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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BP WEST COAST PRODUCTS, LLC,
Plaintiff and Counter-Defendant,

v.

CROSSROAD PETROLEUM, INC., ET
AL.,
Defendants and Counter-Claimants.

Case No.: 12-CV-665 JLS (JLB) Lead
Case

**ORDER REQUESTING
ADDITIONAL BRIEFING**

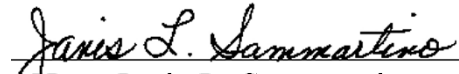
AND RELATED CONSOLIDATED
ACTIONS

Presently before the Court is Plaintiff and Counter-Defendant BP West Coast Products LLC’s (“BP”) Motion for Summary Judgment, (ECF No. 685). In part, BP argues the Court should grant summary judgment on BP’s claim for breach of guaranty agreements as to guarantor defendants Khaja Ansari, Fazilath Ansari, Nadir Sahih, Payam Sahih, Rajesh Arora, Anup Patel, Tarun Maitra, and Soma Prasad. Neither BP nor Defendants addressed the validity of the guarantee agreements. *See Grayl CPB, LLC v. Kolokotronis*, 202 Cal. App. 4th 480, 486 (2011) (holding a lender must show the following to prove breach of guaranty: “1) there is a valid guaranty, 2) the borrower has defaulted, and 3) the guarantor failed to perform under the guaranty.” (citing *Torrey Pines Bank v.*

1 *Superior Court*, 216 Cal. App. 3d 813, 819 (1989)).) Accordingly, each Party **SHALL**
2 **FILE** a supplemental brief (one per side) regarding the validity of the guarantee
3 agreements on or before December 5, 2017.

4 **IT IS SO ORDERED.**

5 Dated: November 28, 2017


6 Hon. Janis L. Sammartino
7 United States District Judge

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