

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

April 2021 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

HAYKAZ MANSURYAN (1),  
HAYK SHAKARYAN (2),  
DAVIT BABAYAN (3),  
ARTOUR HAKOBYAN (4),  
PETROS ARMUTYAN (5),  
HAKOP KARAYAN (6),  
ROBERT FICHIDZHIAN (7),  
VASILIY POLYAK (8),

Defendants.

Case No. '21 CR2660 BAS

I N D I C T M E N T

Title 18, U.S.C., Sec. 1029(b)(2),  
1029(a)(2), 1029(a)(4) and  
1029(c)(1)(A) and (B) - Conspiracy  
to Use Unauthorized Access Devices  
and Possess Device-Making  
Equipment; Title 18, U.S.C.,  
Sec. 1028A - Aggravated Identity  
Theft; Title 18, U.S.C.,  
Secs. 982(a)(2)(B), 982(b) and  
1029(c) - Criminal Forfeiture

The grand jury charges, at all times material to the Indictment:

Introductory Allegations

1. An "access device" was any card, plate, code, account number,  
electronic serial number, personal identification number, or other means  
of account access that could be used, alone or in conjunction with  
another access device, to obtain money, goods, or services. Common forms  
of access devices were debit and credit cards, as well as the account  
information typically encoded on debit and credit cards.

2. An "unauthorized access device" was any access device that was  
lost, stolen, or obtained with intent to defraud.

3. Unauthorized access devices were commonly obtained by taking the account information of unwitting victims and re-encoding it on blank cards to simulate legitimate debit or credit cards. Unwitting victims' account information was commonly obtained by skimming devices that would surreptitiously capture it during an otherwise legitimate transaction at a point of sale such as a gas pump or ATM.

4. "Device-making equipment" was any equipment designed or primarily used for making an access device or counterfeit access device. Certain types of device-making equipment were commonly known as "skimming devices" or "skimmers."

5. A "means of identification" was any name or number that may be used, alone or in conjunction with any other information, to identify a specific individual, including any unique electronic identification number, address, or routing code, and access device.

Count 1

### Access Device Fraud Conspiracy

18 U.S.C. § 1029(b) (2)

[ALL DEFENDANTS]

6. Paragraphs 1 through 5 are hereby incorporated by reference as if fully stated herein.

7. Beginning on a date unknown to the grand jury, but no later than February 27, 2017, up until at least September 9, 2021, within the Southern District of California and elsewhere, defendants HAYKAZ MANSURYAN, HAYK SHAKARYAN, DAVIT BABAYAN, ARTOUR HAKOBYAN, PETROS ARMUTYAN, HAKOP KARAYAN, ROBERT FICHIDZHYAN, and VASILIIY POLYAK, and others known and unknown to the grand jury, did knowingly and with intent to defraud, conspire to:

1 a. Use one or more unauthorized access devices during a one-  
2 year period, and thereby obtain anything of value aggregating \$1,000 and  
3 more during that period; and

4 b. Produce, traffic in, have control or custody of, and  
5 possess device-making equipment;

6 and did engage in conduct in furtherance of such offense; in violation  
7 of Title 18, United States Code, Sections 1029(b)(2), 1029(a)(2),  
8 1029(a)(4), and 1029(c)(1)(A) and (B).

9 **PURPOSE OF THE CONSPIRACY**

10 8. The purpose of the conspiracy was for the defendants to build,  
11 distribute, possess and use device-making equipment in the form of  
12 skimmers and other equipment; to use that equipment to steal the account  
13 numbers, electronic serial numbers, personal identification numbers, and  
14 other means of bank and credit card account access of unwitting victims  
15 through the use of skimmers; to use that stolen information to create  
16 unauthorized access devices; and then to use those unauthorized access  
17 devices to withdraw cash and purchase goods in the aggregate amount of  
18 hundreds of thousands of dollars using funds drawn on the accounts of  
19 unwitting victims, within the Southern District of California and  
20 elsewhere throughout the United States.

21 **MANNER AND MEANS**

22 9. The manner and means used to accomplish the objectives of the  
23 conspiracy included, among others, the following:

24 a. Defendants ROBERT FICHIDZHIAN, VASILIIY POLYAK, and others  
25 would use their technical expertise to build skimmers, which were  
26 specifically designed to be installed in particular points of purchase  
27 (especially including gas pumps) in order to steal the financial account  
28 information of unwitting victims;

1           b. Defendants FICHIDZHYAN, POLYAK, and others would  
2 distribute the skimmers to other members of the conspiracy, such as  
3 defendants HAYKAZ MANSURYAN, HAYK SHAKARYAN and DAVIT BABAYAN, in order  
4 to install them;

5           c. Defendants MANSURYAN, SHAKARYAN, BABAYAN, and others  
6 would break into gas pumps and install skimmers inside them, in order  
7 to surreptitiously steal the account information of unwitting victims  
8 using the pumps;

9           d. Defendants MANSURYAN, SHAKARYAN, BABAYAN, and others  
10 would return to the gas pumps and either retrieve the skimmers, or  
11 remotely access the skimmers using separate digital devices such as  
12 smart phones or tablet computers with Bluetooth technology, in order to  
13 harvest the data that the skimmers had collected from unwitting victims  
14 using the pumps;

15           e. Defendants, including MANSURYAN, SHAKARYAN and BABAYAN,  
16 would use the stolen account information to create unauthorized access  
17 devices reencoded with victims' account information for their own use,  
18 and for use by their co-conspirators and accomplices;

19           f. Defendants, including MANSURYAN, SHAKARYAN, ARTOUR  
20 HAKOBYAN, PETROS ARMUTYAN, and HAKOP KARAYAN, would use the unauthorized  
21 access devices to make cash withdrawals from ATMs operated by financial  
22 institutions involved in interstate and foreign commerce, as well as to  
23 make purchases and charges against victims' accounts;

24           g. Defendants would use various methods to conceal their  
25 access device fraud activities, such as: typically installing skimmers  
26 at night, using vehicles registered to others and without proper license  
27 plates, using hidden aftermarket compartments to conceal unauthorized  
28 access devices, conducting unauthorized withdrawals at ATMs throughout

1 Southern California and across the United States, and by installing  
2 skimmers at gas stations throughout Southern California and across the  
3 United States.

4 **OVERT ACTS**

5 10. In furtherance of the conspiracy and to effect its objects,  
6 the following overt acts, among others, were committed within the  
7 Southern District of California, and elsewhere, on or about the dates  
8 below:

9 a. On February 27, 2017, in Simi Valley, California,  
10 defendants HAKOBYAN and KARAYAN conducted fraudulent cash withdrawals  
11 using unauthorized access devices at an ATM at Credit Union 1.

12 b. On February 27, 2017, in Simi Valley, California,  
13 defendants HAKOBYAN and KARAYAN possessed four (4) unauthorized access  
14 devices and \$32,700 in cash.

15 c. On May 5, 2017, defendants HAKOBYAN and KARAYAN used  
16 unauthorized access devices to make and attempt to make fraudulent cash  
17 withdrawals at a Bank 1 ATM in Camarillo, California.

18 d. On May 5, 2017, defendants HAKOBYAN and KARAYAN used  
19 unauthorized access devices to make and attempt to make fraudulent cash  
20 withdrawals at a Bank 1 ATM in Oxnard, California.

21 e. On May 5, 2017, defendant KARAYAN visited the U.S. Post  
22 office in Camarillo, California and attempted to obtain cash advances  
23 using unauthorized access devices.

24 f. On May 5, 2017, defendants HAKOBYAN and KARAYAN visited  
25 the U.S. Post office in Oxnard, California and obtained and attempted  
26 to obtain cash advances using unauthorized access devices.

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1 g. On January 15, 2018, defendant ARMUTYAN used an  
2 unauthorized access device to make a fraudulent cash withdrawal from a  
3 Bank 1 ATM in San Diego, California.

4 h. On February 17, 2018, defendant HAKOBYAN used an  
5 unauthorized access device containing account information stolen from  
6 victim C.H. to make a \$500 fraudulent cash withdrawal from an ATM at  
7 Credit Union 2 in San Diego, California.

8 i. On February 17, 2018, defendant KARAYAN used an  
9 unauthorized access device containing account information stolen from  
10 victim W.B. to make a \$500 fraudulent cash withdrawal from an ATM at  
11 Credit Union 2 in San Diego, California.

12 j. On February 27, 2018, defendant POLYAK possessed nine (9)  
13 assembled gas pump skimmers, as well as associated skimmer components  
14 and paraphernalia for building and installing skimmers, and fifteen (15)  
15 unauthorized access devices, which were found in a vehicle POLYAK was  
16 driving and a hotel room registered under his name.

17 k. Between April 6 and April 9, 2018, defendants SHAKARYAN  
18 and HAKOBYAN attempted to use unauthorized access devices to conduct  
19 fraudulent cash withdrawals from Bank 2 ATMs in and around Reno, Nevada.

20 l. On an unknown date, but prior to August 21, 2018,  
21 defendant BABAYAN possessed two (2) skimmers found at Gas Station 1 in  
22 San Diego, California.

23 m. On August 27, 2018, defendant MANSURYAN used an  
24 unauthorized access device containing account information stolen from  
25 victim R.A. to make a \$500 fraudulent cash withdrawal from an ATM at  
26 Credit Union 3 in Carlsbad, California.

27 n. On August 27, 2018, defendant ARMUTYAN used an  
28 unauthorized access device containing account information stolen from

1 victim L.H. to make a \$500 fraudulent cash withdrawal from an ATM at  
2 Credit Union 3 in San Diego, California.

3 o. On August 29, 2018, defendant SHAKARYAN used an  
4 unauthorized access device containing account information stolen from  
5 victim K.H. to make a \$500 fraudulent cash withdrawal from an ATM at  
6 Credit Union 3 in Rancho Bernardo, San Diego, California.

7 p. On the following specific dates, the following defendants  
8 used unauthorized access devices to conduct fraudulent cash withdrawals  
9 or attempted fraudulent withdrawals from the listed ATMs at the indicated  
10 cities within the Southern District of California:

Date	Defendant	ATM
8/29/2018	HAKOBYAN	Credit Union 3, Escondido
8/29/2018	SHAKARYAN	Credit Union 3, Escondido
8/29/2018	HAKOBYAN	Credit Union 3, Rancho Bernardo, San Diego
8/29/2018	SHAKARYAN	Credit Union 3, Rancho Bernardo, San Diego
8/29/2018	MANSURYAN	Credit Union 3, Carmel Valley, San Diego
8/30/2018	ARMUTYAN	Credit Union 3, Encinitas
8/30/2018	HAKOBYAN	Credit Union 3, Encinitas
9/8/2018	ARMUTYAN	Credit Union 3, Poway
9/9/2018	ARMUTYAN	Credit Union 3, Oberlin Dr., San Diego
9/9/2018	MANSURYAN	Credit Union 3, Oberlin Dr., San Diego
10/6/2018	SHAKARYAN	Credit Union 3, Solana Beach
10/6/2018	KARAYAN	Credit Union 3, Solana Beach
10/7/2018	SHAKARYAN	Credit Union 3, Encinitas
10/7/2018	KARAYAN	Credit Union 3, Encinitas
10/8/2018	SHAKARYAN	Credit Union 3, Rancho Bernardo, San Diego

Date	Defendant	ATM
10/8/2018	KARAYAN	Credit Union 3, Rancho Bernardo, San Diego
10/8/2018	SHAKARYAN	Credit Union 3, San Marcos
12/15/2018	HAKOBYAN	Credit Union 3, Solana Beach
12/16/2018	SHAKARYAN	Credit Union 3, Carlsbad
12/16/2018	HAKOBYAN	Credit Union 3, Carlsbad

q. On an unknown date, but prior to September 11, 2019, defendant FICHIDZHYAN possessed a skimmer that was also possessed by defendant MANSURYAN and was found at Gas Station 2 in San Diego.

r. On the following specific dates, the following defendants installed skimmers or downloaded data from skimmers, or attempted to do so, at the listed gas stations at the indicated cities in California:

Date	Defendant	Gas Station
11/9/2019	MANSURYAN	Gas Station 3, Lucerne Valley
2/6/2020	MANSURYAN	Gas Station 4, San Diego
3/12/2020	MANSURYAN, SHAKARYAN	Gas Station 4, San Diego
4/18/2020	MANSURYAN, SHAKARYAN	Gas Station 5, Long Beach
5/11/2020	SHAKARYAN	Gas Station 6, Costa Mesa
6/14/2020	MANSURYAN, SHAKARYAN	Gas Station 7, Costa Mesa
7/15/2020	MANSURYAN, SHAKARYAN	Gas Station 8, Corona Del Mar
7/17/2020	MANSURYAN, SHAKARYAN	Gas Station 9, National City
7/19/2020	MANSURYAN, SHAKARYAN	Gas Station 10, Oceanside
7/22/2020	MANSURYAN, SHAKARYAN	Gas Station 11, Escondido
7/24/2020	MANSURYAN, SHAKARYAN	Gas Station 3, Lucerne Valley
7/25/2020	MANSURYAN, SHAKARYAN	Gas Station 11, Escondido
8/13/2020	MANSURYAN, SHAKARYAN	Gas Station 12, El Cajon



Date	Defendant	Gas Station
12/8/2020	MANSURYAN, SHAKARYAN	Gas Station 13, Escondido
4/16/2021	MANSURYAN, BABAYAN	Gas Station 15, Capistrano Beach
4/29/2021	MANSURYAN	Gas Station 15, Capistrano Beach
5/8/2021	MANSURYAN, BABAYAN	Gas Station 16, Moorpark

s. On an unknown date, but prior to January 31, 2020, defendant MANSURYAN possessed two (2) skimmers found at Gas Station 4 in San Diego, California.

t. On an unknown date, but prior to June 10, 2020, defendant POLYAK possessed two (2) skimmers that were later installed in gas pumps at Gas Station 6 in Costa Mesa, California.

u. On an unknown date, but prior to August 27, 2020, defendant SHAKARYAN possessed four (4) skimmers found at Gas Station 16 in Moorpark, California.

v. On August 3, 2021, while driving a fuel truck containing approximately 325 gallons of fuel purchased with unauthorized access devices, defendant MANSURYAN possessed twenty-six (26) unauthorized access devices concealed inside a hidden compartment in the truck. All in violation of Title 18, United States Code, Section 1029(b)(2).

Count 2

Aggravated Identity Theft

18 U.S.C. § 1028A

[HAKOBYAN]

11. Paragraphs 1 through 5 are hereby incorporated by reference as if fully stated herein.

12. On or about February 17, 2018, within the Southern District of California, defendant ARTOUR HAKOBYAN, during and in relation to a felony violation of Title 18, United States Code, Section 1029(a)(2)

(Access Device Fraud), knowingly transferred, possessed, and used, without lawful authority, a means of identification of another person, to wit, the electronic bank information belonging to C.H., during a financial transaction at an ATM, knowing that the means of identification belonged to another actual person.

All in violation of Title 18, United States Code, Section 1028A.

Count 3

Aggravated Identity Theft

18 U.S.C. § 1028A

[KARAYAN]

13. Paragraphs 1 through 5 are hereby incorporated by reference as if fully stated herein.

14. On or about February 17, 2018, within the Southern District of California, defendant HAKOP KARAYAN, during and in relation to a felony violation of Title 18, United States Code, Section 1029(a)(2) (Access Device Fraud), knowingly transferred, possessed, and used, without lawful authority, a means of identification of another person, to wit, the electronic bank information belonging to W.B., during a financial transaction at an ATM, knowing that the means of identification belonged to another actual person.

All in violation of Title 18, United States Code, Section 1028A.

Count 4

Aggravated Identity Theft

18 U.S.C. § 1028A

[MANSURYAN]

15. Paragraphs 1 through 5 are hereby incorporated by reference as if fully stated herein.

1 16. On or about August 27, 2018, within the Southern District of  
2 California, defendant HAYKAZ MANSURYAN, during and in relation to a  
3 felony violation of Title 18, United States Code, Section 1029(a)(2)  
4 (Access Device Fraud), knowingly transferred, possessed, and used,  
5 without lawful authority, a means of identification of another person,  
6 to wit, the electronic bank information belonging to R.A., during a  
7 financial transaction at an ATM, knowing that the means of identification  
8 belonged to another actual person.

9 All in violation of Title 18, United States Code, Section 1028A.

10 Count 5

11 Aggravated Identity Theft

12 18 U.S.C. § 1028A

13 [ARMUTYAN]

14 17. Paragraphs 1 through 5 are hereby incorporated by reference  
15 as if fully stated herein.

16 18. On or about August 27, 2018, within the Southern District of  
17 California, defendant PETROS ARMUTYAN, during and in relation to a felony  
18 violation of Title 18, United States Code, Section 1029(a)(2) (Access  
19 Device Fraud), knowingly transferred, possessed, and used, without  
20 lawful authority, a means of identification of another person, to wit,  
21 the electronic bank information belonging to L.H., during a financial  
22 transaction at an ATM, knowing that the means of identification belonged  
23 to another actual person.

24 All in violation of Title 18, United States Code, Section 1028A.

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Count 6

Aggravated Identity Theft

18 U.S.C. § 1028A

[SHAKARYAN]

19. Paragraphs 1 through 5 are hereby incorporated by reference as if fully stated herein.

20. On or about August 29, 2018, within the Southern District of California, defendant HAYK SHAKARYAN, during and in relation to a felony violation of Title 18, United States Code, Section 1029(a)(2) (Access Device Fraud), knowingly transferred, possessed, and used, without lawful authority, a means of identification of another person, to wit, the electronic bank information belonging to K.H., during a financial transaction at an ATM, knowing that the means of identification belonged to another actual person.

All in violation of Title 18, United States Code, Section 1028A.

CRIMINAL FORFEITURE

21. The allegations contained in Count 1 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1029(c)(1)(C).

22. Upon conviction of the offense in violation of Title 18, United States Code, Section 1029(b)(2) set forth in Count 2 of this Indictment, defendants HAYKAZ MANSURYAN, HAYK SHAKARYAN, DAVIT BABAYAN, ARTOUR HAKOBYAN, PETROS ARMUTYAN, HAKOP KARAYAN, ROBERT FICHIDZHYAN, and VASILIIY POLYAK, shall forfeit to the United States of America:

a. pursuant to Title 18, United States Code, Section 982(a)(2)(B), any property constituting, or derived from,

proceeds obtained, directly or indirectly, as a result of such violation;  
and

b. pursuant to Title 18, United States Code,  
Section 1029(c)(1)(C), any personal property used or intended to be used  
to commit the offense.

23. If any of the property described above, as a result of any act  
or omission of the defendants:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a  
third party;

c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value; or


e. has been commingled with other property which cannot be  
divided without difficulty, the United States of America shall be  
entitled to forfeiture of substitute property pursuant to Title 21,  
United States Code, Section 853(p), as incorporated by Title 18, United  
States Code, Sections 982(b)(1) and 1029(c)(2).

All pursuant to Title 18, United States Code, Sections 982(a)(2)(B),  
982(b), and 1029(c).

DATED: September 9, 2021.

RANDY S. GROSSMAN  
Acting United States Attorney

By:

  
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