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3 Acting Attorney General for the State of California  
4 Daniel Osborn  
5 Deputy Attorney General (SBN 311037)  
6 1515 Clay Street, 20<sup>th</sup> Floor  
7 Oakland, CA 94612

8 NANCY E. O'MALLEY  
9 Alameda County District Attorney  
10 James Meehan  
11 Assistant District Attorney (SBN 124636)  
12 7677 Oakport Street, Suite 650  
13 Oakland, CA 94621

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15 SUPERIOR COURT COUNTY OF ALAMEDA  
16 EAST COUNTY HALL OF JUSTICE

17 THE PEOPLE OF THE STATE OF  
18 CALIFORNIA

19 Plaintiff,

20 vs.

21 APNA BAZAAR LLC, dba APNA BAZAR,

22 RAJVINDER PAL SINGH,

23 Defendants.

24 Criminal Case No.: 20-CR-006764A  
25 20-CR-006764B

26 STIPULATED TERMS OF NEGOTIATED  
27 DISPOSITION; ACKNOWLEDGMENT BY  
28 DEFENDANTS; EXHIBIT A

29 For the benefit of the Court, Probation Department and Parties, attached hereto and  
30 incorporated by reference herein are the following documents:

- 31 1) Acknowledgment by Defendant Apna Bazaar, LLC, d/b/a Apna Bazar, of the terms  
32 of the negotiated disposition in this case; and
- 33 2) Stipulated terms of misdemeanor disposition (Exhibit A).

34 The People respectfully request Defendant Apna Bazaar LLC d/b/a Apna Bazar be  
35 sentenced in accordance with these terms. The acceptance of this negotiated disposition by  
36 Defendant Apna Bazaar LLC d/b/a Apna Bazar includes the agreement by the People that the  
37 charges pending against Rajvinder Pal Singh in 20-CR-006764B, as codefendant in this matter,  
38 shall be dismissed on the motion of the People, pursuant to Penal Code, section 1385(a).

1 Dated: 4/14/21

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5 Respectfully Submitted

6 MATTHEW RODRIQUEZ  
7 ACTING ATTORNEY GENERAL

8  
9 By: 

Daniel Osborn  
Deputy Attorney General

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11 NANCY E. O'MALLEY  
12 DISTRICT ATTORNEY

13 By: 


14 James P. Meehan  
15 Assistant District Attorney  
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27 OFFICE OF  
28 DISTRICT  
29 ATTORNEY  
30 WILMINGTON COUNTY

**ACKNOWLEDGMENT BY DEFENDANT**

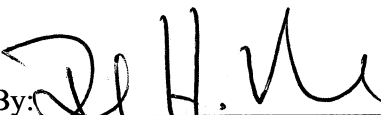
I, Rajvinder Pal Singh, as authorized member and agent of Apna Bazaar, LLC., pursuant to official filings with the California Secretary of State (File Number 201805710364), acknowledge on behalf of Apna Bazaar LLC that I have had an opportunity to discuss the negotiated disposition attached hereto and incorporated by reference as Exhibit A, with Daniel Vaswani, the attorney representing Apna Bazaar, and myself individually, as co-defendant in this matter. I have read, understood, and agree to the terms of the negotiated disposition. This agreement is made voluntarily. No promises other than those set forth in the negotiated disposition have been made to me either in my official capacity as authorized member and agent of Apna Bazaar, LLC, or myself individually.

Dated: 04-1-2021<sup>2</sup>

By:   
Rajvinder Pal Singh

APPROVED AS TO FORM

Dated: 04/06/2021

By:   
Daniel Vaswani  
Attorney for Defendants, Apna Bazar and  
Rajvinder Pal Singh

OFFICE OF  
DISTRICT  
ATTORNEY  
ALAMEDA COUNTY

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# Exhibit A

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2 **STIPULATED TERMS OF MISDEMEANOR DISPOSITION AS TO APNA BAZAAR,**

3 **LLC d/b/a APNA BAZAR (20-CR-006764A)**

- 4  
5 1. Plead guilty to the following misdemeanor counts:
- 6 • Count 1 (Penal Code, section 396(b), as amended to allege “dry goods.”)
  - 7 • Count 2 (Penal Code, section 396(b), as amended to allege “produce.”)
  - 8 • Balance of counts in the complaint to be dismissed on motion of the People.
- 9 2. Serve twelve (12) months of misdemeanor Court Probation;
- 10 3. \$240 Restitution Fund Fine;
- 11 4. Stipulated donation of \$20,000, payable to the Alameda County Community Food Bank,  
12 a 501(c)(3) nonprofit organization, as defined by the Internal Revenue Code. The parties  
13 agree such donation is a reasonable condition of probation under the provisions of Penal  
14 Code, section 1203.1(j);
- 15 5. The parties further agree that said donation shall be made in the form of a cashier’s  
16 check, or cashier’s checks if multiple payments are required, payable to the Alameda  
17 County Community Food Bank, and delivered to Assistant District Attorney James  
18 Meehan, c/o the Consumer and Environmental Protection Division of the Alameda  
19 County District Attorney’s Office located at 7677 Oakport Street, Suite 650, Oakland,  
20 CA 94621;
- 21 6. Upon receipt of the cashier’s check or checks, Assistant District Attorney James Meehan  
22 or his duly authorized representative of the Alameda County District Attorney’s Office,  
23 shall provide a receipt to attorney of record, Daniel Vaswani, and forward the cashier’s  
24 check or checks to the Alameda County Community Food Bank;
- 25 7. When the stipulated donation is paid in full, and all other fines and fees are paid,  
26 Defendant can move for probation to be terminated, without opposition of the Attorney  
27 General or District Attorney;
- 28 8. While the parties agree that a violation of Penal Code, section 396 constitutes an  
29 unlawful business practice and an act of unfair competition within the meaning of Section  
30 17200 of the Business and Professions Code, the Attorney General and District Attorney

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agree to take no civil action against Apna Bazaar LLC., based on the guilty pleas entered into in this matter.

9. It is acknowledged by Apna Bazaar, LLC, and Rajvinder Pal Singh, as its authorized member and agent, that any right to appeal from this conviction is waived.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

PEOPLE v. Apna Bazaar LLC, dba Apna Bazar

CASE NO.: 20CR006764A

MISDEMEANOR ADVISEMENT OF RIGHTS, WAIVER AND PLEA FORM

INSTRUCTIONS: Fill out this form if you wish to plead guilty or no contest to the charge(s) against you. Initial each item in the boxes to the right if you fully understand and agree with the corresponding statement. If you have any questions about the rights you are giving up or the possible consequences of a conviction, ask your attorney or the judge.

CONSTITUTIONAL RIGHTS AND WAIVERS

1. Right to an attorney: I understand I have the right to be represented by an attorney throughout the proceedings. If I cannot afford to hire an attorney, the court will appoint one to represent me at public expense. I understand that there are dangers and disadvantages to giving up my right to an attorney, and that it is almost always unwise to represent myself.

1 [initials]

1a. I give up my right to an attorney, and I choose to represent myself. (Does not apply if you have an attorney.)

1a [diagonal line]

2. Right to a jury trial: I understand I have the right to a speedy, public jury trial. At the trial, I would be presumed innocent, and could not be convicted unless 12 impartial jurors were convinced of my guilt beyond a reasonable doubt.

2 [initials]

2a. I give up the right to a jury trial.

2a [initials]

3. Right to confront witnesses: I understand I have the right to confront and cross-examine all witnesses testifying against me.

3 [initials]

3a. I give up the right to confront and cross-examine witnesses.

3a [initials]

4. Right against self-incrimination: I understand I have the right to remain silent and not incriminate myself, but that by pleading guilty or no contest, or admitting prior convictions or probation violations, I am incriminating myself.

4 [initials]

4a. I give up the right against self-incrimination.

4a [initials]

5. Right to produce evidence: I understand I have the right to present evidence in my own defense at trial, and to have the court issue subpoenas to bring into court witnesses and evidence favorable to me.

5 [initials]

5a. I give up the right to present evidence in my own defense.

5a [initials]

6. (If applicable) I give up my right to be sentenced and treated pursuant to Proposition 36.

6 [diagonal line]

7. Right to appeal: I give up my right to appeal from this conviction, including an appeal from the denial of any pretrial motions.

7 [initials]

8. Prior convictions, enhancements and probation violations: (If applicable) I understand I have all the rights listed above for all the charges against me, including any charged prior convictions and probation violations. However, for a charge of violating probation, I do not have the right to a jury trial, although I do have the right to a hearing before a judge.

8 [diagonal line]

**PLEA**

9. I understand I am pleading guilty or no contest and admitting the following offenses, prior convictions, and special punishment allegations, with the maximum punishment indicated below. Accordingly, I plead  guilty  no contest to these charges and allegations. (Use page 3 if more space is needed)

9

Count	Charge	Priors/Allegations	Maximum Sentence – Jail/ Fines
1	Cal. Pen. C. 396(b)		1 Year County Jail + \$10,000
2	Cal. Pen. C. 396(b)		1 Year County Jail + \$10,000

10. I understand I am also charged with violating my probation in Case No.(s): \_\_\_\_\_ and I freely and voluntarily admit the probation violation(s). (Use page 3 if more space is needed)

10

See Page 3 **CONSEQUENCES OF PLEA**

11. I understand I will receive the following sentence: (Use page 3 if more space is needed)
- Probation: \_\_\_\_\_
- County Jail: \_\_\_\_\_
- Fines: \_\_\_\_\_
- Restitution: \_\_\_\_\_
- Counseling, Classes, and Programs: \_\_\_\_\_
- Protective Orders: \_\_\_\_\_
- Volunteer Work: \_\_\_\_\_
- Driver's License Restriction, Suspension, or Revocation: \_\_\_\_\_
- Driving Under the Influence Program: \_\_\_\_\_
- Other Consequences: \_\_\_\_\_
- No other promises have been made to me.

11

12. I understand if I am not a citizen of the United States, this conviction may result in deportation, exclusion from admission to the United States, or denial of naturalization as a United States citizen.

12

13. I understand a plea entered in this case may be grounds for revocation of probation or parole which has been previously imposed on me in any other case(s).

13

14. I understand the conviction resulting from this plea can be used to increase future charges and sentences.

14

15. I understand that I may not receive, purchase, own or possess firearms for 10 years. If I now own or possess a firearm, I must transfer or dispose of that firearm within 30 days. Failure to comply with this section may result in either a fine or imprisonment in the county jail or state prison, or both.

15

16. I have discussed the charge(s), facts, and possible defenses with my attorney.

16

17. I agree the Court can impose lawful restitution attributable to any counts dismissed pursuant to this plea bargain.

17

18. I understand I have the right to be sentenced not less than 6 hours nor more than 5 days after my plea. I give up this right and agree to be sentenced at this time.

18

19. I understand I have the right to enter my plea before and to be sentenced by a judge. I give up this right and agree to enter my plea before and be sentenced by the following commissioner or temporary judge:

19





I HAVE PERSONALLY INITIALED EACH OF THE FOREGOING BOXES AND UNDERSTAND EACH AND EVERY ONE OF THE RIGHTS AND CONSEQUENCES

My true and correct name is: (please print) Apna Bazaar LLC dba Apna Bazar

Date: April 6, 2021

[Signature] (SIGNATURE OF DEFENDANT)

WAIVER AND PLEA IN MY ABSENCE (IF APPLICABLE)

- 1. I specifically waive my right to personally enter my plea. I waive my right to be personally present when sentence is imposed. I waive my right to personally address the court in mitigation of any sentence which might be imposed.
2. I hereby authorize and direct my attorney, Daniel Vaswani/Joseph McPeak, to enter a plea of [ ] guilty [X] no contest in my absence. My attorney is further authorized and directed to waive time for sentencing, and to receive the sentence, including probation, on my behalf and in my absence.

Date: April 6, 2021

[Signature] (SIGNATURE OF DEFENDANT)

ATTORNEY'S STATEMENT

I am the attorney of record for the defendant. I have gone over this form with my client, explained his or her rights, and answered all of my client's questions regarding this plea. I have discussed the facts of this case with my client, including the elements of the offense(s) charged and any possible defenses and consequences of a plea of guilty or no contest, including immigration consequences if applicable. I concur in my client's decision to waive his or her rights and enter this plea, and believe that my client is doing so knowingly, intelligently, and voluntarily.

Date: April 6, 2021

[Signature] (SIGNATURE OF ATTORNEY)

INTERPRETER'S STATEMENT (IF APPLICABLE)

I, \_\_\_\_\_, having been duly sworn or having a written oath on file, certify that I truly translated this form (check if applicable) [ ] and all other attachments, to the defendant in the language noted below. The defendant initialed and signed the form(s). Language: [ ] Spanish [ ] Other (specify): \_\_\_\_\_

Date: \_\_\_\_\_

[Signature] (SIGNATURE OF INTERPRETER)

COURT'S FINDINGS AND ORDER

The court, having reviewed this form and any attachment, and having questioned the defendant concerning the defendant's constitutional rights and admission of prior conviction(s), enhancements and probation violation(s), if any, finds that the defendant has expressly, knowingly and intelligently waived his or her constitutional rights. The court finds that the defendant's plea(s) and admission(s) are freely and voluntarily made with an understanding of the nature and consequences thereof, and that there is a factual basis for the plea(s). The court accepts the defendant's plea(s), the defendant's admission of the prior conviction(s), enhancements and probation violation(s), if any, and orders them entered in the record and this form filed in the case noted above.

Date: \_\_\_\_\_

(SIGNATURE OF:) [ ] Judge of the Superior Court [ ] Commissioner [ ] Temporary Judge