292</u>	MINUTES OF Jury Trial - 11th Day held before Judge S. James Otero as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev. The Court and Counsel confer regarding jury notes 1, 2, and 3. The Court Denies Defendants' oral motion for mistrial. Jury polled. Verdict reached. Jury finds: Steven Proshak (1) Guilty on Count 1s, 2s-6s, inclusive, as to First Superseding Indictment and Sharetta Michelle Wallace (3) Guilty on Count 1s, 2s-6s, inclusive, as to the First Superseding Indictment and Emilia E Zverev (5) Guilty on Count 1, 2-6, inclusive, as to First Superseding Indictment. David Pustilnikov (4) Not Guilty on Count 1, 2-6, inclusive, as to First Superseding Indictment. The Court sets the sentencing date as to defendant (1) Steven Proshak on Monday, November 23, 2015 @ 9:00 a.m. Sentencing positions shall be filed by November 9, 2015. The Court sets the sentencing date as to defendants (3) Sharetta Michelle Wallace and (5) Emilia E Zverev on Monday, November 30, 2015 @ 9:00 a.m. Sentencing positions shall be filed by November 16, 2015. The Court grants the defendants' request to hear all post-trial motions on the date of their respective sentencing. The Court Orders the Clerk to issue a Judgment of Discharge and to exonerate the bond as to defendant (4) David Pustilnikov. The Court Denies the Defendants' Motion to Reconsider Motion to Dismiss Indictment <u>272</u> . The Court Orders that the government maintain control of all trial exhibits pending appeal. Court Reporter: Carol Zurborg. (es) (Entered: 08/19/2015)
08/18/2015	<u>304</u>	REDACTED Jury Note (Number: 2) filed (lc) (Entered: 09/01/2015)
08/18/2015	<u>305</u>	UNREDACTED JURY NOTE 2 filed re: Jury Notes 2 <u>304</u> (lc) (Entered: 09/01/2015)

08/18/2015	<u>306</u>	REDACTED Jury Note (Number: 3) filed (lc) (Entered: 09/01/2015)
08/18/2015	<u>307</u>	UNREDACTED JURY NOTE 3 filed re: Jury Notes 3 <u>306</u> (lc) (Entered: 09/01/2015)
08/18/2015	<u>308</u>	GOVERNMENT TRIAL WITNESS LIST filed (lc) (Entered: 09/01/2015)
08/18/2015	<u>309</u>	GOVERNMENT TRIAL EXHIBIT LIST filed (lc) (Entered: 09/01/2015)
08/18/2015	<u>312</u>	REDACTED JURY VERDICT as to Emilia E Zverev (5) Guilty on Count 1,2-6. (lc) (Entered: 09/01/2015)
08/18/2015	<u>313</u>	UNREDACTED JURY VERDICT filed as to Defendant Emilia E Zverev re: Jury Verdict <u>312</u> (lc) (Entered: 09/01/2015)
08/26/2015	<u>295</u>	PARTIAL TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8/4/15 3:32 p.m. Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 9/16/2015. Redacted Transcript Deadline set for 9/28/2015. Release of Transcript Restriction set for 11/24/2015.(Zurborg, Carol) (Entered: 08/26/2015)
08/26/2015	<u>296</u>	PARTIAL TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8/5/15 10:22 a.m. Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 9/16/2015. Redacted Transcript Deadline set for 9/28/2015. Release of Transcript Restriction set for 11/24/2015.(Zurborg, Carol) (Entered: 08/26/2015)
08/26/2015	<u>297</u>	PARTIAL TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8/5/15 4:01 p.m. Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 9/16/2015. Redacted Transcript Deadline set for 9/28/2015. Release of Transcript Restriction set for 11/24/2015.(Zurborg, Carol) (Entered: 08/26/2015)
08/26/2015	<u>298</u>	PARTIAL TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8/6/15 2:21 p.m. Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript

		Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 9/16/2015. Redacted Transcript Deadline set for 9/28/2015. Release of Transcript Restriction set for 11/24/2015.(Zurborg, Carol) (Entered: 08/26/2015)
08/26/2015	299	NOTICE OF FILING TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings 8/4/15, 8/5/15, 8/5/15, 8/6/15 re Transcript <u>298</u> , <u>297</u> , <u>296</u> , <u>295</u> THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (Zurborg, Carol) TEXT ONLY ENTRY (Entered: 08/26/2015)
08/28/2015	<u>303</u>	UNREDACTED JURY NOTE 1 Filed re: Jury Notes 1 <u>302</u> (lc) (Entered: 09/01/2015)
09/14/2015	<u>321</u>	OPPOSITION to NOTICE OF MOTION AND MOTION to Dismiss Case NOTICE OF MOTION AND MOTION for New Trial 318 (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit)(Srivastava, Ritesh) (Entered: 09/14/2015)
09/14/2015	<u>323</u>	PARTIAL TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8/17/15 11:09 a.m. Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 10/5/2015. Redacted Transcript Deadline set for 10/15/2015. Release of Transcript Restriction set for 12/14/2015.(Zurborg, Carol) (Entered: 09/14/2015)
09/14/2015	324	NOTICE OF FILING TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings 8/17/15 11:09 a.m. re Transcript <u>323</u> THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(Zurborg, Carol) TEXT ONLY ENTRY (Entered: 09/14/2015)
10/23/2015	<u>332</u>	EX PARTE APPLICATION to Continue Defendants Steven Proshak, Sharetta Wallace and Emilia Zverev's Sentencing Hearings from November 23 and 30, 2015 to January 6, 2016. Filed by Plaintiff Emilia E Zverev as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev. (Attachments: # <u>1</u> Proposed Order) (Khojayan, Shaun) (Entered: 10/23/2015)
10/23/2015	<u>333</u>	PARTIAL TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8/5/15 8:52 a.m. Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due

		11/13/2015. Redacted Transcript Deadline set for 11/23/2015. Release of Transcript Restriction set for 1/21/2016.(Zurborg, Carol) (Entered: 10/23/2015)
10/23/2015	<u>334</u>	PARTIAL TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8/7/15 8:32 a.m. Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 11/13/2015. Redacted Transcript Deadline set for 11/23/2015. Release of Transcript Restriction set for 1/21/2016.(Zurborg, Carol) (Entered: 10/23/2015)
10/23/2015	<u>335</u>	PARTIAL TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8/7/15 1:01 p.m. Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 11/13/2015. Redacted Transcript Deadline set for 11/23/2015. Release of Transcript Restriction set for 1/21/2016.(Zurborg, Carol) (Entered: 10/23/2015)
10/23/2015	<u>336</u>	PARTIAL TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8/17/15 11:09 a.m. Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 11/13/2015. Redacted Transcript Deadline set for 11/23/2015. Release of Transcript Restriction set for 1/21/2016.(Zurborg, Carol) (Entered: 10/23/2015)
10/23/2015	<u>337</u>	NOTICE OF FILING TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings 8/5/15, 8/7/15, 8/7/15, 8/17/15 re Transcript <u>334</u> , <u>335</u> , <u>333</u> , <u>336</u> THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (Zurborg, Carol) TEXT ONLY ENTRY (Entered: 10/23/2015)
10/26/2015	<u>338</u>	RESPONSE to EX PARTE APPLICATION to Continue Defendants Steven Proshak, Sharetta Wallace and Emilia Zverev's Sentencing Hearings from November 23 and 30, 2015 to January 6, 2016. <u>332</u> , filed by Plaintiff USA as to Defendant Steven Proshak, Sharetta Michelle Wallace, Emilia E Zverev (Quintero, Blanca) (Entered: 10/26/2015)
10/28/2015	<u>339</u>	REQUEST to allow the Defendant to Travel to Russia. Filed by Plaintiff Sergey Alekseyevich Mumjian as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev. (Attachments: # <u>1</u> Proposed Order) (Braun, Adam) (Entered: 10/28/2015)
10/31/2015	<u>340</u>	

		ORDER DENYING [332 DEFENDANTS EX PARTE APPLICATION TO CONTINUE THE SENTENCING HEARINGS FOR STEVEN PROSHAK, SHARETTA WALLACE AND EMILIA E. ZVEREV by Judge S. James Otero (lc) (Entered: 11/02/2015)
10/31/2015	<u>341</u>	ORDER by Judge S. James Otero: granting <u>339</u> EX PARTE APPLICATION to Allow Travel to Sochi, Russia, as to defendant Sergey Alekseyevich Mumjian (2) sometime in November 2015. Defendant Mumjian is ordered to provide to Pretrial Services his detailed itinerary prior to departure. Additionally, it is ordered that his passport shall be returned to him for travel, and then surrendered upon his return. Finally, defendant is required to arrange for his wife and his two children to leave their passports in the custody of defense counsel until Defendant has returned from his approved trip. (lc) (Entered: 11/02/2015)
11/16/2015	<u>345</u>	SENTENCING MEMORANDUM filed by Defendant Emilia E Zverev (Khojayan, Shaun) (Entered: 11/16/2015)
11/16/2015	<u>346</u>	SENTENCING MEMORANDUM filed by Plaintiff USA as to Defendant Emilia E Zverev (Attachments: # <u>1</u> Exhibit)(Medick, Fred) (Entered: 11/16/2015)
11/16/2015	<u>348</u>	OBJECTION TO PRESENTENCE INVESTIGATION REPORT filed by Defendant Emilia E Zverev (Khojayan, Shaun) (Entered: 11/16/2015)
11/23/2015	<u>351</u>	SCHEDULING NOTICE OF CONTINUATION OF SENTENCING by Judge S. James Otero as to Defendant Sharetta Michelle Wallace, Emilia E Zverev. On the Court's own motion and with the consent of defendants' counsel, the Sentencing hearings set for 11/30/15 are continued to Wednesday, 12/2/2015 @ 09:00 AM before Judge S. James Otero. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(vcr) TEXT ONLY ENTRY (Entered: 11/23/2015)
11/25/2015	<u>358</u>	SUPPLEMENTAL INFORMATION filed by Defendant Emilia E Zverev <i>Psychological Evaluation of Emilia E. Zverev in Support of Sentencing</i> (Khojayan, Shaun) (Entered: 11/25/2015)
11/25/2015	<u>361</u>	RESPONSE to Sentencing Memorandum <u>345</u> , filed by Plaintiff USA as to Defendant Emilia E Zverev (Medick, Fred) (Entered: 11/25/2015)
11/25/2015	<u>362</u>	RESPONSE to Objection to Presentence Investigation Report <u>348</u> , filed by Plaintiff USA as to Defendant Emilia E Zverev (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit 1)(Medick, Fred) (Entered: 11/25/2015)
11/27/2015	<u>363</u>	JOINDER filed by Plaintiff Emilia E Zverev as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev joining in Response (Non-Motion) 352 . (Khojayan, Shaun) (Entered: 11/27/2015)
11/30/2015	<u>365</u>	DECLARATION of Dr. Matthew G. Mercurio, PhD filed by Defendant Emilia E Zverev RE: Sentencing Memorandum <u>345</u> , Objection to Presentence Investigation Report <u>348</u> (Khojayan, Shaun) (Entered: 11/30/2015)
12/02/2015	<u>370</u>	

		<p>MINUTES OF SENTENCING Hearing held before Judge S. James Otero as to Defendant Emilia E Zverev (5), Count(s) 1, 2-6, Bureau of Prisons for a term 36 months on Counts 1, 2, 3, 4, 5, and 6 of the First Superseding Indictment. This term consists of 36 months on each of Counts 1, 2, 3, 4, 5, and 6 all to be served concurrently. Supervised release for a term of 3 years. This term consists of three years on each of Counts 1, 2, 3, 4, 5, and 6 of the First Superseding Indictment, all such terms to run concurrently under United States Probation Office General Order 05-02, and General Order 01-05, including the three special conditions delineated in General Order 01-05. Pay the United States Special assessment of 600.00 due immediately. Defendant shall pay restitution in the total amount of \$804,755.00, to victims as set forth in a separate confidential victim list. Interest on restitution waived.. A partial payment of \$ 5,000 shall be paid immediately. The defendant shall be held jointly and severally liable with co-participants Yaroslav Proshak. Sharetta Michele Wallace, and Sergey Alekseyevich Mumjian. Interest on restitution waived. All fines waived. In the interest of justice the Court dismisses the underlying indictment as to this defendant only. The Court Orders the bond exonerated. The Court Orders that the defendants passport shall be returned by pretrial services to defendants daughter Michelle Zverev. The Court Orders the defendant remanded into the custody of the U.S. Marshal forthwith. Clerk issues to U. S. Marshal remand order # D 9823. Court advises the Defendant of her right to appeal. Court Reporter: Carol Zuborg. (lc) (Entered: 12/04/2015)</p>
<p>12/02/2015</p>	<p><u>371</u></p>	<p>JUDGMENT AND COMMITMENT by Judge S. James Otero as to Defendant Emilia E Zverev (5). Count(s) 1, 2-6, Bureau of Prisons for a term 36 months on Counts 1, 2, 3, 4, 5, and 6 of the First Superseding Indictment. This term consists of 36 months on each of Counts 1, 2, 3, 4, 5, and 6 all to be served concurrently. Supervised release for a term of 3 years. This term consists of three years on each of Counts 1, 2, 3, 4, 5, and 6 of the First Superseding Indictment, all such terms to run concurrently under United States Probation Office General Order 05-02, and General Order 01-05, including the three special conditions delineated in General Order 01-05. Pay the United States Special assessment of 600.00 due immediately. Defendant shall pay restitution in the total amount of \$804,755.00, to victims as set forth in a separate confidential victim list. Interest on restitution waived.. A partial payment of \$ 5,000 shall be paid immediately. The defendant shall be held jointly and severally liable with co-participants Yaroslav Proshak. Sharetta Michele Wallace, and Sergey Alekseyevich Mumjian. Interest on restitution waived. All fines waived. In the interest of justice the Court dismisses the underlying indictment as to this defendant only. The Court Orders the bond exonerated. The Court Orders that the defendants passport shall be returned by pretrial services to defendants daughter Michelle Zverev. The Court Orders the defendant remanded into the custody of the U.S. Marshal forthwith. Clerk issues to U. S. Marshal remand order # D 9823. Court advises the Defendant of her right to appeal. (lc) (Entered: 12/04/2015)</p>
<p>12/02/2015</p>	<p><u>383</u></p>	<p>AMENDED JUDGMENT AND COMMITMENT (AMENDED AS TO THE FINDINGS PORTION OF THIS JUDGMENT IS CORRECTED TO REFLECT THAT DEFENDANT WAS CONVICTED AS TO THE FIRST SUPERSEDING INDICTMENT) <u>371</u> by Judge S. James Otero as to</p>

		Defendant Emilia E Zverev (5). Count(s) 1, 2-6, Bureau of Prisons for a term 36 months on Counts 1, 2; 3, 4, 5, and 6 of the First Superseding Indictment. This term consists of 36 months on each of Counts 1, 2, 3, 4, 5, and 6 all to be served concurrently. Supervised release for a term of 3 years. This term consists of three years on each of Counts 1, 2, 3, 4, 5, and 6 of the First Superseding Indictment, all such terms to run concurrently under United States Probation Office General Order 05-02, and General Order 01-05, including the three special conditions delineated in General Order 01-05. Pay the United States Special assessment of 600.00 due immediately. Defendant shall pay restitution in the total amount of \$804,755.00, to victims as set forth in a separate confidential victim list. Interest on restitution waived.. A partial payment of \$ 5,000 shall be paid immediately. The defendant shall be held jointly and severally liable with co-participants Yaroslav Proshak. Sharetta Michele Wallace, and Sergey Alekseyevich Mumjian. Interest on restitution waived. All fines waived. In the interest of justice the Court dismisses the underlying indictment as to this defendant only. The Court Orders the bond exonerated. The Court Orders that the defendants passport shall be returned by pretrial services to defendants daughter Michelle Zverev. The Court Orders the defendant remanded into the custody of the U.S. Marshal forthwith. Clerk issues to U. S. Marshal remand order # D 9823. Court advises the Defendant of her right to appeal. (lc) (Entered: 12/09/2015)
12/07/2015	<u>379</u>	NOTICE OF APPEAL to Appellate Court filed by Defendant Emilia E Zverev re Judgment and Commitment,,,,, <u>371</u> . Filing fee WAIVED. (Khojayan, Shaun) (Entered: 12/07/2015)
12/08/2015	<u>381</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 15-50535 as to Defendant Emilia E Zverev, 9th CCA regarding Notice of Appeal to USCA - Final Judgment <u>379</u> . (car) (Entered: 12/08/2015)
12/18/2015	<u>392</u>	NOTICE OF MOTION AND MOTION for Bond Pending Appeal Filed by Defendant Emilia E Zverev. Motion set for hearing on 1/19/2016 at 09:00 AM before Judge S. James Otero. (Attachments: # <u>1</u> Proposed Order) (Khojayan, Shaun) (Entered: 12/18/2015)
12/28/2015	<u>395</u>	DESIGNATION OF RECORD ON APPEAL filed by Defendant Emilia E Zverev re Notice of Appeal to USCA - Final Judgment <u>379</u> (Khojayan, Shaun) (Entered: 12/28/2015)
12/28/2015	<u>398</u>	OPPOSITION to NOTICE OF MOTION AND MOTION for Bond Pending Appeal <u>392</u> filed by Plaintiff USA as to Defendant Emilia Zverev. (Quintero, Blanca) (Entered: 12/28/2015)
01/06/2016	400	SCHEDULING NOTICE by Judge S. James Otero as to Defendant Emilia E Zverev. The Court finds the following motion suitable for disposition without oral argument and vacates the hearing MOTION for Bond Pending Appeal Filed by Defendant Emilia E Zverev <u>392</u> , set for hearing on January 19, 2016. No appearance is required. The briefing schedule remains as set by Local Rule. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(vcr) TEXT ONLY ENTRY (Entered: 01/06/2016)
01/06/2016	<u>401</u>	

		TRANSCRIPT ORDER re: Court of Appeal case number 15-50549, as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for Court Reporter. Order for: Criminal Appeal. Criminal case appeal. 60 day deadline automatically set. Court will contact Bryan Altman at bryan@altmanlawgroup.net with any questions regarding this order. Transcript preparation will not begin until payment has been satisfied with the court reporter.(Altman, Bryan) (Entered: 01/06/2016)
01/19/2016	<u>409</u>	MINUTES (IN CHAMBERS) by Judge S. James Otero: DENYING <u>392</u> MOTION for Bond Pending Appeal as to Emilia E Zverev (5) (shb) (Entered: 01/20/2016)
01/25/2016	<u>411</u>	EX PARTE APPLICATION to Continue Sentencing from February 8, 2016 to March 21, 2016. Filed by Plaintiff Sergey Alekseyevich Mumjian as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev. (Attachments: # <u>1</u> Proposed Order to Continue Sentencing) (Braun, Adam) (Entered: 01/25/2016)
02/26/2016	<u>415</u>	TRANSCRIPT filed as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8/4/15 10:16 a.m. TRIAL DAY 1 Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 3/18/2016. Redacted Transcript Deadline set for 3/28/2016. Release of Transcript Restriction set for 5/26/2016.(Zurborg, Carol) (Entered: 02/26/2016)
02/26/2016	<u>416</u>	TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8/5/15 8:33 a.m. TRIAL DAY 2 Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 3/18/2016. Redacted Transcript Deadline set for 3/28/2016. Release of Transcript Restriction set for 5/26/2016.(Zurborg, Carol) (Entered: 02/26/2016)
02/26/2016	<u>417</u>	TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8/6/15 8:30 a.m. TRIAL DAY 3 Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 3/18/2016. Redacted Transcript Deadline set for 3/28/2016. Release of Transcript Restriction set for 5/26/2016.(Zurborg, Carol) (Entered: 02/26/2016)
02/26/2016	<u>418</u>	TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8/7/15

		8:30 a.m. TRIAL DAY 4 Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 3/18/2016. Redacted Transcript Deadline set for 3/28/2016. Release of Transcript Restriction set for 5/26/2016.(Zurborg, Carol) (Entered: 02/26/2016)
02/26/2016	<u>419</u>	TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8/10/15 10:04 a.m. TRIAL DAY 5 Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 3/18/2016. Redacted Transcript Deadline set for 3/28/2016. Release of Transcript Restriction set for 5/26/2016.(Zurborg, Carol) (Entered: 02/26/2016)
02/26/2016	<u>420</u>	TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8/11/15 8:32 a.m. TRIAL DAY 6 Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 3/18/2016. Redacted Transcript Deadline set for 3/28/2016. Release of Transcript Restriction set for 5/26/2016.(Zurborg, Carol) (Entered: 02/26/2016)
02/26/2016	<u>421</u>	TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8/12/15 8:40 a.m. TRIAL DAY 7 Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 3/18/2016. Redacted Transcript Deadline set for 3/28/2016. Release of Transcript Restriction set for 5/26/2016.(Zurborg, Carol) (Entered: 02/26/2016)
02/26/2016	<u>422</u>	TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8/13/15 8:40 a.m. TRIAL DAY 8 Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 3/18/2016. Redacted Transcript Deadline set for 3/28/2016. Release of Transcript Restriction set for 5/26/2016.(Zurborg, Carol) (Entered: 02/26/2016)
02/26/2016	<u>423</u>	TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8/14/15 8:37 a.m. TRIAL DAY 9 Court Reporter: Carol Jean Zurborg, phone number

		(213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 3/18/2016. Redacted Transcript Deadline set for 3/28/2016. Release of Transcript Restriction set for 5/26/2016.(Zurborg, Carol) (Entered: 02/26/2016)
02/26/2016	<u>424</u>	TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8/17/15 11:02 a.m. TRIAL DAY 10 Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 3/18/2016. Redacted Transcript Deadline set for 3/28/2016. Release of Transcript Restriction set for 5/26/2016.(Zurborg, Carol) (Entered: 02/26/2016)
02/26/2016	<u>425</u>	TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on 8/18/15 9:19 a.m. TRIAL DAY 11 Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 3/18/2016. Redacted Transcript Deadline set for 3/28/2016. Release of Transcript Restriction set for 5/26/2016.(Zurborg, Carol) (Entered: 02/26/2016)
02/26/2016	426	NOTICE OF FILING TRANSCRIPT filed as to Defendant Steven Proshak, Sergey Alekseyevich Mumjian, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings 8/4/15, 8/5/15, 8/6/15, 8/7/15, 8/10/15, 8/11/15, 8/12/15, 8/13/15, 8/14/15, 8/17/15, 8/18/15 re Transcript <u>418</u> , <u>417</u> , <u>419</u> , <u>415</u> , <u>416</u> , <u>420</u> , <u>423</u> , <u>424</u> , <u>421</u> , <u>422</u> , <u>425</u> THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(Zurborg, Carol) TEXT ONLY ENTRY (Entered: 02/26/2016)
02/29/2016	<u>427</u>	TRANSCRIPT filed as to Defendant Sharetta Michelle Wallace, Emilia E Zverev for proceedings held on 12/2/15 9:24 a.m. Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 3/21/2016. Redacted Transcript Deadline set for 3/31/2016. Release of Transcript Restriction set for 5/31/2016.(Zurborg, Carol) (Entered: 02/29/2016)
02/29/2016	428	NOTICE OF FILING TRANSCRIPT filed as to Defendant Sharetta Michelle Wallace, Emilia E Zverev for proceedings 12/2/15 9:24 a.m. re Transcript <u>427</u> THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (Zurborg, Carol) TEXT ONLY ENTRY (Entered: 02/29/2016)
03/03/2016	<u>429</u>	TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings held on

		3/26/2014 at 8:55 a.m. ****Transcript may be viewed at the court public terminal or purchased through Court Reporter DEBBIE HINO-SPAAN at: WEBSITE www.debbiehinospaan.com; E-mail, dhinospaan@yahoo.com before the deadline for Release of Transcript restriction. After that date, it may be obtained from the Court Reporter or through PACER. Additional formats of the transcript (ASCII, Condensed, and Word Indexing/Concordance) are also available to be purchased at any time through the Court Reporter. Notice of Intent to Redact due within 7 days of this date.** Redaction Request due 3/24/2016. Redacted Transcript Deadline set for 4/4/2016. Release of Transcript Restriction set for 6/1/2016.(dhs) (Entered: 03/03/2016)
03/03/2016	430	NOTICE OF FILING TRANSCRIPT filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, David Pustilnikov, Emilia E Zverev for proceedings 3/26/2014 at 8:55 a.m. re Transcript 429 THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(dhs) TEXT ONLY ENTRY (Entered: 03/03/2016)
03/03/2016	431	TRANSCRIPT filed as to Defendant David Pustilnikov, Emilia E Zverev for proceedings held on 6/11/2014 at 9:07 a.m. ****Transcript may be viewed at the court public terminal or purchased through Court Reporter DEBBIE HINO-SPAAN at: WEBSITE www.debbiehinospaan.com; E-mail, dhinospaan@yahoo.com before the deadline for Release of Transcript restriction. After that date, it may be obtained from the Court Reporter or through PACER. Additional formats of the transcript (ASCII, Condensed, and Word Indexing/Concordance) are also available to be purchased at any time through the Court Reporter. Notice of Intent to Redact due within 7 days of this date.** Redaction Request due 3/24/2016. Redacted Transcript Deadline set for 4/4/2016. Release of Transcript Restriction set for 6/1/2016.(dhs) (Entered: 03/03/2016)
03/03/2016	432	NOTICE OF FILING TRANSCRIPT filed as to Defendant David Pustilnikov, Emilia E Zverev for proceedings 6/11/2014 at 9:07 a.m. re Transcript 431 THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.(dhs) TEXT ONLY ENTRY (Entered: 03/03/2016)
03/03/2016	433	NOTICE OF CLERICAL ERROR, as to Defendant David Pustilnikov, Emilia E Zverev: Due to clerical error Re: Notice of Filing Transcript 432 , Transcript (CR),,, 431 (dhs) (Entered: 03/03/2016)
03/03/2016	434	TRANSCRIPT filed as to Defendant Emilia E Zverev for proceedings held on 6/11/2014 at 9:07 a.m. Court Reporter DEBBIE HINO-SPAAN; Website: debbiehinospaan.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Electronic Court Recorder before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 3/24/2016. Redacted Transcript Deadline set for 4/4/2016. Release of Transcript Restriction set for 6/1/2016.(dhs) (Entered: 03/03/2016)
03/03/2016	435	NOTICE OF FILING TRANSCRIPT filed as to Defendant Emilia E Zverev for proceedings 6/11/2014 at 9:07 a.m. re Transcript 434 THERE IS NO PDF

		DOCUMENT ASSOCIATED WITH THIS ENTRY.(dhs) TEXT ONLY ENTRY (Entered: 03/03/2016)
03/04/2016	<u>436</u>	TRANSCRIPT filed as to Defendant Steven Proshak, for proceedings held on 12/7/15 9:01 a.m. Court Reporter: Carol Jean Zurborg, phone number (213) 894-3539. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 3/25/2016. Redacted Transcript Deadline set for 4/4/2016. Release of Transcript Restriction set for 6/2/2016.(Zurborg, Carol) (Entered: 03/04/2016)
10/26/2016	<u>461</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Blanca Quintero counsel for Plaintiff USA. Blanca Quintero is no longer counsel of record for the aforementioned party in this case for the reason indicated in the G-123 Notice. Filed by plaintiff USA. (Quintero, Blanca) (Entered: 10/26/2016)
02/21/2017	<u>464</u>	MEMORANDUM of USCA filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, Emilia E Zverev, CCA #15-50534, 15-50535 and 15-50549. The decision of the District Court is AFFIRMED. (mat) (Entered: 02/22/2017)
03/02/2017	<u>465</u>	ORDER of USCA filed as to Defendant Sharetta Michelle Wallace, Emilia E Zverev, CCA #15-50534, 15-50535. Defendants-Appellants motion for a thirty-day extension of time in which to file a petition for rehearing and rehearing en banc is GRANTED. The petition is due by April 6, 2017. (mat) (Entered: 03/03/2017)
04/11/2017	<u>466</u>	ORDER of USCA filed as to Defendant Steven Proshak, Sharetta Michelle Wallace, Emilia E Zverev, CCA #15-50534, 15-50535, 15-50549. The panel has unanimously voted to deny Defendants-Appellants petition for panel rehearing and rehearing en banc. The petition is DENIED. (car) (Entered: 04/11/2017)
04/19/2017	<u>467</u>	MANDATE of the 9th CCA filed as to Defendants Steven Proshak, Sharetta Michelle Wallace, Emilia E Zverev re Notice of Appeal <u>379</u> , Notice of Appeal 388 , and Notice of Appeal 378 15-50549, CCA #15-50534, and 15-50535. The judgment of the 9th Circuit Court, entered February 21, 2017, takes effect this date. This constitutes the formal mandate of the 9th CCA issued pursuant to Rule41(a) of the Federal Rules of Appellate Procedure. [See USCA MEMORANDUM <u>464</u> AFFIRMED. (mat) (Entered: 04/20/2017)
05/24/2017	<u>468</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Claire Yan counsel for Plaintiff USA. Adding Claire Yan as counsel of record for USA for the reason indicated in the G-123 Notice. Filed by Plaintiff USA. (Yan, Claire) (Entered: 05/24/2017)
05/28/2017	<u>469</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Ritesh K Srivastava counsel for Plaintiff USA. Ritesh Srivastava is no longer counsel of record for the aforementioned party in this case for the reason indicated in the G-123 Notice. Filed by Plaintiff USA. (Srivastava, Ritesh) (Entered: 05/28/2017)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
04/03/2018 13:44:40			
<b>PACER Login:</b>	Odlegal94612:2536794:0	<b>Client Code:</b>	AFU
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	2:13-cr-00264-SJO End date: 4/3/2018
<b>Billable Pages:</b>	28	<b>Cost:</b>	2.80



JENNIFER KENT  
DIRECTOR

State of California—Health and Human Services Agency  
Department of Health Care Services



EDMUND G. BROWN JR.  
GOVERNOR

APR 13 2016

Emilia E. Zverev  
6731 Ventura Canyon  
Van Buren, CA 90247

**Re: Emilia E. Zverev, aka Emiliya Zverev, aka Emiliya Fishman  
Suspension from Medi-Cal Participation  
Biller, Medical Transportation**

Dear Ms. Zverev:

The Director of the State Department of Health Care Services (Department) has been notified of your December 2, 2015, conviction in the United States District Court, Central District of California (*U.S. v. Emilia E. Zverev, et al.*, No. 2:13-cr-00264-SJO) for violation of 1 count of 18 United States Code section 1349, and 5 counts of 18 United States Code sections 1347, 2(b). This is a conviction involving fraud and that has been determined by the Department to be substantially related to the qualifications, functions, or duties of a provider of service. As a provider of health care services, you were granted certain permissions to participate in the Medi-Cal program by operation of law with or without applying for enrollment. Pursuant to Welfare and Institutions Code section 14123, subdivision (a), the Director is required to automatically suspend these permissions in certain cases, which means that the affected individual or entity is precluded from being eligible to receive payment from the Medi-Cal program directly or indirectly. This requirement applies to anyone who provides health services whenever that person is convicted of any felony or any misdemeanor involving fraud, abuse of the Medi-Cal program or any patient, or otherwise substantially related to the qualifications, functions, or duties of a provider of service. (See 42 C.F.R. § 1001.101(a) & (c); Welf. & Inst. Code, § 14123.25.)

Therefore, on behalf of the Director of the Department, you are hereby notified that you are prohibited from being able to receive payment from the Medi-Cal program for an indefinite period of time, effective twenty days (15 days' statutory notice, plus 5 days for mailing) from the date of this letter. Your name will be posted on the "Medi-Cal Suspended and Ineligible Provider List," available on the Internet. During the period of your suspension, no person or entity, including an employer, can submit any claims to the Medi-Cal program for items or services rendered by you. If you are currently

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Office of Legal Services, MS 0010  
P.O. Box 997413, Sacramento, CA 95899-7413  
Fax: (916) 440-7712  
Internet Address: [www.dhcs.ca.gov](http://www.dhcs.ca.gov)

Emilia Michelle Zverev

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enrolled in Medi-Cal, that enrollment will be terminated. Any involvement by you directly or indirectly (i.e., as an office manager, administrator, billing clerk processing or preparing claims for payment, salesperson for medical equipment, etc., or utilizing any other provider number or group or clinic number for services rendered by you) will result in nonpayment of the claim(s) submitted. Any person who presents or causes to be presented a claim for equipment or services rendered by a person suspended from receiving Medi-Cal payment shall be subject to suspension from receiving payment, the assessment of civil money penalties, and/or criminal prosecution. (See Welf. & Inst. Code, §§ 14043.61, 14107, 14123.2; Cal. Code of Regs., tit. 22, §§ 51458.1, 51484, and 51485.1.) The Department will seek recoupment of any monies paid for claims presented to the Medi-Cal program for services or supplies rendered by you during the period of your suspension.

If you have any questions about this action, please submit your concerns, in writing, to Kimberly Woodward, Legal Analyst, at the above address.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. GRANDA', written over a faint, larger version of the same signature.

Sara M. Granda  
Attorney

cc: See Next Page

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