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**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

STATE OF ARIZONA,

Plaintiff,

v.

GEVORG MELKONYAN (001),

ELINA ARUTYUNOVA (002).

Defendants.

Case No:

67 SGJ 141

INDICTMENT

CHARGING VIOLATIONS OF:

COUNT 1: CONSPIRACY, a Class 2
Felony, in violation of A.R.S. § 13-1003 (001
and 002);

**COUNT 2 ILLEGALLY CONDUCTING
AN ENTERPRISE**, a Class 3 Felony, in
violation of A.R.S. § 13-2312(B) (001 and
002);

**COUNT 3: ASSISTING A CRIMINAL
SYNDICATE**, a Class 4 Felony, in violation
of A.R.S. § 13-2308 (001 and 002);

**COUNT 4: FRAUDULENT SCHEMES
AND ARTIFICES**, a Class 2 Felony, in
violation of A.R.S. § 13-2310 (001 and 002);

COUNT 5: MONEY LAUNDERING, a
Class 2 Felony, in violation of A.R.S. § 13-
2317 (001 and 002);

COUNT 6: THEFT, a Class 2 Felony, in violation of A.R.S. § 13-1802, (001 and 002);

COUNTS 7-11: THEFT, Class 3 Felonies, in violation of A.R.S. § 13-1802, (001 and 002);

COUNT 12: THEFT, a Class 6 Felony, in violation of A.R.S. § 13-1802, (001 and 002);

COUNT 13: AGGRAVATED TAKING THE IDENTITY OF ANOTHER PERSON OR ENTITY, a Class 3 Felony, in violation of A.R.S. § 13-2009 (001 and 002).

The Arizona State Grand Jury accuses **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, charging on this 19th day of October, 2010, that in or from Maricopa County, Arizona:

COUNT 1: CONSPIRACY

Between June 1, 2007 and October 31, 2008, Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, did conspire to commit the offenses of:

- a. Illegally Conducting an Enterprise
- b. Assisting a Criminal Syndicate
- c. Fraudulent Schemes and Artifices
- d. Money Laundering
- e. Theft
- f. Forgery
- g. Aggravated Taking the Identity of Another Person or Entity

In conspiring to commit such offenses, the Defendants and other conspirators, both known and unknown to the State, with the intent to promote or aid the commission

of an offense, did agree with one or more persons that at least one of them or another person would engage in conduct constituting the offenses, in particular, Illegally Conducting an Enterprise; Assisting a Criminal Syndicate; Fraudulent Schemes and Artifices; Money Laundering; Theft; Forgery; and Aggravated Taking the Identity of Another Person or Entity in violation of A.R.S. §§ 13-2312, 13-2308, 13-2310, 13-2317, 13-1802, 13-2002 and 13-2009.

In furtherance of this conspiracy and to effect the objects thereof, Defendants and other co-conspirators would commit numerous overt acts including, but not limited to, those overt acts set forth in Counts 2 through 14 of this Indictment, in violation of A.R.S. §§ 13-1003, 13-2312, 13-2308, 13-2310, 13-2317, 13-1802, 13-2002, 13-2009, 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-703, and 13-801.

COUNT 2: ILLEGALLY CONDUCTING AN ENTERPRISE

Between June 1, 2007 and October 31, 2008, Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, being employed by or associated with an enterprise, did knowingly conduct such enterprise's affairs through racketeering or did knowingly participate directly or indirectly in the conduct of the enterprise which they knew was being conducted through racketeering, in violation of A.R.S. §§ 13-2312(B), 13-2301(D), 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-703, and 13-801. The enterprise was a group of persons associated in fact, including, but not limited to Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, and other persons both known and unknown.

The racketeering included Forgery, Theft, Participating in a Criminal Syndicate, a Scheme or Artifice to Defraud, Asserting False Claims through Fraud, and Money Laundering in violation of A.R.S. §§ 13-2312(B), 13-2308, 13-2310, 13-2317, 13-2002, 13-1802, 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-703, and 13-801.

COUNT 3: ASSISTING A CRIMINAL SYNDICATE

Between June 1, 2007 and October 31, 2008, Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, assisted a criminal syndicate by committing any felony offense, whether completed or preparatory, with the intent to promote or further the objectives of a criminal syndicate, in violation of A.R.S. §§ 13-2308, 13-2301, 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-703, and 13-801.

Said conduct occurred when Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, committed the felony offenses of Forgery, Fraudulent Schemes and Artifices, Money Laundering, Theft and Aggravated Taking the Identity of Another Person or Entity, to promote or further the objectives of the criminal syndicate.

COUNT 4: FRAUDULENT SCHEMES AND ARTIFICES

Between June 1, 2007 and October 31, 2008 Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, pursuant to a scheme or artifice to defraud, knowingly obtained a benefit, by means of fraudulent pretenses, representations, promises, or material omissions, in violation of A.R.S. §§ 13-2310, 13-2301, 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-703, and 13-801.

Said conduct occurred when Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, fraudulently used personal identification information of other persons and/or entities to submit fraudulent health insurance claims for medical services not rendered; and, obtained payments from Blue Cross/Blue Shield of Arizona, National Association of Letter Carriers Benefit Plan, Health Net AZ, PacifiCare of AZ/UHC, Aetna Insurance Company, TRICARE, and Humana Insurance Company; by means of false or fraudulent pretenses, representations, promise or material omissions.

COUNT 5: MONEY LAUNDERING

Between June 1, 2007 and October 31, 2008 Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, acquired or maintained an interest, transacts, transfers, transports, receives or conceals the existence or nature of racketeering proceeds knowing or having reason to know that they are the proceeds of an offense, in violation of A.R.S. §§ 13-2317, 13-2301, 13-301,13-302, 13-303, 13-304, 13-305, 13-306, 13-610, 13-701, 13-702, 13-703, and 13-801.

Said conduct occurred when Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, obtained funds knowing or having reason to know they were proceeds of a racketeering offense.

COUNT 6: THEFT

Between February 1, 2008 and October 2, 2008, Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, without lawful authority, knowingly obtained services or property by means of any material misrepresentation with intent to deprive the other person of such property or services, in violation of A.R.S. §§ 13-1802, 13-1801, 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-703, and 13-801.

Said conduct occurred when Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, obtained funds they were not entitled to, in excess of twenty-five thousand dollars (\$25,000), from PacifiCare of AZ/UHC by means of material misrepresentations.

COUNT 7: THEFT

Between February 1, 2008 and October 2, 2008, Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**,, without lawful authority, knowingly obtained services or property by means of any material misrepresentation with intent to deprive the other person of such property or services, in violation of A.R.S. §§

13-1802, 13-1801, 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-703, and 13-801.

Said conduct occurred when Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, obtained funds they were not entitled to, in excess of four thousand dollars (\$4,000) but less than twenty-five thousand dollars (\$25,000), from Blue Cross/Blue Shield of Arizona by means of material misrepresentations.

COUNT 8: THEFT

Between February 1, 2008 and October 2, 2008, Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, without lawful authority, knowingly obtained services or property by means of any material misrepresentation with intent to deprive the other person of such property or services, in violation of A.R.S. §§ 13-1802, 13-1801, 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-703, and 13-801.

Said conduct occurred when Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, obtained funds they were not entitled to, in excess of four thousand dollars (\$4,000) but less than twenty-five thousand dollars (\$25,000), from Health Net AZ by means of material misrepresentations.

COUNT 9: THEFT

Between February 1, 2008 and October 2, 2008, Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, without lawful authority, knowingly obtained services or property by means of any material misrepresentation with intent to deprive the other person of such property or services, in violation of A.R.S. §§ 13-1802, 13-1801, 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-703, and 13-801.

Said conduct occurred when Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, obtained funds they were not entitled to, in excess of

four thousand dollars (\$4,000) but less than twenty-five thousand dollars (\$25,000), from Aetna Insurance Company by means of material misrepresentations.

COUNT 10: THEFT

Between February 1, 2008 and October 2, 2008, Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, without lawful authority, knowingly obtained services or property by means of any material misrepresentation with intent to deprive the other person of such property or services, in violation of A.R.S. §§ 13-1802, 13-1801, 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-703, and 13-801.

Said conduct occurred when Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, obtained funds they were not entitled to, in excess of four thousand dollars (\$4,000) but less than twenty-five thousand dollars (\$25,000), from TRICARE by means of material misrepresentations.

COUNT 11: THEFT

Between February 1, 2008 and October 2, 2008, Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, without lawful authority, knowingly obtained services or property by means of any material misrepresentation with intent to deprive the other person of such property or services, in violation of A.R.S. §§ 13-1802, 13-1801, 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-703, and 13-801.

Said conduct occurred when Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, obtained funds they were not entitled to, in excess of four thousand dollars (\$4,000) but less than twenty-five thousand dollars (\$25,000), from Humana Insurance Company by means of material misrepresentations.

COUNT 12: THEFT

Between February 1, 2008 and October 2, 2008, Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, without lawful authority, knowingly obtained services or property by means of any material misrepresentation with intent to deprive the other person of such property or services, in violation of A.R.S. §§ 13-1802, 13-1801, 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-703, and 13-801.

Said conduct occurred when Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, obtained funds they were not entitled to, in excess of three thousand dollars (\$2,000) but less than four thousand dollars (\$3,000), from National Association of Letter Carriers Benefit Plan by means of material misrepresentations.

COUNT 13: AGGRAVATED TAKING THE IDENTITY OF ANOTHER PERSON OR ENTITY

Between June 1, 2007 and October 31, 2008, Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, knowingly took, purchased, manufactured, recorded, possessed or used any personal identifying information of three or more persons or entities, including real or fictitious persons or entities, without the consent of the other persons or entities, with the intent to obtain or use the other persons' or entities' identities for any unlawful purpose or to cause loss to the persons or entities whether or not the persons or entities actually suffered any economic loss, in violation of A.R.S. §§ 13-2009, 13-2001, 13-301, 13-302, 13-303, 13-304, 13-305, 13-306, 13-701, 13-702, 13-703 and 13-801.

Said conduct occurred when Defendants, **GEVORG MELKONYAN (001)**, and **ELINA ARUTYUNOVA (002)**, used without lawful authority the identity of Scott L. Bernstein, M.D. to submit false claims for payments pursuant to medical insurance

policies in the names of Lynn Fuhs, Tylon Johnson, Lupe DeLeon, Sharon Dieschmueller, Linda Gromes, Arthur Dewyer, and Armida Cota.

Pursuant to A.R.S. § 21-425, the State Grand Jurors find that the offenses described above were committed in MARICOPA County, Arizona.

TERRY GODDARD
ATTORNEY GENERAL
STATE OF ARIZONA

(A "True Bill")

Dated: _____

BEVERLY J. RUDNICK
Assistant Attorney General
#857389

Foreperson of the State Grand Jury