

*April 10, 2009*

*Yerevan, Republic of Armenia*

## **VERDICT**

### **IN THE NAME OF THE REPUBLIC OF ARMENIA**

#### **COMMON JURISDICTION COURT IN KENTRON AND NORK-MARASH ADMINISTRATIVE REGIONS OF YEREVAN**

Presided by: Judge, G. Avetisyan

Assisted by: S. Abovyan

Participated by: Prosecutor, H. Sargsyan

Representative of the victim, N. Margaryan

Counsel, A. Hovhannisyan

Interpreter, H. Avagyan

An open-court hearing on April 10, 2009 of the criminal case on charges against:

Oliver Raducu Marian: born on November 24, 1979 in Bacau City, Romania; Romanian by nationality; Romanian citizen; with higher education; married; with one dependent person under his care; with no previous convictions; worked as a manager at "Ramex Import-Export Ltd." in the United Kingdom of Great Britain; resided at 200 Richardson Str., London, the United Kingdom of Great Britain.

Charges are pressed pursuant to Clauses 1 and 2, Part 3, Article 177 of the Criminal Code of the Republic of Armenia.

Oliver Raducu Marian pleaded guilty in charges pressed against him.

Daniel Florin Feraru: born on April 16, 1985 in Bacau City, Romania; Romanian by nationality; Romanian citizen; with secondary education; single; with no dependent persons under his care; with no previous convictions; worked as a laborer at "McGee Construction" in the United Kingdom of Great Britain; resided at 56 New Barnett Str., London, the United Kingdom of Great Britain.

Charges are pressed pursuant to Clauses 1 and 2, Part 3, Article 177 and Clauses 1 and 2, Part 2, Article 190 of the Criminal Code of the Republic of Armenia.

Daniel Florin Feraru pleaded guilty in charges pressed against him.

The criminal case No. 58207208 was instigated on August 27, 2008 by the Department of Investigations of the National Security Service of the Republic of Armenia, pursuant to Clause 1, Part 2, Article 177 of the Criminal Code of the Republic of Armenia.

For the following actions, charges were pressed against the accused, Oliver Raducu Marian, pursuant to Clauses 1 and 2, Part 3, Article 177 of the Criminal Code of the Republic of Armenia.

Oliver Raducu Marian, residing in London, the United Kingdom of Great Britain, was involved into the activities of a criminal group, specialized in stealing funds from automated teller machines by means of using counterfeit copies of bank cards. In 2008, upon finding out that his countryman in London, Cornel Constantin Stangaciu had an intention of committing theft in the territory of the Republic of Armenia, Oliver Raducu Marian gave his consent to assist in renting cars and booking hotel rooms for accomplices, providing other services and personally transporting the illicit proceeds from the Republic of Armenia to the United Kingdom of Great Britain.

On August 20, 2008, the accused, Oliver Raducu Marian arrived in the Republic of Armenia on flight London-Yerevan, got involved into the standing group, organized on principles of ethnicity and nationality, consisting of member Adi Ioan Blaga and Daniel Florin Feraru, and led by Cornel Constantin Stangaciu, with whom he lived in a room booked at "Hotel Europe" in Yerevan.

Afterwards, on August 22, 2008, Oliver Raducu Marian rented a car (model: Nisan Tida) from "Infinity Travel" LLC for the purpose of the group's activities. According to his role, he agreed to have a direct participation in the theft of funds from automated teller machines and to assist the accomplices, who, in the period from August 18 to 27, 2008, thieved a particularly large amount of 34,047,000 Armenian drams from automated teller machines of Armenian banks, by means of counterfeit bank cards.

In particular, on August 21, 2008, in the period from 13:21 to 13:24 o'clock, Adi Ioan Blaga controlled the nearest territory, while, the accused, Oliver Raducu Marian tried to withdraw a total of 470,000 Armenian drams from the automated teller machine (located at 19 Kevyan Str., Yerevan, Republic of Armenia) of "VTB-Armenia Bank" CJSC by means of using counterfeit copies of bank cards No. 49211817036916711, 4921816698112718, and 6767014913935201; however, due to unforeseen circumstances, he managed to thieve only a total of 100,000 Armenian drams with a counterfeit copy of bank card No. 49211817036916711.

On August 22, 2008, in the period from 15:48 to 15:58 o'clock, Oliver Raducu Marian, Adi Ioan Blaga, and Cornel Constantin Stangaciu tried to withdraw a total of 750,000 Armenian drams from the automated teller machine (located in Sevan, Republic of Armenia) of "VTB-Armenia Bank" CJSC by means of successively using counterfeit copies of bank cards No. 4547423009302213, 4567354018281699, 4921828820858654, 4543131169622825, 4658590779222006, 4921817036916711, and 4929404804275000; however, they managed to thieve only a total of 375,000 Armenian drams, whereby Adi Ioan Blaga withdrew 100,000 Armenian drams with each of the counterfeit copies of bank cards No. 4567354018281699 and 4921828820858654, Cornel Constantin Stangaciu withdrew 150,000 Armenian drams with a counterfeit copy of bank card No. 4543131169622825, and Oliver Raducu

Marian withdrew 25,000 Armenian drams with a counterfeit copy of bank card No. 4921817036916711.

For the following actions, charges were pressed against the accused, Daniel Florin Feraru, pursuant to Clauses 1 and 2, Part 3, Article 177 and Clauses 1 and 2, Part 2, Article 190 of the Criminal Code of the Republic of Armenia.

Daniel Florin Feraru, residing in London, the United Kingdom of Great Britain, upon following the example of his friend and countryman (Oliver Raducu Marian), was involved into the activities of the criminal group, specialized in steeling funds from automated teller machines by means of using counterfeit copies of bank cards.

In August 2008, upon finding out that Oliver Raducu Marian and Adi Ioan Blaga, born in Bacau, Romania and consisting in a group led by a London resident and Romanian national Cornel Constantin Stangaciu, were involved in theft of funds from automated teller machines by means of counterfeit bank cards, Daniel Florin Feraru gave his consent to the proposal of Cornel Constantin Stangaciu to provide assistance in exchanging the thieved funds from Armenian drams into foreign currency, for a 5% stake from the proceeds.

Upon buying a ticket on the flight London-Yerevan with the money given to him by Oliver Raducu Marian's mother Leonora Brankoveanu, Daniel Florin Feraru arrived in Yerevan on August 25, 2008 and got involved into the activities of the standing group organized on principles of ethnicity and nationality, consisting of member Adi Ioan Blaga and Daniel Florin Feraru, and led by Cornel Constantin Stangaciu, with whom he lived in a room booked at "Hotel Europe" in Yerevan.

Daniel Florin Feraru gave his consent to participate in the theft of funds from automated teller machines and to assist the accomplices, who, in the period from August 18 to 27, 2008, thieved a particularly large amount of 34,047,000 Armenian drams from the automated teller machines of several Armenian banks, by means of counterfeit bank cards.

In particular, on August 25, 2008, in the period from 02:27 to 02:32 o'clock, Daniel Florin Feraru tried to withdraw a total of 531,000 Armenian drams from the automated teller machine (located at 19 Kievyan Str., Yerevan, Republic of Armenia) of "VTB-Armenia Bank" CJSC by means of using counterfeit copies of bank cards No. 5434604173828215, 4921828426411882, 4493527031093733, 4539781649958023, and 4116320005649491; however, due to unforeseen circumstances, he managed to thieve only a total of 181,000 Armenian drams, whereby he withdrew 151,000 Armenian drams with a counterfeit copy of bank card No. 4493527031093733, and 31,000 Armenian drams with a counterfeit copy of bank card No. 4116320005649491.

On August 25, 2008, in the period from 12:10 to 12:19 o'clock, Daniel Florin Feraru controlled the nearest territory of the automated teller machine (located in Ejmiatsin, Republic of Armenia) of "VTB-Armenia Bank" CJSC, while his accomplice Adi Ioan Blaga tried to withdraw a total of 650,000 Armenian drams from the automated teller machine by means of using counterfeit copies of bank cards No. 4462782064102136, 4462720158230025, 4539798468814034, 4539795163445072, 675940291251329006, 4543132389648426, 6767095412068389, 4659210180217003, and 4659210206379001; however, due to unforeseen circumstances, he managed to

thieve only a total of 350,000 Armenian drams, whereby he withdrew 100,000 Armenian drams with each of the counterfeit copies of bank cards No. 4539798468814034 and 4543132389648426, and 150,000 Armenian drams with a counterfeit copy of bank card No. 4659210206379001.

On August 25, 2008, at 11:29 o'clock, Daniel Florin Feraru thieved a total of 10,000 Armenian drams from the automated teller machine (located on Mashtots Ave., Yerevan, Republic of Armenia) of "VTB-Armenia Bank" by means of using a counterfeit copy of bank card No. 4539781780864044.

Furthermore, on August 25, 2008, Daniel Florin Feraru controlled the nearest territory of the automated teller machine (located in Ejmiatsin, Republic of Armenia) of "Anelik Bank" CJSC, while in the period from 12:43 to 12:50 o'clock, his accomplice Adi loan Blaga thieved a total of 300,000 Armenian drams from the automated teller machine by means of using counterfeit copies of bank cards No. 6459686894011069, 4658591039780007, 4539794189245137, 4539795663592175, 4921818838653619, 4539795107268226, 4539791264470218, and 4658590054965006, whereby he withdrew 150,000 Armenian drams with each of the counterfeit copies of bank cards No. 4658591039780007 and 4539791264470218.

On August 25, 2008, Daniel Florin Feraru controlled the nearest territory of the automated teller machine (located at 7 Argishti Str., Yerevan, Republic of Armenia) of "VTB-Armenia Bank" CJSC, while in the period from 12:58 to 12:59 o'clock, his accomplice Adi loan Blaga thieved a total of 110,000 Armenian drams from the automated teller machine by means of using counterfeit copies of bank cards No. 4539793794904203 and 4921818838653619, whereby he withdrew 100,000 Armenian drams with a counterfeit copy of bank card No. 4539793794904203 and 10,000 Armenian drams with a counterfeit copy of bank card No. 4921818838653619.

On August 26, 2008, Daniel Florin Feraru controlled the nearest territory of the automated teller machine (located in Ejmiatsin, Republic of Armenia) of "Anelik Bank" CJSC, while in the period from 12:24 to 13:00 o'clock, his accomplice Adi loan Blaga thieved a total of 480,000 Armenian drams from the automated teller machine by means of using counterfeit copies of bank cards No. 4547425103666856, 4659020577492006, 4658591039780007, 4658590095868003, 4659210206379001, 4543132389648426, 4921818838653619, 4921817935084637, 4462619844501734, 4659210011140010, 4658590112583007, 6759674712752635, 4539798074224107, 4658590080678003, 4921827642680320, 4539795831386138, 4177270020151476, 675940477291714899, 4539796609591065, and 4921817879760515, whereby he withdrew 150,000 Armenian drams with a counterfeit copy of bank card No. 4658591039780007, 100,000 Armenian drams with each of the counterfeit copies of bank cards No. 4543132389648426 and 4462619844501734, 50,000 Armenian drams with a counterfeit copy of bank card No. 4539798074224107, and 40,000 Armenian drams with each of the counterfeit copies of bank cards No. 4539795831386138 and 4539796609591065.

On August 26, 2008, Daniel Florin Feraru controlled the nearest territory of the automated teller machine (located at 7 Argishti Str., Yerevan, Republic of Armenia) of "VTB-Armenia Bank" CJSC, while in the period from 14:08 to 14:14 o'clock, his accomplice Adi loan Blaga tried to withdraw a total of 201,000 Armenian drams from

the automated teller machine by means of using counterfeit copies of bank cards No. 4658590112583007, 4658590095868003, 4921819794793217, 4659210206379001, and 4658590080678003; however, he managed to thieve only 60,000 Armenian drams, whereby he withdrew 20,000 Armenian drams with a counterfeit copy of bank card No. 4658590112583007 and 40,000 Armenian drams with a counterfeit copy of bank card No. 4658590095868003.

On August 27, 2008, in the period from 00:15 to 00:45 o'clock, Adi Ioan Blaga and Daniel Florin Feraru tried to withdraw a total of 1,851,000 Armenian drams from the automated teller machine (located at 8 Garegin Nezhdeh Str., Yerevan, Republic of Armenia) of "VTB-Armenia Bank" CJSC by means of successively using counterfeit copies of bank cards No. 4659103125013118, 4921817090417317, 4659010861715022, 4462729220452525, 4543132624196322, 4462785124725077, 6759676149981737, 4917540161451132, 4917542163056356, 4917545311217226, 4547421202368908, 4921819401055513, 675940050000007986, 6759686411824739, 4921816758437815, 4539783272066021, 4539789261668164, 4658590904274005, 4539782987449019, 4659011029246025, 4462785388693151, 6759673235921719, 6304992260610611, 4917542469109701, 4659010994513039, 4917316264735238, 4917545388692756, 4658582258650005, 4539782257863030, and 4539782331328174; however, due to unforeseen circumstances, they managed to thieve only a total of 426,000 Armenian drams, whereby Daniel Florin Feraru withdrew 66,000 Armenian drams with a counterfeit copy of bank card No. 4543132624196322, Adi Ioan Blaga withdrew 10,000 Armenian drams with each of the counterfeit copies of bank cards No. 4547421202368908 and 4921816758437815, 145,000 Armenian drams with a counterfeit copy of bank card No. 4539782987449019, 25,000 Armenian drams with a counterfeit copy of bank card No. 4917316264735238, and 170,000 Armenian drams with a counterfeit copy of bank card No. 4539782257863030. Afterwards, on the same day, in the period from 04:31 to 04:37 o'clock, by means of successively using counterfeit copies of bank cards No. 4539793794904203, 4539798074224107, 4539795831386138, 4658590095868003, 4543132389648426, 4539796609591065, and 4658591039780007, they tried to withdraw a total of 810,000 Armenian drams; however, due to unforeseen circumstances, Daniel Florin Feraru managed to thieve only a total of 160,000 Armenian drams, whereby he withdrew 60,000 Armenian drams with a counterfeit copy of bank card No. 4543132389648426 and 100,000 Armenian drams with a counterfeit copy of bank card No. 4658591039780007.

On August 27, 2008, at 4:15 o'clock, Daniel Florin Feraru thieved a total of 100,000 Armenian drams from the automated teller machine No. A842 of "HSBC Bank Armenia" CJSC, by means of using a counterfeit copy of bank card No. 4543132624196322.

On August 27, 2008, at 0:08 o'clock, Daniel Florin Feraru thieved a total of 100,000 Armenian drams from the automated teller machine No. A843 of "HSBC Bank Armenia" CJSC, by means of using a counterfeit copy of bank card No. 4543132624196322.

Upon assisting his accomplices and having a direct participation in the cases of theft, with knowledge that the Armenian dram-denominated funds were proceeds of crime,

Daniel Florin Feraru, undertook measures to exchange the funds into foreign currency and, thus, legalize the illicit proceeds.

In particular, on August 25, 2008, he personally exchanged 2,074,600 Armenian drams into 4,600 Euros in “Erebuni” branch of “Ardshininvestbank” CJSC in Yerevan, Armenia. Afterwards, on August 26, 2008, he personally exchanged 4,490,000 Armenian drams into 10,000 Euros in the branch of “Ameria bank” CJSC at 2 Vazgen Sargsyan, Yerevan, Republic of Armenia.

Before the beginning of the trial, the accused, Oliver Raducu Marian and Daniel Florin Feraru petitioned the Court for an expedited judicial proceeding and declared in the Court that: they realized the nature of their petition and its consequences; the petitioned was voluntary and was a result of consultation with the counsel; they realized the consequences of an expedited judicial proceeding; they understood and acknowledged the charges pressed against them; and they pleaded guilty.

The Court, having established the presence of the circumstances set forth under Articles 375.1 and 375.2 of the Criminal Procedure Code of the Republic of Armenia, decided to examine the case with an expedited judicial proceeding.

Based on the evidence supporting the charges, the Court establishes that the accused, Oliver Raducu Marian committed actions specified under Clauses 1 and 2, Part 3, Article 177 of the Criminal Code of the Republic of Armenia. According to his role, Oliver Raducu Marian had given his consent to participate in the theft of funds from automated teller machines and to assist his accomplices, who, in the period from August 18 to 27, 2008, thieved a particularly large amount of 34,047,000 Armenian drams from automated teller machines of Armenian banks by means of counterfeit bank cards.

On August 21, 2008, Oliver Raducu Marian tried to withdraw a total of 470,000 Armenian drams from the automated teller machine of “VTB-Armenia Bank” CJSC by means of using counterfeit copies of bank cards; however, due to unforeseen circumstances, he managed to thieve only a total of 100,000 Armenian drams.

On August 22, 2008, Oliver Raducu Marian and Cornel Constantin Stangaciu tried to withdraw a total of 750,000 Armenian drams from the automated teller machine of “VTB-Armenia Bank” CJSC by means of using counterfeit copies of bank cards; however, they managed to thieve only a total of 350,000 Armenian drams, while Oliver Raducu Marian withdrew only 25,000 Armenian drams.

Based on the evidence supporting the charges, the Court establishes that the accused, Daniel Florin Feraru, committed actions specified under Clauses 1 and 2, Part 3, Article 177 and Clauses 1 and 2, Part 2, Article 190 of the Criminal Code of the Republic of Armenia.

Daniel Florin Feraru had given his consent to participate in the theft of funds from automated teller machines and to assist his accomplices, who, in the period from August 18 to 27, 2008, thieved a particularly large amount of 34,047,000 Armenian drams from automated teller machines of Armenian banks by means of counterfeit bank cards.

On August 25, 2008, Daniel Florin Feraru tried to withdraw a total of 531,000 Armenian drams from the automated teller machine of "VTB-Armenia Bank" CJSC by means of using counterfeit copies of bank cards; however, due to unforeseen circumstances, he managed to thieve only a total of 181,000 Armenian drams.

On August 25, 2008, Daniel Florin Feraru controlled the nearest territory of the automated teller machine (located in Ejmiatsin, Republic of Armenia) of "VTB-Armenia Bank" CJSC, while his accomplice Adi Ioan Blaga tried to withdraw a total of 650,000 Armenian drams from the automated teller machine by means of using counterfeit copies of bank cards; however, due to unforeseen circumstances, he managed to thieve only a total 350,000 Armenian drams.

On August 25, 2008, Daniel Florin Feraru thieved a total of 10,000 Armenian drams from the automated teller machine of "VTB-Armenia Bank" CJSC by means of using counterfeit copies of bank cards.

On August 25, 2008, Daniel Florin Feraru controlled the nearest territory of the automated teller machine of "Anelik Bank" CJSC, while his accomplice Adi Ioan Blaga thieved a total of 300,000 Armenian drams from the automated teller machine by means of using counterfeit copies of bank cards.

On August 25, 2008, Daniel Florin Feraru controlled the nearest territory of the automated teller machine of "VTB-Armenia Bank" CJSC, while his accomplice Adi Ioan Blaga thieved a total of 110,000 Armenian drams from the automated teller machine by means of using counterfeit copies of bank cards.

On August 26, 2008, Daniel Florin Feraru controlled the nearest territory of the automated teller machine of "Anelik Bank" CJSC, while his accomplice Adi Ioan Blaga thieved a total of 480,000 Armenian drams from the automated teller machine by means of using counterfeit copies of bank cards.

On August 26, 2008, Daniel Florin Feraru controlled the nearest territory of the automated teller machine of "VTB-Armenia Bank" CJSC, while his accomplice Adi Ioan Blaga tried to withdraw a total of 201,000 Armenian drams by means of using counterfeit copies of bank cards; however, he managed to thieve only a total of 60,000 Armenian drams.

On August 27, 2008, Adi Ioan Blaga and Daniel Florin Feraru tried to withdraw a total of 1,851,000 Armenian drams from the automated teller machine of "VTB-Armenia Bank" CJSC by means of using counterfeit copies of bank cards; however, due to unforeseen circumstances, they managed to thieve only a total of 426,000 Armenian drams. On the same day, they tried to withdraw a total of 810,000 Armenian drams from the same automated teller machine by means of using counterfeit copies of bank cards; however, due to unforeseen circumstances, Daniel Florin Feraru managed to thieve only a total of 160,000 Armenian drams.

On August 27, 2008, Daniel Florin Feraru thieved a total of 200,000 Armenian drams from the automated teller machine No. A842 of "HSBC Bank Armenia" CJSC, by means of using counterfeit copies of bank cards.

Upon assisting his accomplices and having a direct participation in the cases of theft, with knowledge that the Armenian dram-denominated funds were proceeds of crime,

Daniel Florin Feraru, undertook measures to exchange the funds into foreign currency and, thus, legalize the illicit proceeds. For that end, on August 25, 2008, he personally exchanged 2,074,600 Armenian drams into 4,600 Euros in "Erebuni" branch of "Ardshininvestbank" CJSC in Yerevan, Armenia. Afterwards, on August 26, 2008, he personally exchanged 4,490,000 Armenian drams into 10,000 Euros in the branch of "Ameria Bank" CJSC at 2 Vazgen Sargsyan, Yerevan, Republic of Armenia.

As a factor mitigating the liability and punishment, the Court takes into consideration that fact that the accused, Oliver Raducu Marian and Daniel Florin Feraru had no prior convictions; pleaded totally guilty; regretted their actions; Oliver Raducu Marian had a dependent child.

There are no factors aggravating the liability and punishment.

For the actions committed, Oliver Raducu Marian and Daniel Florin Feraru shall be sentenced to imprisonment.

In imposing a punishment on Oliver Raducu Marian, the Court takes into consideration: his less active criminal role; his post-crime behavior of actively assisting the investigation of the crime and the members; his active cooperation with the preliminary investigation body. The Court considers these factors exceptional in lowering the level of severity of social ramifications of the crime, as well as the fact that Oliver Raducu Marian, a member of the criminal group, actively assisted the investigation of the crime. In such circumstances, the Court establishes that Oliver Raducu Marian shall be subject to a milder punishment than the minimum level specified under Clauses 1 and 2, Part 2, Article 177 of the Criminal Code of the Republic of Armenia.

The Court establishes to keep the provisional measure of detention, imposed on accused, Oliver Raducu Marian and Daniel Florin Feraru, unchanged until the Verdict enters into force.

The Court establishes to keep the documents considered material evidence and the counterfeit bank cards in the criminal case, kept in the Department of Investigations of the National Security Service of the Republic of Armenia. For the purpose of satisfying the victims' claims, the question of ownership rights for the 25,000 Euros (twenty five thousand) and 4,040,000 Armenian drams (four million and forty thousand) shall be resolved in a civil procedure.

The civil claim shall not be examined. The victims and civil plaintiffs shall have the right to file a petition to the Court, pursuant to civil procedures.

Guided by Articles 357-360, 364-365, 369-374, 375.3, and Part 6 of Article 371.1 of the Criminal Procedure Code of the Republic of Armenia, the Court:

## **DEDICES**

To declare the accused, Oliver Raducu Marian guilty, pursuant to Clauses 1 and 2, Part 3, Article 177 of the Criminal Code of the Republic of Armenia and sentence him to imprisonment for a term of two years, without confiscation of property, pursuant to

Article 64 of the Criminal Code of the Republic of Armenia. Oliver Raducu Marian shall serve his punishment at the Penitentiary Institution under the Ministry of Justice of the Republic of Armenia. The starting date for Oliver Raducu Marian to serve his punishment shall be considered the day of his arrest, August 27, 2008.

To declare the accused, Daniel Florin Feraru guilty, pursuant to Clauses 1 and 2, Part 3, Article 177 and Clauses 1 and 2, Part 2, Article 190 of the Criminal Code of the Republic of Armenia.

To sentence Daniel Florin Feraru to imprisonment for a term of four years and six months, without confiscation of property, pursuant to Clauses 1 and 2, Part 3, Article 177 of the Criminal Code of the Republic of Armenia; and to a term of four years, pursuant to Clauses 1 and 2, Part 2, Article 190 of the Criminal Code of the Republic of Armenia, with full confiscation of property, which cannot exceed the amount of losses caused and the illicit proceeds gained.

To impose a total punishment on Daniel Florin Feraru by sentencing him to imprisonment for a term of 6 years, upon partial addition of punishments imposed on the bases of Article 66 of the Criminal Code of the Republic of Armenia, with full confiscation of property, which cannot exceed the amount of losses caused and the illicit proceeds gained. Daniel Florin Feraru shall serve his punishment at the Penitentiary Institution under the Ministry of Justice of the Republic of Armenia. The starting date for Daniel Florin Feraru to serve his punishment shall be considered the day of his arrest, August 27, 2008.

To keep the provisional measure of detention, imposed on Oliver Raducu Marian and Daniel Florin Feraru, unchanged until the Verdict enters into force.

To keep the documents considered material evidence and the counterfeit bank cards in the criminal case, kept in the Department of Investigations of the National Security Service of the Republic of Armenia. For the purpose of recovering the victims' losses, the question of ownership rights for the 25,000 Euros (twenty five thousand) and 4,040,000 Armenian drams (four million and forty thousand) shall be resolved in a civil procedure.

To leave the civil claim unexamined. The victims and civil plaintiffs shall have the right to file a petition to the Court, pursuant to civil procedures.

This Verdict may be appealed to the Court of Appeals within a month from the day of its announcement, pursuant to the appealing procedures, except for the case specified under Clause 1, Article 395 of the Criminal Procedure Code of the Republic of Armenia.

**JUDGE, G. AVETISYAN**

*(Extract)*

*Case No. EKRD/0021/01/09*

*June 16, 2009*

*Yerevan, Republic of Armenia*

## **VERDICT**

### **IN THE NAME OF THE REPUBLIC OF ARMENIA**

#### **CRIMINAL COURT OF APPEALS OF THE REPUBLIC OF ARMENIA**

Presiding Judge:	H. Ter-Adamyan
Judges:	R. Azaryan, Zh. Hovsepyan
Assistants:	A. Pashikyan, N. Poghosyan
Prosecutor:	H. Sargsyan
Counsel:	A. Hovhannisyan
Interpreter:	H. Avagyan

An open-court examination (in compliance with appeal procedures and upon the appeal filed by the counsel, Anush Hovhannisyan, of the offender) of the criminal case on charges pressed against Daniel Florin Feraru: born on April 16, 1985 in Bacau City, Romania; Romanian by nationality; Romanian citizen; with secondary education; single; with no dependent persons under his care; with no previous convictions; worked as a laborer at “McGee Construction” in the United Kingdom of Great Britain; resided at 56 New Barnett Str., London, the United Kingdom of Great Britain; charges pressed, pursuant to Clauses 1 and 2, Part 3, Article 177 and Clauses 1 and 2, Part 2, Article 190 of the Criminal Code of the Republic of Armenia:

#### **DECIDES**

To reject the appeal.

To maintain the legal force of the verdict issued on April 10, 2009 by the Common Jurisdiction Court of First Instance in Kentron and Nork-Marash Administrative Regions of Yerevan on the offender, Daniel Florin Feraru, charges pressed, pursuant to Clauses 1 and 2, Part 3, Article 177 and Clauses 1 and 2, Part 2, Article 190 of the Criminal Code of the Republic of Armenia.

This Verdict enters into force after a month from its publication.

This Verdict may be appealed to the Court of Cassation of the Republic of Armenia within a month from its publication.

**PRESIDING JUDGE, H. TER-ADAMYAN**

