

Court Case No: EKD/0044/01/13

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| When the case was received | 09-04-2013 |
| Criminal case number | 0044/01/13 |
| How the case was received | First time |
| Where from the case was received | |
| Prosecutor | General Prosecutor's Office |
| Preliminary investigation case number | 58202713 |
| Brief contents of indictment | <p>An indictment is brought against the accused, Levon Matinyan, on the following matter:</p> <p>Over the period January-March 2011, he produced plastic cards with his personal details, intended for further usage by himself, representing counterfeited payment instruments of large amounts in appropriation of certain property rights and, through the use of technical means, recorded on those cards thieved data on bank accounts of the clients of foreign banks and, within the same period, used the cards through the POS terminals operated by Converse Bank CJSC, ACBA Credit Agricole Bank CJSC, VTB Bank Armenia CJSC, Areximbank-Gazprombank Group CJSC, Unibank CJSC and Armbusinessbank CJSC operating in Armenia to embezzle in 58 episodes, by means of theft, from the bank accounts of the clients of foreign banks funds which, for the purpose of concealing and misrepresenting the true origin and ownership of a certain part of the criminal proceeds, were used for paying against various services both on behalf of himself and of other persons, buying different goods and flight tickets, thus legalizing the embezzled funds in 49 episodes.</p> |
| Accused person | |
| Name | Levon |
| Surname | Matinyan |
| Patronymic | Eprem |
| Address | 15 Kievyan street, apt. 7 |
| Birth date | 21-11-1974 |
| Article_1 | |
| Article | 177, Part 1 |
| Article_2 | |
| Article | 177, Part 2, Clause 2 |
| Article_3 | |
| Article | 177, Part 3, Clause 1 |
| Article_4 | |
| Article | 190, Part 1 |
| Prior Convictions | |
| Counsel | |
| Name | |
| Surname | |
| Address | |
| Statistical line number | 6.3 |
| Material evidence | |
| Title of material evidence | |
| Factual storing place of material evidence | |

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|-------------------------------|---|
| Provisional measure | Detention |
| Adult | Yes |
| Date | 09-04-2013 |
| Presiding Judge | |
| Court | Kentron and Nork-Marash |
| Judge | Gagik Kolya Poghosyan |
| Judge | |
| Court | Kentron and Nork-Marash |
| Judge | |
| Parties to court trial | |
| Name | Levon |
| Surname | Matinyan |
| Patronymic | Eprem |
| Address | 15 Kievyan street, apt. 7 |
| Parties to court trial | |
| Name | Liparit |
| Surname | Simonyan |
| Address | G. Lusavorich 15/1 |
| Parties to court trial | |
| Name | Grigor |
| Surname | Tigranyan |
| Address | V. Sargsyan 5 |
| Parties to court trial | |
| Name | Nurjan |
| Surname | Kirakosyan |
| Patronymic | Bakhshi |
| Address | Avan Arinj 2 nd District, building 1/3, apt. 8 |
| Parties to court trial | |
| Name | Merujan |
| Surname | Muradyan |
| Patronymic | Vagharshak |
| Address | Arhestavorneri 1 st street, house 6 |
| Parties to court trial | |
| Name | Kamo |
| Surname | Petrosyan |
| Patronymic | Mikael |
| Address | Voghjaberd Village, Kotayk Region |
| Parties to court trial | |
| Name | Suren |
| Surname | Vardanyan |
| Patronymic | Gevorg |
| Address | 18 Chekhov street, apt. 26 |
| Parties to court trial | |
| Name | Rafael |
| Surname | Sargsyan |
| Patronymic | Yervand |
| Address | Ulnetzu 3 rd blind alley, building 4, apt. 36 |
| Parties to court trial | |

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|---|---|
| Name | Karen |
| Surname | Martirosyan |
| Patronymic | Samvel |
| Address | Aragats district, building 13, apt. 11, Echmiadzin, Armavir Region |
| Date | 31-05-2013,19-06-2013,26-06-2013, |
| Time | 12:00, 15:30, 17:00 |
| Session room number | 1 |
| Other notes | |
| Session | Completed |
| Reason | |
| Accused person | |
| Name | Levon |
| Surname | Matinyan |
| Patronymic | Epem |
| Address | 15 Kievyan street, apt. 7 |
| Gender | Male |
| Birth date | 21-11-1974 |
| Date | 26-06-2013 |
| Article for the gravest offense | |
| Article | 177, Part 3, Clause 1 |
| Decision on article for the gravest offense | Convicted |
| Articles for other offenses | |
| Article | 177, Part 2, Clause 2 |
| Articles for other offenses | |
| Article | 177, Part 1 |
| Articles for other offenses | |
| Article | 190, Part 1 |
| Decision on other articles for offences | Convicted |
| Main punishment | Fixed term imprisonment |
| Additional punishment | Confiscation of property |
| Other sanctions | |
| Exempted from application of sanction (grounds) | |
| Amount of confiscated property | Property equivalent to 24.618.166 (twenty four million six hundred eighteen thousand one hundred sixty six) Armenian drams |
| Contents of judicial act | EKD/0044/01/13 VERDICT IN THE NAME OF THE REPUBLIC OF ARMENIA June 26, 2013, Yerevan Common jurisdiction court of first instance of Kentron and Nork-Marash Administrative Districts of Yerevan; Presided by: Judge, G. Poghosyan; |

Participated by: Secretaries, A. Martirosyan and A. Astvatsatryan

Prosecutor, G. Tigranyan

Representatives of the victims, M. Muradyan and K. Petrosyan

Accused person, L. Matinyan

Counsel, L. Simonyan

Held an open court hearing of the case on charges pressed against Levon Eprem Matinyan, born on November 21, 1974 in Yerevan, Armenian by nationality, Armenian citizen, in factual marriage relationships, in care of 2 persons as per his verbal statement, with secondary education, good health, without previous work experience, convicted to a penalty of 51.000 hryvna by the verdict of the Babushkinski District Court of Dnepropetrovsk, Ukraine from January 17, 2012, with no registration in the Republic of Armenia, factually resided at 15 Kievyan street, apt. 7, under detention since June 13, 2011; for the crimes stipulated under Part 1 of Article 177; Clause 2, Part 2 of Article 177; Clause 1, Part 3 of Article 177, and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia.

An indictment under the above-stated articles is brought against the accused, Levon Matinyan, on the following matter: over the period January-March 2011, he produced plastic cards with his personal details, intended for further usage by himself, representing counterfeited payment instruments of large amounts in appropriation of certain property rights and, through the use of technical means, recorded on those cards thieved data on bank accounts of the clients of foreign banks and, within the same period, used the cards through the POS terminals operated by Converse Bank CJSC, ACBA Credit Agricole Bank CJSC, VTB Bank Armenia CJSC, Areximbank-Gazprombank Group CJSC, Unibank CJSC and Armbusinessbank CJSC operating in Armenia to embezzle in 58 episodes, by means of theft, from the bank accounts of the clients of foreign banks funds which, for the purpose of concealing and misrepresenting the origin and ownership of a certain part of the criminal proceeds, were used for paying against various services both on behalf of himself and of other persons, buying different goods and flight tickets, thus legalizing the embezzled funds in 49 episodes. In particular:

Episode 1: On February 18, 2011 Levon Matinyan embezzled through theft and subsequently encashed a significant amount of 3.731.466 Armenian drams equivalent to 10.200 US dollars at the “Nor Nork” branch of Unibank CJSC operating at Gayi Avenue 2, Yerevan, by means of using the counterfeited bank card No 4147097058173685 through the POS terminal operated by Unibank CJSC, thus causing damage of the same amount to Unibank CJSC and thereby committing a crime stipulated under Clause 1, Part 3 of Article 177 of the Criminal Code of the Republic of Armenia;

Episode 2: On February 21, 2011 Levon Matinyan embezzled through

theft and subsequently encashed a significant amount of 4.842.817 Armenian drams equivalent to 13.260 US dollars at the “Nor Nork” branch of Unibank CJSC operating at Gayi Avenue 2, Yerevan, by means of using the counterfeited bank card No 4388641382421324 through the POS terminal operated by Unibank CJSC, thus causing damage of the same amount to Unibank CJSC and thereby committing a crime stipulated under Clause 1, Part 3 of Article 177 of the Criminal Code of the Republic of Armenia;

Episode 3: On February 21, 2011 Levon Matinyan embezzled through theft and subsequently encashed a significant amount of 1.117.573 Armenian drams equivalent to 3.060 US dollars at the “Nor Nork” branch of Unibank CJSC operating at Gayi Avenue 2, Yerevan, by means of using the counterfeited bank card No 4388641382421324 through the POS terminal operated by Unibank CJSC, thus causing damage of the same amount to Unibank CJSC and thereby committing a crime stipulated under Clause 2, Part 2 of Article 177 of the Criminal Code of the Republic of Armenia;

Episode 4: On February 21, 2011 Levon Matinyan embezzled through theft and subsequently encashed a significant amount of 894.058 Armenian drams equivalent to 2.448 US dollars at the “Tamanyan” branch of Unibank CJSC operating at Tumanyan 2A, Yerevan, by means of using the counterfeited bank card No 4388641598553076 through the POS terminal operated by Unibank CJSC, thus causing damage of the same amount to Unibank CJSC and thereby committing a crime stipulated under Clause 2, Part 2 of Article 177 of the Criminal Code of the Republic of Armenia;

Episode 5: On February 23, 2011 Levon Matinyan embezzled through theft and subsequently encashed a significant amount of 3.499.968 Armenian drams equivalent to 9.600 US dollars at the “Shengavit” branch of Armbusinessbank CJSC operating at Garegin Njdeh 31/36, Yerevan, by means of using the counterfeited bank card No *****2445 through the POS terminal operated by Armbusinessbank CJSC, thus causing damage of the same amount to Armbusinessbank CJSC and thereby committing a crime stipulated under Clause 1, Part 3 of Article 177 of the Criminal Code of the Republic of Armenia;

Episode 6: On February 24, 2011 Levon Matinyan embezzled through theft and subsequently encashed a significant amount of 3.582.860 Armenian drams equivalent to 9.797 US dollars at the “Myasnikyan” branch of VTB Armenia Bank CJSC operating at Koryun 6, Yerevan, by means of using the counterfeited bank card No *****9727 through the POS terminal operated by VTB Armenia Bank CJSC, thus causing damage of the same amount to VTB Armenia Bank CJSC and thereby committing a crime stipulated under Clause 1, Part 3 of Article 177 of the Criminal Code of the Republic of Armenia;

Episode 7: On February 25, 2011 Levon Matinyan embezzled through theft and subsequently encashed a significant amount of 4.443.192

Armenian drams equivalent to 12.120 US dollars at the “Myasnikyan” branch of VTB Armenia Bank CJSC operating at Koryun 6, Yerevan, by means of using the counterfeited bank card No 4147099149094060 through the POS terminal operated by VTB Armenia Bank CJSC, thus causing damage of the same amount to VTB Armenia Bank CJSC and thereby committing a crime stipulated under Clause 1, Part 3 of Article 177 of the Criminal Code of the Republic of Armenia;

Episode 8: On February 25, 2011 Levon Matinyan embezzled through theft and subsequently enchashed a significant amount of 925.665 Armenian drams equivalent to 2.525 US dollars at the “Myasnikyan” branch of VTB Armenia Bank CJSC operating at Koryun 6, Yerevan, by means of using the counterfeited bank card No 4147099149094060 through the POS terminal operated by VTB Armenia Bank CJSC, thus causing damage of the same amount to VTB Armenia Bank CJSC and thereby committing a crime stipulated under Clause 2, Part 2 of Article 177 of the Criminal Code of the Republic of Armenia;

Episode 9: On February 28, 2011 Levon Matinyan embezzled through theft and subsequently enchashed a significant amount of 4.121.891 Armenian drams equivalent to 11.220 US dollars at the “Nor Nork” branch of Unibank CJSC operating at Gayi Avenue 2, Yerevan, by means of using the counterfeited bank card No 4305727073633002 through the POS terminal operated by Unibank CJSC, thus causing damage of the same amount to Unibank CJSC and thereby committing a crime stipulated under Clause 1, Part 3 of Article 177 of the Criminal Code of the Republic of Armenia;

Episode 10: In January 2011, while residing in Hrazdan Hotel at Dzorapi 72, Yerevan, Levon Matinyan embezzled through theft and subsequently legalized, by paying for hotel services on January 4, 2011, a significant amount of 4.121.891 Armenian drams by means of using the counterfeited bank card No 4147097641149929 through the POS terminal operated by Areximbank-Gazprombank Group CJSC, thus causing damage of the same amount to Areximbank-Gazprombank Group CJSC and thereby committing crimes stipulated under Clause 2, Part 2 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 11: In January 2011, while residing in Hrazdan Hotel at Dzorapi 72, Yerevan, Levon Matinyan embezzled through theft and subsequently legalized, by paying for hotel services on January 4, 2011, a significant amount of 64.600 Armenian drams by means of using the counterfeited bank card No 4147097641149929 through the POS terminal operated by Areximbank-Gazprombank Group CJSC, thus causing damage of the same amount to Areximbank-Gazprombank Group CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 12: In January 2011, while residing in Golden Palace Hotel at Azatutyan 1, Yerevan, Levon Matinyan embezzled through theft and

subsequently legalized, by paying for hotel services on January 10, 2011, a significant amount of 435.460 Armenian drams by means of using the counterfeited bank card No 4147097641149929 through the POS terminal operated by Areximbank-Gazprombank Group CJSC, thus causing damage of the same amount to Areximbank-Gazprombank Group CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 13: In January 2011, while residing in Golden Palace Hotel at Azatutyan 1, Yerevan, Levon Matinyan embezzled through theft and subsequently legalized, by paying for hotel services on January 11, 2011, a significant amount of 118.050 Armenian drams by means of using the counterfeited bank card No 4147097641149929 through the POS terminal operated by Areximbank-Gazprombank Group CJSC, thus causing damage of the same amount to Areximbank-Gazprombank Group CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 14: In January 2011, while residing in Golden Palace Hotel at Azatutyan 1, Yerevan, Levon Matinyan embezzled through theft and subsequently legalized, by paying for hotel services on January 11, 2011, a significant amount of 160.280 Armenian drams by means of using the counterfeited bank card No 4147097641149929 through the POS terminal operated by Areximbank-Gazprombank Group CJSC, thus causing damage of the same amount to Areximbank-Gazprombank Group CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 15: In January 2011, while residing in Multi Resthouse Hotel at Olimpiakan 8, Yerevan, Levon Matinyan embezzled through theft and subsequently legalized, by paying for hotel services on January 20, 2011, a significant amount of 1.253.300 Armenian drams by means of using the counterfeited bank card No 4147091582303017 through the POS terminal operated by Areximbank-Gazprombank Group CJSC, thus causing damage of the same amount to Areximbank-Gazprombank Group CJSC and thereby committing crimes stipulated under Clause 2, Part 2 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 16: In January 2011, while residing in Golden Palace Hotel at Azatutyan 1, Yerevan, Levon Matinyan embezzled through theft and subsequently legalized, by paying for hotel services on January 26, 2011, a significant amount of 316.490 Armenian drams by means of using the counterfeited bank card No 4147091582303017 through the POS terminal operated by Areximbank-Gazprombank Group CJSC, thus causing damage of the same amount to Areximbank-Gazprombank Group CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic

of Armenia;

Episode 17: On January 31, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for flowers and perfumes purchased from Brabion Flora Service LTD at Sayat Nova 7, Yerevan, a significant amount of 422.600 Armenian drams by means of using the counterfeited bank card No 4147092585076303 through the POS terminal operated by Converse Bank CJSC, thus causing damage of the same amount to Converse Bank CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 18: On January 31, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for flowers and perfumes purchased from Brabion Flora Service LTD at Sayat Nova 7, Yerevan, a significant amount of 125.800 Armenian drams by means of using the counterfeited bank card No 4147092585076303 through the POS terminal operated by Converse Bank CJSC, thus causing damage of the same amount to Converse Bank CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 19: On February 8, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for mobile phones purchased from the "Nokia" store of Hayrapetyan Eghbayrner CJSC at Isahakyan 18A/1, Yerevan, a significant amount of 737.400 Armenian drams by means of using the counterfeited bank card No 4147092585076303 through the POS terminal operated by Converse Bank CJSC, thus causing damage of the same amount to Converse Bank CJSC and thereby committing crimes stipulated under Clause 2, Part 2 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 20: On February 8, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for mobile phones purchased from the "Nokia" store of Hayrapetyan Eghbayrner CJSC at Isahakyan 18A/1, Yerevan, a significant amount of 502.000 Armenian drams by means of using the counterfeited bank card No 4388641405403952 through the POS terminal operated by Converse Bank CJSC, thus causing damage of the same amount to Converse Bank CJSC and thereby committing crimes stipulated under Clause 2, Part 2 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 21: On February 9, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for computers purchased from the "VD Computers" store of Vandist LTD at Sayat Nova 24/2, Yerevan, a significant amount of 1.300.000 Armenian drams by means of using the counterfeited bank card No 4388641769610051 through the POS terminal operated by ACBA Credit Agricole Bank CJSC, thus causing damage of the same amount to ACBA Credit Agricole Bank

CJSC and thereby committing crimes stipulated under Clause 2, Part 2 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 22: On February 9, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for computers purchased from the “VD Computers” store of Vandist LTD at Sayat Nova 24/2, Yerevan, a significant amount of 246.000 Armenian drams by means of using the counterfeited bank card No 4388641769610051 through the POS terminal operated by ACBA Credit Agricole Bank CJSC, thus causing damage of the same amount to ACBA Credit Agricole Bank CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 23: On February 11, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for mobile phones purchased from the “Nokia” store of Hayrapetyan Eghbayrner CJSC at Isahakyan 18A/1, Yerevan, a significant amount of 316.900 Armenian drams by means of using the counterfeited bank card No 4388647091782328 through the POS terminal operated by Converse Bank CJSC, thus causing damage of the same amount to Converse Bank CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 24: On February 11, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for mobile phones purchased from the “Nokia” store of Hayrapetyan Eghbayrner CJSC at Isahakyan 18A/1, Yerevan, a significant amount of 877.000 Armenian drams by means of using the counterfeited bank card No 4388642120662658 through the POS terminal operated by Converse Bank CJSC, thus causing damage of the same amount to Converse Bank CJSC and thereby committing crimes stipulated under Clause 2, Part 2 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 25: On February 11, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for mobile phones purchased from the “Nokia” store of Hayrapetyan Eghbayrner CJSC at Mashtotz 42A, Yerevan, a significant amount of 724.000 Armenian drams by means of using the counterfeited bank card No 4388642120662658 through the POS terminal operated by Converse Bank CJSC, thus causing damage of the same amount to Converse Bank CJSC and thereby committing crimes stipulated under Clause 2, Part 2 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 26: On February 11, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for mobile phones purchased from the “Nokia” store of Hayrapetyan Eghbayrner CJSC at Mashtotz 42A, Yerevan, a significant amount of 270.900 Armenian drams by

means of using the counterfeited bank card No 4388641744876256 through the POS terminal operated by Converse Bank CJSC, thus causing damage of the same amount to Converse Bank CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 27: On February 13, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for perfumes purchased from the “Medea” store of Anarm Parf LTD at Abovyan 38, Yerevan, a significant amount of 155.500 Armenian drams by means of using the counterfeited bank card No 4388641721804495 through the POS terminal operated by ACBA Credit Agricole Bank CJSC, thus causing damage of the same amount to ACBA Credit Agricole Bank CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 28: On February 13, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for perfumes purchased from the “Medea” store of Anarm Parf LTD at Abovyan 38, Yerevan, a significant amount of 257.000 Armenian drams by means of using the counterfeited bank card No 4388641721804495 through the POS terminal operated by ACBA Credit Agricole Bank CJSC, thus causing damage of the same amount to ACBA Credit Agricole Bank CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 29: On February 13, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for perfumes purchased from the “Medea” store of Anarm Parf LTD at Abovyan 38, Yerevan, a significant amount of 115.800 Armenian drams by means of using the counterfeited bank card No 4388641721804495 through the POS terminal operated by ACBA Credit Agricole Bank CJSC, thus causing damage of the same amount to ACBA Credit Agricole Bank CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 30: On February 13, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for clothes purchased from the “Tommy Hilfiger” store of Smart Choice LTD at Northern Avenue 8, Yerevan, a significant amount of 251.900 Armenian drams by means of using the counterfeited bank card No 4388641761637763 through the POS terminal operated by Converse Bank CJSC, thus causing damage of the same amount to Converse Bank CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 31: On February 14, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for mobile phones purchased from the “Vivacell” sales center of K-telecom CJSC at Northern Avenue 6/4, Yerevan, a significant amount of 736.000 Armenian drams by means of using the counterfeited bank card No 4388641761637763

through the POS terminal operated by Converse Bank CJSC, thus causing damage of the same amount to Converse Bank CJSC and thereby committing crimes stipulated under Clause 2, Part 2 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 32: On February 16, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for petrol purchased from the petrol station of the individual entrepreneur Grigori Ghukasyan at Hrachya Kochar 27/10, Yerevan, a significant amount of 40.000 Armenian drams by means of using the counterfeited bank card No 4388641844659065 through the POS terminal operated by Converse Bank CJSC, thus causing damage of the same amount to Converse Bank CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 33: On February 16, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for petrol purchased from the petrol station of the individual entrepreneur Grigori Ghukasyan at Hrachya Kochar 27/10, Yerevan, a significant amount of 40.000 Armenian drams by means of using the counterfeited bank card No 4388641844659065 through the POS terminal operated by Converse Bank CJSC, thus causing damage of the same amount to Converse Bank CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 34: On February 17, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for car rental services provided by Elitar LTD at Abovyan 7, Yerevan, a significant amount of 470.000 Armenian drams by means of using the counterfeited bank card No 4147098303604938 through the POS terminal operated by ACBA Credit Agricole Bank CJSC, thus causing damage of the same amount to ACBA Credit Agricole Bank CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 35: On February 17, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for brandy purchased from the "Best Supermarket" store of Elanj LTD at Mashtotz Avenue 16, Yerevan, a significant amount of 599.000 Armenian drams by means of using the counterfeited bank card No 4388641844659065 through the POS terminal operated by ACBA Credit Agricole Bank CJSC, thus causing damage of the same amount to ACBA Credit Agricole Bank CJSC and thereby committing crimes stipulated under Clause 2, Part 2 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 36: On February 18, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for petrol purchased from the

petrol station of Armen & Ynkerner LTD at Azatutyan 26/3, Yerevan, a significant amount of 30.000 Armenian drams by means of using the counterfeited bank card No 4147097058134380 through the POS terminal operated by Unibank CJSC, thus causing damage of the same amount to Unibank CJSC, for which the bank has not made any claim, and thereby committing a crime stipulated Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 37: On February 18, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for petrol purchased from the petrol station of Armen & Ynkerner LTD at Azatutyan 26/3, Yerevan, a significant amount of 20.000 Armenian drams by means of using the counterfeited bank card No 4147097058134380 through the POS terminal operated by Unibank CJSC, thus causing damage of the same amount to Unibank CJSC, for which the bank has not made any claim, and thereby committing a crime stipulated Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 38: On February 18, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for petrol purchased from the petrol station of Armen & Ynkerner LTD at Azatutyan 26/3, Yerevan, a significant amount of 30.000 Armenian drams by means of using the counterfeited bank card No 4147097058134380 through the POS terminal operated by Unibank CJSC, thus causing damage of the same amount to Unibank CJSC, for which the bank has not made any claim, and thereby committing a crime stipulated Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 39: On February 18, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for petrol purchased from the petrol station of Armen & Ynkerner LTD at Azatutyan 26/3, Yerevan, a significant amount of 24.150 Armenian drams by means of using the counterfeited bank card No 4147097058134380 through the POS terminal operated by Unibank CJSC, thus causing damage of the same amount to Unibank CJSC, for which the bank has not made any claim, and thereby committing a crime stipulated Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 40: On February 19, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for computers and other hardware purchased from the store of Zigzag LTD at Mashtotz 24, Yerevan, a significant amount of 1.482.000 Armenian drams by means of using the counterfeited bank card No 4388641607096958 through the POS terminal operated by ACBA Credit Agricole Bank CJSC, thus causing damage of the same amount to ACBA Credit Agricole Bank CJSC and thereby committing crimes stipulated under Clause 2, Part 2 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 41: On February 19, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for computers and other

hardware purchased from the store of Zigzag LTD at Mashtotz 24, Yerevan, a significant amount of 222.300 Armenian drams by means of using the counterfeited bank card No 4388641607096958 through the POS terminal operated by ACBA Credit Agricole Bank CJSC, thus causing damage of the same amount to ACBA Credit Agricole Bank CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 42: On February 20, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for computers and other hardware purchased from the store of Zigzag LTD at Charentz 24, Yerevan, a significant amount of 1.552.700 Armenian drams by means of using the counterfeited bank card No 4388641667974526 through the POS terminal operated by ACBA Credit Agricole Bank CJSC, thus causing damage of the same amount to ACBA Credit Agricole Bank CJSC and thereby committing crimes stipulated under Clause 2, Part 2 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 43: On February 20, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for children clothes purchased from the “Lapen House” store of Via Artis LTD at Gh. Parpetzi 17, Yerevan, a significant amount of 1.097.000 Armenian drams by means of using the counterfeited bank card No 4388641906284414 through the POS terminal operated by ACBA Credit Agricole Bank CJSC, thus causing damage of the same amount to ACBA Credit Agricole Bank CJSC and thereby committing crimes stipulated under Clause 2, Part 2 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 44: On February 20, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for petrol purchased from the petrol station of Armen & Ynkerner LTD at Azatutyan 26/3, Yerevan, a significant amount of 30.000 Armenian drams by means of using the counterfeited bank card No 4388641841289379 through the POS terminal operated by Unibank CJSC, thus causing damage of the same amount to Unibank CJSC, for which the bank has not made any claim, and thereby committing a crime stipulated Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 45: On February 21, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for children clothes purchased from the “Lapen House” store of Via Artis LTD at Gh. Parpetzi 17, Yerevan, a significant amount of 127.000 Armenian drams by means of using the counterfeited bank card No 4388641382421324 through the POS terminal operated by ACBA Credit Agricole Bank CJSC, thus causing damage of the same amount to ACBA Credit Agricole Bank CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of

Armenia;

Episode 46: On February 21, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for petrol purchased from the petrol station of Armen & Ynkerner LTD at Azatutyan 26/3, Yerevan, a significant amount of 20.000 Armenian drams by means of using the counterfeited bank card No 4388641382421324 through the POS terminal operated by Unibank CJSC, thus causing damage of the same amount to Unibank CJSC, for which the bank has not made any claim, and thereby committing a crime stipulated Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 47: On February 22, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for car rental services provided by Elitar LTD at Abovyan 7, Yerevan, a significant amount of 260.000 Armenian drams by means of using the counterfeited bank card No 4147098303604938 through the POS terminal operated by ACBA Credit Agricole Bank CJSC, thus causing damage of the same amount to ACBA Credit Agricole Bank CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 48: On February 24, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for petrol purchased from the petrol station of Armen & Ynkerner LTD at Azatutyan 26/3, Yerevan, a significant amount of 181.000 Armenian drams by means of using the counterfeited bank card No 4147099239049727 through the POS terminal operated by Unibank CJSC, thus causing damage of the same amount to Unibank CJSC, for which the bank has not made any claim, and thereby committing a crime stipulated Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 49: On February 25, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for clothes purchased from the "Celio" store of BD Groom LTD at Tumanyan 24, Yerevan, a significant amount of 149.700 Armenian drams by means of using the counterfeited bank card No 4147099149094060 through the POS terminal operated by ACBA Credit Agricole Bank CJSC, thus causing damage of the same amount to ACBA Credit Agricole Bank CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 50: On February 25, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for clothes purchased from the "Libretto" store of Rio Galleria LTD at Northern Avenue 8/2, Yerevan, a significant amount of 227.600 Armenian drams by means of using the counterfeited bank card No 4147099149094060 through the POS terminal operated by VTB Armenia Bank CJSC, thus causing damage of the same amount to VTB Armenia Bank CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 51: On February 26, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for clothes purchased from the “3 Swiss” store of Soghomonyan & Co LTD at Moskovyan 25/27, Yerevan, a significant amount of 181.226 Armenian drams by means of using the counterfeited bank card No 4147099180967018 through the POS terminal operated by ACBA Credit Agricole Bank CJSC, thus causing damage of the same amount to ACBA Credit Agricole Bank CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 52: On February 26, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for children clothes purchased from the “Reima” store of Kardvan LTD at Tamanyan 1/1, Yerevan, a significant amount of 1.260.110 Armenian drams by means of using the counterfeited bank card No 4147099180967018 through the POS terminal operated by ACBA Credit Agricole Bank CJSC, thus causing damage of the same amount to ACBA Credit Agricole Bank CJSC and thereby committing crimes stipulated under Clause 2, Part 2 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 53: On February 27, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for petrol purchased from the petrol station of Armen & Ynkerner LTD at Azatutyan 26/3, Yerevan, a significant amount of 30.000 Armenian drams by means of using the counterfeited bank card No 4305721656966426 through the POS terminal operated by Unibank CJSC, thus causing damage of the same amount to Unibank CJSC, for which the bank has not made any claim, and thereby committing a crime stipulated Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 54: On March 1, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for car rental services provided by Elitar LTD at Abovyan 7, Yerevan, a significant amount of 445.000 Armenian drams by means of using the counterfeited bank card No 4305722419562031 through the POS terminal operated by ACBA Credit Agricole Bank CJSC, thus causing damage of the same amount to ACBA Credit Agricole Bank CJSC and thereby committing crimes stipulated under Part 1 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 55: Levon Matinyan offered Marat Aghajanyan travelling tours from Yerevan to London on discounted terms and, for that purpose, suggested that Marat Aghajanyan collects money from potential travelers and gives to him for covering travel expenses. Thereafter Marat Aghajanyan, without knowledge of Levon Matinyan’s criminal intentions in that he was going to keep the collected cash and make the payments from thieved funds, collected 2.224.640 Armenian drams equivalent to 4.400 euros from his 11 colleagues at HSBC Bank Armenia CJSC for the travel to London, as well as 170.000 Armenian drams from his

acquaintances Kajik Khachatryan and his wife for the flight tickets Yerevan-Moscow-Yerevan and 150.000 Armenian drams from Julietta Gijlaryan and Anush Evoyan for the flight tickets Yerevan-Dusseldorf-Yerevan, and handed over the whole amount to Levon Matinyan. Then, Levon Matinyan embezzled through theft and subsequently legalized, by paying for all flight tickets purchased from Triumph Voyage LTD at Gh. Parpetzi 18, Yerevan, significant amounts of 2.424.920 Armenian drams on March 2, 2011 and 2.041.320 Armenian drams on March 3, 2011, or a total of 4.466.240 Armenian drams, by means of using the counterfeited bank cards No 4147091580909468 and No 4305721633437822 through the POS terminal operated by Unibank CJSC, thus causing damage of the same amount to Unibank CJSC and thereby committing crimes stipulated under Clause 1, Part 3 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 56: On March 2, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for clothes purchased from the “Tommy Hilfiger” store of Smart Choice LTD at Northern Avenue 8, Yerevan, a significant amount of 516.000 Armenian drams by means of using the counterfeited bank card No 4147091580909468 through the POS terminal operated by Converse Bank CJSC, thus causing damage of the same amount to Converse Bank CJSC and thereby committing crimes stipulated under Clause 2, Part 2 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 57: On March 3, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for flight tickets purchased from Triumph Voyage LTD at Gh. Parpetzi 18, Yerevan, a significant amount of 606.380 Armenian drams by means of using the counterfeited bank card No 4305721633437822 through the POS terminal operated by Unibank CJSC, thus causing damage of the same amount to Unibank CJSC and thereby committing crimes stipulated under Clause 2, Part 2 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

Episode 58: On March 4, 2011, Levon Matinyan embezzled through theft and subsequently legalized, by paying for perfumes purchased from the “Paris” store of the individual entrepreneur Hrachik Parsyan at Isahakyan 18, Yerevan, a significant amount of 510.000 Armenian drams by means of using the counterfeited bank card No 4305721633437822 through the POS terminal operated by ACBA Credit Agricole Bank CJSC, thus causing damage of the same amount to ACBA Credit Agricole Bank CJSC and thereby committing crimes stipulated under Clause 2, Part 2 of Article 177 and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia.

Before commencement of the court trial, the accused Levon Matinyan solicited to consider the case under expedited proceedings and declared that he made such solicitation of his own free will, had consulted his counsel, fully understood and agreed with the charges pressed against

him, and recognized the consequences of consideration of the case under expedited proceedings. Based on a proposal by the court, the prosecutor in charge changed his attitude and confirmed having no objection to the consideration of the case under expedited proceedings, although he had objected it in the indictment.

The court decided to satisfy the solicitation of the accused person and to consider the case under expedited proceedings.

Based on the fact that the accused person agreed with the charges pressed against him, the court concluded that the indictment was substantiated and proven by the evidences underlying it, and that the accused Levon Matinyan committed the deeds stipulated under Clause 1, Part 3 of Article 177, and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia, for which he should be held responsible.

In determining the type and degree of the punishment, the court takes into consideration the nature of the criminal acts committed by the offender, their extent of social danger and consequences, as well as the characteristic features of the offender, including the circumstances mitigating or aggravating the liability and the punishment as examined in the course of expedited proceedings.

Among the circumstances mitigating the liability and the punishment of the accused Levon Matinyan, the court takes into consideration that he agrees with the charges pressed against him and sincerely regrets his actions.

Among characteristic features of the offender, the court takes into consideration that the offender had furthered his criminal activities and was convicted in Ukraine.

No other circumstances aggravating the liability and the punishment of the accused person were discovered.

Having regard to the personality of the accused person and based on the provisions of Articles 10, 48 and 61 of the Criminal Code of the Republic of Armenia establishing the general principles of fairness, individuality of justice and liability, the court concludes that less severe types of punishment stipulated under Parts 1 and 2 of Article 177 of the Criminal Code of the Republic of Armenia would not attain the objectives of the punishment, and that the offender should be sentenced to imprisonment, while for the crimes stipulated under Clause 1, Part 3 of Article 177 of the Criminal Code of the Republic of Armenia he should be sentenced to imprisonment without confiscation of property.

In consideration of the possibility of applying to the accused person the decision of the National Assembly of the Republic of Armenia from May 26, 2011 "On Declaring Amnesty on the Occasion of the 20th Anniversary of Declaration of Independence of the Republic of Armenia", the court concluded that the said decision is not applicable since, pursuant to Clause 9(4) of the decision, the offender had been wanted by the prosecution and had not voluntarily appeared to the law

enforcement authorities of the Republic of Armenia by August 21, 2011 inclusive.

In considering the claim of Areximbank-Gazprombank Group CJSC against Levon Matinyan for confiscation of 2.961.960 Armenian drams, the court establishes that the claim should be satisfied and the confiscation should be extended on the articles recognized as material evidence under the case, particularly the mobile phones Samsung Galaxy (serial number 3565-31040840450), Nokia C7 (serial number 355379040755091), Nokia N97 (serial number 358315030126387), Nokia 6700 (serial number 352696/04769419/4), Nokia C3-01 (serial number 357019046795612), Nokia N-97 MINI (serial number 351979046466934), along with their charging devices and boxes.

In considering the claim of Converse Bank CJSC against Levon Matinyan for confiscation of funds, the court establishes that, according to Part 2 of Article 308 of the Criminal Procedure Code of the Republic of Armenia, the claim should be left without examination while entitling the plaintiff to submit a claim under civil proceedings, in view of the fact that the representative of the civil plaintiff has not appeared at the court session and has not solicited to examine the civil case in their absence. Other victims under the criminal case have not submitted civil claims and made relevant applications.

In considering the issue related to the possession of material evidences, the court establishes that the mobile phones Nokia C3 (serial number 358306036684909), Nokia C7 (serial number 353755042718322), Nokia C 6-01 (serial number 353759042244933) and HTC Desire (serial number 355302047268009) should remain under possession of the persons having taken them for storage.

In considering the issue of the provisional measure, the court establishes that the provisional measure imposed on the offender should remain unchanged until the court verdict enters into force.

Based on the above stated, and guided by Articles 119, 357, 359, 360 and 373 of the Criminal Procedure Code of the Republic of Armenia, the court

DECIDES

To declare Levon Eprem Matinyan guilty pursuant to Part 1 of Article 177; Clause 2, Part 2 of Article 177; Clause 1, Part 3 of Article 177, and Part 1 of Article 190 of the Criminal Code of the Republic of Armenia;

To sentence him under Part 1 of Article 177 of the Criminal Code of the Republic of Armenia to imprisonment for a term of 1 (one) year; under Clause 2, Part 2 of Article 177 of the Criminal Code of the Republic of Armenia to imprisonment for a term of 3 (three) years; under Clause 1, Part 3 of Article 177 of the Criminal Code of the Republic of Armenia to imprisonment for a term of 5 (five) years without confiscation of property, and under Part 1 of Article 190 of the Criminal Code of the Republic of

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| | <p>Armenia to imprisonment for a term of 3 (three) years with confiscation of property equivalent to 24.618.166 (twenty four million six hundred eighteen thousand one hundred sixty six) Armenian drams;</p> <p>In accordance with Part 4 of Article 66 of the Criminal Code of the Republic of Armenia, with partial addition of the punishments, to impose a final punishment in the form of imprisonment for a term of 7 (seven) years and 6 (six) months with confiscation of property equivalent to 24.618.166 (twenty four million six hundred eighteen thousand one hundred sixty six) Armenian drams;</p> <p>To extend the confiscation of 2.961.960 Armenian drams from Levon Matinyan on behalf of Areximbank-Gazprombank Group CJSC on the articles recognized as material evidence under the case, particularly the mobile phones Samsung Galaxy (serial number 3565-31040840450), Nokia C7 (serial number 355379040755091), Nokia N97 (serial number 358315030126387), Nokia 6700 (serial number 352696/04769419/4), Nokia C3-01 (serial number 357019046795612), Nokia N-97 MINI (serial number 351979046466934), along with their charging devises and boxes;</p> <p>To leave without examination the claim of Conversebank CJSC against Levon Matinyan for confiscation of funds, while entitling the plaintiff to submit a claim under civil proceedings;</p> <p>To leave the mobile phones Nokia C3 (serial number 358306036684909), Nokia C7 (serial number 353755042718322), Nokia C 6-01 (serial number 353759042244933) and HTC Desire (serial number 355302047268009) recognized as material evidences under possession of the persons having taken them for storage;</p> <p>To maintain the provisional measure imposed on Levon Matinyan unchanged until the court verdict enters into force;</p> <p>The assign that the punishment shall be served at the respective penitentiary institution of the Ministry of Justice of the Republic of Armenia;</p> <p>To count the term of the punishment from June 13, 2011;</p> <p>This verdict may be appealed to the Criminal Court of Appeals of the Republic of Armenia within a month from the day of its publication.</p> <p>JUDGE, G. POGHOSYAN</p> |
| Date of judicial act | 26-06-2013 |
| Other notes | |

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