

**NOT FOR PUBLICATION**

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

JUL 31 2018

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

VITALY IVANOVICH SMAGIN,

Petitioner-Appellee,

v.

ASHOT YEGIAZARYAN, AKA Ashot  
Egiazaryan,

Respondent-Appellant.

Nos. 16-55502  
16-56749  
17-56467

D.C. No.  
2:14-cv-09764-R-PLA  
Central District of California,  
Los Angeles

ORDER

Before: ROGERS,\* BYBEE, and WATFORD, Circuit Judges.

The panel judges have voted to deny Smagin's Petition for Rehearing.

Judges Bybee and Watford voted to deny the Petition for Rehearing En Banc, and Judge Rogers recommended denying the Petition for Rehearing En Banc.

The full court has been advised of the petition for rehearing en banc and no judge has requested a vote on whether to rehear the matter en banc. Fed. R. App.

P. 35.

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\* The Honorable John M. Rogers, United States Circuit Judge for the U.S. Court of Appeals for the Sixth Circuit, sitting by designation.

Smagin's petition for rehearing and petition for rehearing en banc, filed July 2, 2018, is DENIED.

Yegiazaryan's Motion to Modify the Memorandum Disposition is GRANTED.

The Memorandum Disposition filed May 18, 2018 is amended as follows:

1. At page 6, replace "On August 3, 2017," with "Smagin also simultaneously domesticated and enforced the Award in Liechtenstein against Yegiazaryan's beneficiary interest in Alpha Trust, which is attached and frozen. That ruling is now on appeal. In concurrent, separate enforcement proceedings against Yegiazaryan's *non-beneficiary* interests,"
2. At page 6, replace "issued a decision, finding that" with "issued a decision on August 3, 2017. The Liechtenstein lower court had found that"
3. At page 6, delete "The Court of Appeal concluded that"
4. At page 7, insert "But the Court of Appeals rejected Smagin's effort to attach Yegiazaryan's non-beneficiary interests." before the sentence beginning "Relying on this ruling,"
5. At page 7, replace "granted Smagin a freeze order on the Alpha Trust pending his appeal" with "granted Smagin a stay of its August 2017 ruling, pending appeal"

No future petitions for panel rehearing and rehearing en banc shall be entertained.