

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

THE HONORABLE CHARLES R. BREYER  
Courtroom Clerk: Barbara Espinoza

**CRIMINAL PRETRIAL MINUTES**

**FILED**

NOV 18 2009

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Date: November 18, 2009

Reporter: Katherine Sullivan

Case No: CR-00-0284- CRB

DEFT: PAVEL LAZARENKO  
(X)Present

AUSA: Pete Axelrod

DEF ATTY: Dennis Riordan, Doron Weinberg  
Daniel Horowitz

Russian Interpreter: Svetlana Shirinova/Martin Omar Kitano  
Oksana Tsykova as to the issue of defendant's waiver

USPO: Ben Flores

REASON FOR HEARING Resentencing

**RESULT** Defendant waives any conflict as to Judge Breyer's participation as settlement judge in this matter. Defendant sentenced to ninety-seven (97) months on counts one thru eight. Defendant request to strike and return G. Korban's memorandum is denied. The Court sets briefing schedule as to restitution: motion filed within 30 days (12/18/2009), response due 30 days from motion (1/19/2010), counsel to notify the Court if a reply is necessary. The Court will determine if a hearing is needed as to restitution. Court recommends the defendant be placed in a Bureau of Prison facility near the Bay Area. Forfeiture judgments to remain in effect and are to be attached and incorporated into judgment

Motions (if any) to be filed \_\_\_\_\_  
Motions to be noticed to be heard no later than \_\_\_\_\_ otherwise, they will be deemed to be waived.

Case Continued to \_\_\_\_\_ for \_\_\_\_\_

**JUDGMENT** ninety-seven (97) months on counts one thru eight with each term to run concurrent upon release to two(2) years supervised release on counts one thru eight with each term to run concurrent under the standard and additional conditions set forthwith. Assessment fee: \$600.00; Fine: \$9 million. Forfeiture judgments filed 4/24/2006 and 9/29/2006 to remain in effect and incorporated into judgment; Restitution: deferred.

Notes: defendant remanded to custody