

1 BILAL A. ESSAYLI  
First Assistant United States Attorney  
2 ALEXANDER B. SCHWAB  
Assistant United States Attorney  
3 Acting Chief, Criminal Division  
MARK P. TAKLA  
4 Assistant United States Attorney  
Chief, Orange County Office  
5 MELISSA S. RABBANI (Cal. Bar No. 283993)  
Assistant United States Attorney  
6 Deputy Chief, Orange County Office  
U.S. ATTORNEY'S OFFICE  
7 411 West Fourth Street, Suite 8000  
Santa Ana, California 92701  
8 Telephone: (714) 338-3500  
Facsimile: (714) 338-3561  
9 E-mail: melissa.rabbani@usdoj.gov

10 Attorneys for Plaintiff  
11 UNITED STATES OF AMERICA

12 UNITED STATES DISTRICT COURT  
13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,

15 Plaintiff,

16 v.

17 TODD AMENT,

18 Defendant.

No. SA CR 22-81-FLA

GOVERNMENT'S SENTENCING POSITION  
AND MOTION FOR DEPARTURE PURSUANT  
TO U.S.S.G. § 5K1.1

Hearing Date: November 14, 2025  
Hearing Time: 1:30 p.m.

21 Plaintiff United States of America, by and through its counsel  
22 of record, the First Assistant United States Attorney for the Central  
23 District of California and Assistant United States Attorney Melissa  
24 Rabbani, hereby files its sentencing position for defendant Todd  
25 Ament, which includes a motion for departure from the applicable  
26 Sentencing Guidelines pursuant to U.S.S.G. § 5K1.1.

27 The government's sentencing position and motion are based upon  
28 the attached memorandum of points and authorities, the files and

1 records in this case, the revised Presentence Report filed on August  
2 15, 2025, and such further evidence and argument as the Court may  
3 wish to consider at the time of sentencing.

4 Dated: November 4, 2025

Respectfully submitted,

5 BILAL A. ESSAYLI  
6 First Assistant United States  
Attorney

7 ALEXANDER B. SCHWAB  
8 Assistant United States Attorney  
Acting Chief, Criminal Division

9 /s/ Melissa S. Rabbani

10 MELISSA S. RABBANI  
11 Assistant United States Attorney

12 Attorneys for Plaintiff  
UNITED STATES OF AMERICA

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. INTRODUCTION**

3 Defendant Todd Ament ("defendant") is the former President and  
4 Chief Executive of the Anaheim Chamber of Commerce. Around 2019, the  
5 FBI began investigating defendant for his participation in a scheme  
6 to defraud a cannabis company ("Victim Company 1") and schemes to  
7 engage in mortgage and bank fraud. Defendant ultimately agreed to  
8 cooperate with the government, and his cooperation led to charges  
9 against one major public official: Harish "Harry" Sidhu, the former  
10 mayor of Anaheim. Earlier this year, Sidhu pled guilty to four  
11 felonies: one count of obstruction of justice, two counts of making  
12 false statements to a federal agency, and one count of wire fraud.  
13 Sidhu was sentenced to two months' custody and has already served his  
14 sentence. See United States v. Sidhu, SA CR 23-114-JWH.

15 In July 2022, defendant Ament pled guilty to two counts of wire  
16 fraud, one count of bank fraud, and one count of subscribing to a  
17 false tax return, based on his conduct with respect to Victim Company  
18 1, his application for a Small Business Administration loan during  
19 the COVID-19 pandemic, his application for a mortgage loan in 2020,  
20 and his tax returns for tax years 2017 through 2019.

21 In his plea agreement, defendant agreed that he would pay full  
22 restitution to the victims of his crimes, including Victim Company 1,  
23 and that he would continue to cooperate with the FBI. See Dkt. 13 at  
24 3-4, 17. In exchange, the government agreed to recommend a one-level  
25 downward variance under Section 3553(a), to bring to the Court's  
26 attention the nature and extent of defendant's cooperation, and, if  
27 appropriate, to move the Court for a 5K1.1 departure based on his  
28 substantial assistance to the government. See id. at 6-8.

1 The United States Probation Office ("USPO") filed a revised  
2 Presentence Report on August 15, 2025. Dkt. 78. In its report, the  
3 USPO found that the total applicable offense level in this case is  
4 19. Id. 4. With defendant's criminal history in category I, the  
5 USPO concluded that the applicable Guidelines range in this case is  
6 30 to 37 months. Id. The USPO also concluded that the applicable  
7 fine range under the Guidelines is \$10,000 to \$1,000,000.

8 As set forth below, the government believes that the offense  
9 level applicable to this case before any 5K1.1 motion is in fact 15,  
10 and not 19. Thus, with defendant in criminal history category I, the  
11 government believes the starting Guidelines range applicable to this  
12 case is 18 to 24 months. The government also believes that defendant  
13 has provided substantial assistance in the investigation or  
14 prosecution of another person - Harry Sidhu - and that an eight-level  
15 departure is thus warranted under U.S.S.G. § 5K1.1. With that  
16 departure, the applicable Guidelines range is zero to six months'  
17 imprisonment, and a sentence of one day is authorized under the  
18 Guidelines.

19 Based on defendant's cooperation, the government respectfully  
20 recommends that the Court impose a sentence of one day (time served).  
21 The government further recommends that the Court order restitution of  
22 \$225,000 to Victim Company 1, impose a fine of \$9,500, and order a  
23 special assessment of \$400. The government believes this sentence is  
24 sufficient, but not greater than necessary, to achieve the goals of  
25 sentencing set forth in 18 U.S.C. § 3553(a).

## 26 **II. SUMMARY OF RELEVANT FACTS**

27 The facts below are taken from the plea agreement filed on June  
28 9, 2022. See Dkt. 13 at 13-17.

1           **A.     Count One (Wire Fraud)**

2           In 2019, defendant and a business associate of his met with  
3 Melahat Rafiei, whom this Court recently sentenced in a related  
4 case,<sup>1</sup> and Victim Company 1, a cannabis company and Rafiei's client.  
5 In that meeting, defendant, while serving as President and CEO of the  
6 Anaheim Chamber of Commerce ("ACC"), represented that if Victim  
7 Company 1 paid \$225,000 to the ACC, the ACC would use that money to  
8 create an ACC Cannabis Task Force that would draft, and lobby for the  
9 passage of, an ordinance that would allow the retail sale of cannabis  
10 in the City of Anaheim. In reliance on those representations, Victim  
11 Company 1 did pay \$225,000 to the ACC; at least \$41,000 of that money  
12 ultimately was transferred to defendant's personal bank account.  
13 Neither defendant nor anyone else ever told Victim Company 1 that at  
14 least \$41,000 would go to defendant personally, and defendant's  
15 misstatements and omissions were material to the decision by Victim  
16 Company 1 to pay the ACC \$225,000.

17           Victim Company 1 has not been reimbursed for that payment and  
18 seeks restitution of \$225,000.

19           **B.     Count Two (Wire Fraud)**

20           In 2020, in the midst of the COVID-19 pandemic, defendant  
21 applied for an Economic Injury Disaster Loan from the Small Business  
22 Administration ("SBA"). In making that application, defendant  
23 represented to the SBA that he would use any loan proceeds "as  
24 working capital to alleviate economic injury cause by disaster  
25 occurring in the month of January 31, 2020 and continuing  
26 thereafter." In fact, however, defendant intended to use any  
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<sup>1</sup> See United States v. Rafiei, SA CR 23-06-FLA.

1 proceeds for his own personal expenses. After the SBA paid defendant  
2 \$61,900, defendant used the money to pay for personal expenses and  
3 property taxes related to his home.

4 The government understands that defendant has repaid the SBA  
5 loan.

6 **C. Count Three (Bank Fraud)**

7 In 2020, while applying for a home mortgage loan, defendant  
8 falsely represented to Chase Bank that three separate deposits to his  
9 account totaling \$205,000 were earned income based on consulting  
10 services his consulting company had performed. In fact, those  
11 deposits were simply a loan from an associate of defendant's and not  
12 earned income.

13 The government understands that defendant has repaid the  
14 mortgage loan at issue.

15 **D. Count Four (Subscribing to False Tax Returns)**

16 For tax years 2017, 2018, and 2019, defendant signed and filed  
17 false tax returns that understated his income for those years,  
18 resulting in tax losses of over \$200,000.

19 The government understands that defendant has paid the taxes  
20 owed.

21 **E. Cooperation**

22 Defendant began cooperating with the government in 2021. In or  
23 around September of that year, defendant allowed the FBI to search  
24 his personal cell phone. Among other things, agents found text  
25 messages involving defendant and Mayor Sidhu in which Sidhu sought an  
26 out-of-state address to avoid paying certain taxes on a helicopter he  
27 was registering. Those text messages are the basis for two of the  
28

1 charges to which Sidhu pled guilty: one count of wire fraud and one  
2 count of making false statements to a federal agency.

3 Defendant also informed agents that Mayor Sidhu had sent  
4 defendant and one other person an email containing non-public  
5 information relating to the proposed sale of Angel Stadium, with the  
6 expectation that defendant would pass that information along to the  
7 Angels - with whom the City of Anaheim was actively negotiating.  
8 Defendant also provided agents with a copy of the email, which agents  
9 later discovered Sidhu had deleted from his own devices. Defendant's  
10 cooperation and information with respect to the Angel Stadium email  
11 led to the other two charges that were ultimately brought against  
12 Sidhu: one count of making false statements and one count of  
13 obstruction of justice.

14 Defendant also actively cooperated with the FBI, allowing  
15 consensual monitoring of his personal cell phone for several months  
16 so that the FBI could record defendant's calls with business  
17 associates and others, including Sidhu.

### 18 **III. THE PRESENTENCE REPORT**

19 The USPO calculates that the total offense level in this case is  
20 19, based on a base offense level of seven, a 12-level increase based  
21 on the loss amount at issue, a two-level increase for the use of  
22 "sophisticated means," a two-level increase based on defendant's  
23 position of "public or private trust," a one-point increase based on  
24 a multiple count adjustment, a three-level decrease for acceptance of  
25 responsibility, and a final two-point reduction because of  
26 defendant's status as a zero-point offender. See Dkt. 78 at 11-14.  
27 Thus, based on a criminal history score of zero and criminal history  
28

1 category of I, the USPO concludes that the Guidelines range  
2 applicable to this case is 30 to 37 months.

3 **IV. THE GOVERNMENT'S POSITION**

4 As set forth above, the government believes that the total  
5 offense level in this case, before any 5K1.1 motion, should be 15.

6 In particular, the government agrees with the USPO that the base  
7 offense level for the three fraud counts is 7, and that a 12-point  
8 increase applies based on the loss amount. See U.S.S.G. §§ 2B1.1(a),  
9 2B1.1(b)(1)(G). The government does not agree, however, that any  
10 increases should apply for the use of sophisticated means or any  
11 position of public or private trust.

12 As set forth in the notes to Sentencing Guideline  
13 2B1.1(b)(10)(C), an adjustment for the use of "sophisticated means"  
14 applies to "especially complex or especially intricate offense  
15 conduct pertaining to the execution or concealment of an offense,"  
16 such as the use of "fictitious entities, corporate shells, or  
17 offshore financial accounts." Here, the government does not believe  
18 any of the fraud counts involved particularly complex or intricate  
19 offense conduct. Defendant simply asked Victim Company 1 for money,  
20 and Victim Company 1 paid it. Defendant simply lied to the SBA and  
21 Chase Bank and obtained the loans he wanted. No fictitious entities,  
22 corporate shells, or offshore accounts were used; the transactions at  
23 issue were not concealed or effected in any particularly complex or  
24 clever way.

25 With respect to abuse of a position of trust under U.S.S.G.  
26 § 3B1.3, the Guidelines state that the adjustment applies where  
27 defendant abused a position of trust "in a manner that significantly  
28 facilitated the commission or concealment of the offense," such as



1 "by making the detection of the offense or the defendant's  
2 responsibility for the offense more difficult." While defendant did  
3 have a leadership position at the ACC, it is not clear that his  
4 position at the ACC significantly facilitated the commission or  
5 concealment of the offense: the misrepresentation to Victim Company 1  
6 about where the \$225,000 would go.

7 The government also calculates that a two-level multiple count  
8 adjustment is appropriate. The government agrees with the USPO that  
9 the applicable offense level for the tax fraud count is 18; because  
10 the government believes that the offense level for the tax fraud  
11 count is only one level less serious than the offense level for the  
12 other fraud counts, the government submits that a two-level  
13 adjustment should apply under U.S.S.G. § 3D1.4.

14 The government also agrees with the USPO that defendant is  
15 entitled to a three-point reduction for acceptance of responsibility  
16 and an additional two-level decrease because he is a zero-point  
17 offender. Finally, per the terms of the plea agreement, the  
18 government respectfully recommends that the Court apply an additional  
19 one-level variance under 18 U.S.C. § 3553(a) based on defendant's  
20 history and characteristics, including his lack of criminal history,  
21 his immediate acceptance of responsibility for the offense conduct,  
22 and his ongoing cooperation with the government.

23 Thus, the government believes that the total applicable offense  
24 level, before any 5K1.1 motion, is 15. Because defendant is in  
25 criminal history category I, the government believes that the  
26 starting Guidelines range for this case is 18 to 24 months'  
27 imprisonment.

28 Based on defendant's substantial assistance with respect to the

1 investigation and prosecution of Harry Sidhu, the government also  
2 moves for an additional eight-level departure pursuant to U.S.S.G. §  
3 5K1.1.

4 "Upon motion of the government stating that the defendant has  
5 provided substantial assistance in the investigation or prosecution  
6 of another person who has committed an offense, the court may depart  
7 from the guidelines." U.S.S.G. § 5K1.1. In determining the  
8 appropriate reduction, the Court may consider, among other factors,  
9 the court's evaluation of the significance and usefulness of the  
10 defendant's assistance; the truthfulness, completeness, timeliness,  
11 and reliability of any information provided by the defendant; and any  
12 injury or danger incurred by the defendant in cooperating with the  
13 government. Id. Here, all of those factors weigh in favor of a  
14 significant departure for defendant.

15 Immediately after he was approached by the FBI, defendant agreed  
16 to assist FBI agents in investigating public corruption and other  
17 crimes in Orange County. Based on defendant's actions, including  
18 turning over his personal cell phone and allowing the covert  
19 recording of phone calls, the government was able to obtain a search  
20 warrant for the residence of Harry Sidhu, who was then the mayor of  
21 Anaheim - and who resigned from his position almost immediately after  
22 the search warrant was executed. Sidhu ultimately pled guilty to  
23 four felonies and was sentenced earlier this year. Without defendant  
24 Ament's actions, the government likely could not have charged Sidhu,  
25 and Sidhu likely would have continued to serve as mayor of Anaheim.

26 Defendant's own offense conduct was serious and demonstrated a  
27 lack of respect for the law. Defendant engaged in a pattern of  
28 serious and deceptive behavior, prioritizing his own financial gain

1 over all else. Notably, defendant took advantage of a global  
2 pandemic to line his pockets with tens of thousands of dollars of  
3 public funds - money it does not appear defendant even particularly  
4 needed.

5 However, once confronted by the FBI, defendant immediately  
6 accepted responsibility for his actions and agreed to cooperate with  
7 the government. Defendant devoted a significant amount of time to  
8 his cooperation, provided information that was truthful and timely,  
9 and risked his own connections and reputation to do so.

10 Given the above, the government respectfully submits that an  
11 eight-level departure is appropriate here. With that departure  
12 applied, the total offense level is 7, and with a criminal history  
13 score of I, the applicable Guidelines range is zero to six months.

14 The government respectfully recommends that the Court impose a  
15 sentence at the low end of that range: one day of custody (time  
16 served). Under the particular circumstances of this case, the  
17 government submits that a non-custodial sentence, with an appropriate  
18 order of restitution and a fine, will appropriately reflect the  
19 seriousness of this offense and promote respect for the law, deter  
20 future criminal conduct from both the defendant and others without  
21 imposing greater punishment than necessary, and serve to protect the  
22 community from further crime, while minimizing sentencing disparities  
23 among similarly situated defendants.

24 **V. RESTITUTION**

25 As set forth above, the government believes that defendant's  
26 loans from the SBA and Chase Bank, as well as his past taxes, have  
27 been paid. However, as set forth in the plea agreement, defendant  
28

1 should be ordered to pay restitution to Victim Company 1 in the  
2 amount of \$225,000. See Dkt. 13 at 11.<sup>2</sup>

3 **VI. FINE**

4 With a total offense level of seven, the applicable Guidelines  
5 range for a fine is between \$1,000 and \$9,500. See U.S.S.G.  
6 5E1.2(3). In determining the appropriate amount of a fine, the Court  
7 is instructed to consider, among other things, defendant's ability to  
8 pay the fine and the burden a fine would place on the defendant and  
9 his or her dependents. As noted in the PSR, defendant's assets are  
10 such that a fine in that range would constitute a minimal burden.  
11 Based on the above factors, as well as the nature and seriousness of  
12 the offense, the government submits that a fine of \$9,500, to be paid  
13 immediately, is appropriate in this case.

14 **VII. CONCLUSION**

15 As set forth above, a sentence of time served, restitution of  
16 \$225,000, a fine of \$9,500, and a special assessment of \$400 is  
17 sufficient, but not greater than necessary, to punish defendant,  
18 promote respect for the law, deter defendant from committing similar  
19 crimes in the future, and avoid sentencing disparities. See  
20 generally 18 U.S.C. § 3553(a).

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27 <sup>2</sup> In the plea agreement, the parties agreed that the applicable  
28 amount of restitution was \$286,900. That figure was based on the  
\$225,000 due to Victim Company 1 and the SBA loan of \$61,900.  
Because that SBA loan has been repaid, the government believes the  
amount of restitution now due is only \$225,000.