

# 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	Negligence	FTW	Consumer Protection	Other
Rhode Island (7/2/2018)	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓		✓
Minnesota (6/24/2020)	✓			✓	✓		✓	✓	✓					✓	✓	✓
District of Columbia (6/25/2020)	✓	✓							✓						✓	
Delaware (9/10/2020)	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓			✓	✓	
New Jersey (10/18/2022)	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓
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 Re-affirmed <sup>1</sup>	1st Circuit affirmed remand on October 29, 2020. <sup>1</sup> SCOTUS remanded to 1st Circuit to consider Defendants' other removal grounds on May 24, 2021. 1 <sup>st</sup> Circuit unanimously rejected all removal grounds on May 23, 2022. <sup>1</sup> En banc hearing rejected July 7, 2022. State court briefing on motions to dismiss and jurisdictional discovery Fall 2022.
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, <sup>3</sup> 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	Granted Appeal pending	Filed in D.C. Superior Court, June 25, 2020. Removed to federal court July 17, 2020. Remand granted November 12, 2022; Stayed pending appeal; Notice of appeal filed November 28, 2022.
Delaware	Yes: D. Del. (Stark)	Yes	Granted <sup>5</sup> Affirmed	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. <sup>5</sup> 3 <sup>rd</sup> Circuit affirmed remand August 17, 2022. <sup>5</sup> Remanded to state court October 19, 2022.
New Jersey	Yes: D.N.J. Quraishi	Yes	Pending	Filed in state court on October 18, 2022. Removed to federal court November 22, 2022. Remand motion to be served by December 22, 2022.
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. <sup>4</sup> Appeal to 2 <sup>nd</sup> Circuit filed June 8, 2021. Hearing in 2 <sup>nd</sup> Circuit on September 23, 2022.
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. Briefing completed March 18, 2022.

1. *Rhode Island v. Shell Oil Prod. Co.*, 35 F.4th 44 (1st Cir. May 23, 2022). 4. *Connecticut v. Exxon Mobil Corp.*, 2021 WL 2389739 (D. Conn. June 2, 2021), *appeal filed*, No. 21-1446 (2d Cir. June 8, 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).

5. *Delaware v. BP America Inc.*, No. 1:20-cv-01429-LPS, 2022 WL 58484 (D. Del. Jan. 5, 2022), *aff'd sub nom. City of Hoboken v. Chevron Corp.*, No. 21-2728, 2022 WL 3440653 (3d Cir. Aug. 17, 2022)