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8 Attorneys for Plaintiff HSBC Bank USA,  
9 National Association, as Indenture Trustee  
10 For the benefit of the Noteholders and the  
11 Certificateholder of Business Loan  
12 Express Business Loan Trust 2005-A

13 **UNITED STATES DISTRICT COURT**  
14 **EASTERN DISTRICT OF CALIFORNIA**

15 HSBC BANK, USA, National  
16 Association, as Indenture Trustee for the  
17 benefit of the Noteholders and the  
18 Certificateholders of Business Loan  
19 Express Business Loan Trust 2005-A,

20 Plaintiff,

21 vs.

22 DARA PETROLEUM, INC. dba WATT  
23 AVENUE EXXON, a California  
24 corporation; SARBJIT S. KANG, and  
25 individual; NARGES EGHTESEADI, an  
26 individual; U.S. SMALL BUSINESS  
27 ADMINISTRATION, a United States  
28 Government Agency; and DOES 1  
through 20, inclusive,

Defendant.

Case No. 2:09-CV-02356-WBS-EFB

**STIPULATION TO CONTINUE  
HEARINGS ON MOTIONS BY  
HSBC BANK, NA AND US SMALL  
BUSINESS ADMINISTRATION;  
[PROPOSED]ORDER THEREON**

1 This Stipulation is entered into by and between plaintiff HSBC Bank USA,  
2 National Association, as Indenture Trustee for the benefit of the Noteholders and  
3 the Certificateholders of Business Loan Express Business Loan Trust 2005-A  
4 (“HSBC as Trustee”), successor in interest to BLX Capital, LLC (“BLX”), the  
5 United States Small Business Administration (“SBA”), and defendants Dara  
6 Petroleum, inc. dba Watt Avenue Exxon, Sarbjit S. Kang, Narges Eghtesadi  
7 (Collectively the “Obligors”), by and through their respective counsel of record,  
8 as follows:

- 9 1. A hearing is set for November 5, 2012 on HSBC as Trustee’s Motion  
10 to Amend the Judgment (“HSBC Motion”).
- 11 2. A hearing is set for November 5, 2012 on SBA’s Motion to Vacate  
12 Judgment (“SBA Motion”).
- 13 3. The parties are engaged in settlement discussions with the anticipated  
14 result of entering into a stipulation to resolve their motions. The  
15 parties desire additional time to complete discussions prior to the  
16 motion hearings.

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18 NOW, THEREFORE, IT IS STIPULATED AS FOLLOWS:

19 With the consent of the Court, the hearings on the HSBC Motion and the  
20 SBA Motion shall be continued pursuant to Local Rule 230(F) to December 17,  
21 2012 at 2:00 p.m. or to a time thereafter as determined by the Court.  
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Dated: October 26, 2012

Eric S. Pezold  
SNELL & WILMER L.L.P.

By: /s/ Eric S. Pezold  
Eric S. Pezold (#255657)  
Attorneys for Plaintiff  
HSBC Bank USA

Dated: October 26, 2012

JEFFREY S. KRAVITZ  
KRAVITZ LAW OFFICE

By: /s/ Jeffrey Kravitz  
Jeffrey Kravitz  
Attorneys for Defendants  
DARA PETROLEUM, INC., S. Kang,  
N. EGHTESEADI

Dated: October 26, 2012

BENJAMIN B. WAGNER  
United States Attorney


By: /s/ Bobbie J. Montoya  
Bobbie J. Montoya  
Assistant US Attorney  
Attorney for the United State of  
America

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**ORDER**

Good cause appearing and the parties having so stipulated, IT IS HEREBY ORDERED that the hearings set for October 9, 2012 at 2:00 p.m. in this Courtroom shall be continued to **January 14, 2013, at 2:00 p.m.** All corresponding deadlines are continued and governed by Local Rule 230.

Dated: October 26, 2012

  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE

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**PROOF OF SERVICE**

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action; my business address is 600 Anton Boulevard, Suite 1400, Costa Mesa, CA 92626-7689.

On October 26, 2012, I served, in the manner indicated below, the foregoing document described as **STIPULATION TO CONTINUE HEARINGS ON MOTIONS BY HSBC BANK, NA AND US SMALL BUSINESS ADMINISTRATION; [PROPOSED] ORDER THEREON** on the interested parties in this action by placing true copies thereof, enclosed in sealed envelopes, at Costa Mesa, addressed as follows:

Bobbie J Montoya  
United States Attorney's Office  
501 I Street, Suite 10-100  
Sacramento, CA 95814

Jeffrey S. Kravitz, Esq.  
2310 J. Street, Suite A  
Sacramento, CA 95816

- BY U.S. MAIL: I caused such envelopes to be deposited in the United States mail at Costa Mesa, California, with postage thereon fully prepaid. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. It is deposited with the United States Postal Service each day and that practice was followed in the ordinary course of business for the service herein attested to (C.C.P. § 1013(a)).
- BY FACSIMILE: (C.C.P. § 1013(e)(f)).
- BY FEDERAL EXPRESS: I caused such envelopes to be delivered by air courier, with next day service, to the offices of the addressees. (C.C.P. § 1013(c)(d)).
- BY PERSONAL SERVICE: I caused such envelopes to be delivered by personal service at the offices of the addressees. (C.C.P. § 1011(a)(b)).  
\*\*\*\*\*

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on **October 26, 2012**, at Costa Mesa, California.

/s/ Dana Lewis  
DANA LEWIS