

CLIMATE LITIGATION CASES AND CLAIMS: CITIES, COUNTIES, & PCFFA

| CASE | DEFENDANTS | | | | | IMPACTS | | | | LEGAL CLAIMS ASSERTED | | | | | | | |
|---------------------------------------|------------|--------------------|-----------------------|------|------------------------------|---------|-------------|--------|-------|-----------------------|------------------|----------|---------------|------|-----|---------------------|-------|
| | Exxon | Chevron, Shell, BP | Other Fossil Fuel Cos | Koch | American Petroleum Institute | SLR | Hydro Cycle | Health | Other | Public Nuis. (People) | Nuis. (Pub/Priv) | Trespass | Design Defect | Negl | FTW | Consumer Protection | Other |
| San Mateo, Marin, Imperial Beach (CA) | ✓ | ✓ | ✓ | | | ✓ | | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Santa Cruzes, Richmond (CA) | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Baltimore (MD) | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| PCFFA | ✓ | ✓ | ✓ | | | | ✓ | | ✓ | | ✓ | | ✓ | ✓ | ✓ | | |
| San Francisco / Oakland (CA) | ✓ | ✓ | | | | ✓ | | | | ✓ | | | | | | | |
| Honolulu (HI) | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | ✓ | | |
| Charleston (SC) | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | |
| Maui (HI) | ✓ | ✓ | ✓ | | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | | ✓ | | |
| Annapolis (MD) | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | |
| New York City (NY) | ✓ | ✓ | ✓ | | | ✓ | | | | | ✓ | ✓ | | | | | |
| King County (WA) | ✓ | ✓ | ✓ | | | ✓ | ✓ | | ✓ | | ✓ | ✓ | | | | | |
| Boulder (CO) | ✓ | | ✓ | | | | ✓ | | ✓ | | ✓ | ✓ | | | | ✓ | |
| Hoboken (NJ) | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | | ✓ | |

CLIMATE LITIGATION CASE STATUS: CITIES, COUNTIES, & PCFFA

| CASE NAME | REMOVED/ COURT | REMAND SOUGHT? | REMAND STATUS | CURRENT STATUS |
|---|------------------------------|-------------------|--|--|
| San Mateo, Marin, Imperial Beach, Santa Cruzes, Richmond (CA) | Yes: N.D. Cal. (Chhabria) | Yes | Granted, Affirmed, ¹ Cert. pending | 9th Circuit affirmed remand to state court on May 26, 2020, and denied Defendants' request for an <i>en banc</i> rehearing on August 4, 2020. ¹ Further action stayed pending Defendants' petition for certiorari, filed December 30, 2020. |
| Baltimore (MD) | Yes: D. Md. (Hollander) | Yes | Granted, Affirmed ² Cert. granted. Stayed in state court. | 4th Circuit affirmed remand on March 6, 2020. ² U.S. Supreme Court heard oral argument re: scope of appellate review on January 19, 2021. State court action deferred pending ruling re: personal jurisdiction in unrelated cases. |
| Pacific Coast Federation of Fishermen's Associations | Yes: N.D. Cal. (Chhabria) | Yes | Stayed | Parties stipulated a stay of further action pending final outcome of 9th Circuit appeal of CA cases. |
| San Francisco, Oakland (CA) | Yes: N.D. Cal. (Alsup) | Yes | Denied, Reversed ³ | The 9th Circuit reversed the district court's denial of remand on May 26, 2020; Defendants' request for a rehearing or <i>en banc</i> hearing was rejected on August 12, 2020; Defendants petitioned for cert. on January 8, 2021. ³ Case returned to federal district court to determine whether there are any other bases for federal court jurisdiction. Renewed remand motion filed January 28, 2021. |
| Honolulu (HI) | Yes: D. Haw. (Watson) | Yes | Granted ⁶ | Stay lifted by Judge Watson on August 21, 2020. Remanded to state court February 12, 2021. |
| Charleston (SC) | Yes; D.S.C. (Hendricks) | Yes | Pending | Filed in state court September 9, 2020. Removed to federal court October 9, 2020. Remand motion filed November 5, 2020. |
| Maui (HI) | Yes; D. Haw. (Watson) | Yes | Granted ⁶ | Filed in state court October 12, 2020. Removed to federal court on October 30, 2020. Remanded to state court February 12, 2021. |
| Annapolis (MD) | Expected | Expected | N.A. | Filed in state court February 22, 2021. |
| New York City (NY) | N.A.: Filed in federal court | N.A. | N.A. | Case dismissed by District Court July 19, 2018. 2nd Circuit upheld lower court's dismissal April 1, 2021. ⁴ |
| King County (WA) | Yes: W.D. Wash. (Lasnik) | Stayed | Stayed | Parties stipulated a stay of further action pending outcome of 9th Circuit appeal of CA cases. |
| Boulder (City and County) San Miguel County (CO) | Yes: D. Colo. (Martinez) | Yes | Granted, Affirmed ⁵ Cert. pending | Case underway in state court. Hearing on Motion to Dismiss: June 1, 2020. The 10th Circuit affirmed remand to state court on July 7, 2020. ⁵ Defendants petitioned for cert. December 4, 2020. |
| Hoboken (NJ) | Yes; D.N.J. (Vasquez) | Yes | Pending | Filed in state court September 3, 2020. Removed to federal court October 9, 2020. Remand motion filed November 5, 2020. |

1. *County of San Mateo v. Chevron Corp.*, 960 F.3d 586 (9th Cir. 2020), *reh'g denied* Aug. 4, 2020, *petition for cert. filed* (Dec. 30, 2020).

2. *Mayor & City Council of Baltimore v. BP P.L.C.*, 952 F.3d 452 (4th Cir. 2020), *cert. granted* 141 S. Ct. 222 (2020).

3. *City of Oakland v. BP p.l.c.*, 969 F.3d 895 (9th Cir. 2020), *reh'g denied, amended opinion issued* Aug. 12, 2020, *petition for cert. filed* (Feb. 8, 2021).

4. *City of New York v. BP P.L.C.*, ___ F.3d ___ (2nd Cir. 2021).

5. *Boulder County v. Suncor Energy (U.S.A.) Inc.*, 965 F.3d 792 (10th Cir. 2020), *petition for cert. filed* (Dec. 4, 2020).

6. *City & Cty. of Honolulu v. Sunoco LP*, No. 20-cv-163, 2021 WL 531237 (D. Haw. Feb. 12, 2021).