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JS-6

**UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

TRANSAMERICA LIFE  
INSURANCE COMPANY,

Plaintiff,

v.

AKOP ARUTYUNYAN and  
ANAHIT ARUTYUNYAN,

Defendants.

AND RELATED COUNTER-CLAIM

Case No. 2:20-cv-04684-ODW-JEMx

Judge: Hon. Otis D. Wright, II  
Magistrate Judge: Hon. John E.  
McDermott

**JUDGMENT AND ORDER  
ACCEPTING FINDINGS AND  
RECOMMENDATIONS OF  
MAGISTRATE JUDGE**

Pursuant to 28 U.S.C. Section 636, the Court has reviewed the pleadings, the records on file, and the Report and Recommendation of the United States Magistrate Judge. Defendants have filed Objections, and Plaintiff has filed a Reply to the Objections. The Court has conducted a de novo review of those portions of the Report and Recommendation to which Defendants have objected. Defendants' Objections are overruled. The Court accepts the findings and recommendations of the Magistrate Judge.

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IT IS HEREBY ORDERED AND ADJUDGED:

1. Judgment shall be entered in Transamerica's favor awarding all damages and declaratory relief sought in Transamerica's Complaint, plus fees and costs, as follows:

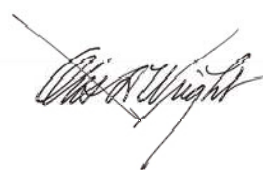
- a. Actual and compensatory damages in the amount of \$109,381.71 in connection with Transamerica's fraud claim and civil conspiracy claim and as restitution of benefits paid under the Policy;
- b. Statutory treble damages in the amount of \$218,763.42 as statutorily mandated by California Penal Code § 496(c) and interest in connection with Transamerica's Civil Theft claim against Defendants;
- c. Attorney's fees in the amount of \$166,394.50 pursuant to Cal. Penal Code § 496(c) in connection with Transamerica's Civil Theft claim against Defendants and as discovery sanctions, as set forth more fully in the Report and Recommendation.

2. The Court hereby declares as follows:

- a. The Policy is void and, therefore, Transamerica does not face a future threat of fraudulent claims and is compensated for a portion of the losses attributable to Defendants' fraudulent conspiracy.
- b. Transamerica may retain the premium paid for the Policy;

3. This action is dismissed with prejudice in its entirety.

IT IS SO ORDERED AND ADJUDGED



DATED: January 24, 2022

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OTIS D. WRIGHT, II  
UNITED STATES DISTRICT JUDGE