

# CLIMATE LITIGATION CASES AND CLAIMS: STATES & DC

CASE	DEFENDANTS					IMPACTS				LEGAL CLAIMS ASSERTED						
(filing date)	Exxon	Chevron, Shell, BP	Other Fossil Fuel Cos	Koch	American Petroleum Institute	SLR	Hydro Cycle	Health	Other	Public Nuisance	Trespass	Design Defect	Negl	FTW	Consumer Protection	Other
Rhode Island (7/2/2018)	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓		✓
Minnesota (6/24/2020)	✓			✓	✓		✓	✓	✓					✓	✓	✓
District of Columbia (6/25/2020)	✓	✓							✓						✓	
Delaware (9/10/2020)	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓			✓	✓	
Massachusetts (10/24/2019)	✓								✓						✓	✓
Connecticut (9/14/2020)	✓								✓						✓	
Vermont (9/14/2021)	✓	Shell	✓						✓						✓	

# CLIMATE LITIGATION CASE STATUS: STATES & DC

CASE NAME	REMOVED/ COURT	REMAND SOUGHT?	REMAND STATUS	CURRENT STATUS
Rhode Island	Yes: D.R.I. (Smith)	Yes	Granted, Affirmed <sup>1</sup>	1st Circuit affirmed remand on October 29, 2020. SCOTUS remanded to 1st Circuit to consider Defendants' other removal grounds on May 24, 2021. Case stayed in state court pending rulings re personal jurisdiction in unrelated cases.
Minnesota	Yes: D. Minn. (Tunheim)	Yes	Granted, <sup>3</sup> Appeal pending	Filed in state district court, June 24, 2020. Removed to federal court July 27, 2020. Remand granted March 31, 2021; stayed pending appeal August 20, 2021. Appeal to 8 <sup>th</sup> Circuit filed June 16, 2021.
District of Columbia	Yes: D.D.C. (Kelly)	Yes	Pending	Filed in D.C. Superior Court, June 25, 2020. Removed to federal court July 17, 2020. Remand motion filed August 17, 2020; awaiting decision.
Delaware	Yes; D. Del. (Stark)	Yes	Granted <sup>5</sup> Appeal expected	Filed in state court September 10, 2020. Removed to federal court October 23, 2020. Remand motion filed November 20, 2020; Remand granted January 5, 2022; appeal expected.
Massachusetts	Yes: D. Mass. (Young)	Yes	Granted <sup>2</sup> No appeal filed.	Federal court granted motion to remand; Exxon did not appeal. <sup>2</sup> Motions to dismiss denied in state court.
Connecticut	Yes; D. Conn. (Hall)	Yes	Granted, <sup>4</sup> Appeal pending	Filed in state court September 14, 2020. Removed to federal court October 14, 2020. Remand granted June 2, 2021. Appeal to 2 <sup>nd</sup> Circuit filed June 8, 2021.
Vermont	Yes; D. Vt. (Sessions)	Yes	Pending	Filed in state court September 14, 2021. Removed to federal court October 22, 2021. Motion to remand filed December 17, 2021.

1. *Rhode Island v. Chevron Corp.*, 979 F.3d 50 (1st Cir. 2020), vacated and remanded to consider grounds for removal other than federal officer, No. 20-900 (U.S. May 25, 2021).

2. *Massachusetts v. Exxon Mobil Corp.*, 462 F. Supp. 3d 31 (D. Mass. 2020).

3. *Minnesota v. American Petroleum Institute*, 2021 WL 1215656 (D. Minn. Mar. 31, 2021), appeal filed, No. 21-1752 (8th Cir. Apr. 5, 2021).

4. *Connecticut v. Exxon Mobil Corp.*, 2021 WL 2389739 (D. Conn. June 2, 2021), appeal filed, No. 21-1446 (2d Cir. June 8, 2021).

5. *Delaware v. BP America Inc.*, No. 1:20-cv-01429-LPS (D. Del. Jan. 5, 2022).