

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

CASE (filing date)	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) (7/17/2017)	✓	✓	✓			✓				✓	✓	✓	✓	✓	✓		
Santa Cruzes (12/20/2017) Richmond (CA) (1/22/2018)	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Baltimore (MD) (7/20/2018)	✓	✓	✓			✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	
PCFFA (11/14/2018)	✓	✓	✓				✓		✓		✓	✓	✓	✓	✓		
San Francisco / Oakland (CA) (9/19/2017)	✓	✓	✓			✓				✓							
Honolulu (HI) (3/9/2020)	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓			✓		
Charleston (SC) (9/9/2020)	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	
Maui (HI) (10/12/2020)	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓			✓		
Annapolis (MD) (2/22/2021)	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	
New York City II (NY) [Consumer Protection] (4/22/2021)	✓	Shell, BP			✓											✓	
Anne Arundel (MD) (4/26/2021)	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	
Multnomah Cty. (OR) (6/22/2023)	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓		✓			✓
Boulder (CO) (4/17/2018)	✓		✓				✓		✓		✓	✓				✓	
Hoboken (NJ) (9/2/2020)	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓		✓		✓	

# CLIMATE LITIGATION CASE STATUS: CITIES, COUNTIES, & PCFFA

CASE	REMAND STATUS	STATE COURT	DISCOVERY UNDERWAY?	CURRENT STATUS
San Mateo, Marin, Imperial Beach, Santa Cruzes, Richmond (CA)	<a href="#">Granted</a> <a href="#">Affirmed</a> <a href="#">Re-affirmed</a> <a href="#">Cert Denied</a>	The 6 cases are currently in 4 separate county courts. Consolidation likely.		Remanded to state court March 16, 2018. 9 <sup>th</sup> Circuit affirmed remand May 26, 2020 and re-affirmed on April 19, 2022. SCOTUS rejected Defendants' cert petition April 24, 2023. <b>State court:</b> cases expected to be consolidated and move forward in 2024.
Baltimore (MD)	<a href="#">Granted</a> <a href="#">Affirmed</a> <a href="#">Re-affirmed</a> <a href="#">Cert Denied</a>	Circuit Court for Baltimore City Judge Videtta Brown 24-C-18-004219		Remanded to state court June 10, 2019. 4 <sup>th</sup> Circuit affirmed remand March 6, 2020 and re-affirmed on April 7, 2022. SCOTUS rejected Defendants' cert petition April 24, 2023. <b>State court:</b> briefing on Defendants' Motions to Dismiss ongoing into early 2024.
Pacific Coast Federation of Fishermen's Assns.	Pending	Pending		Parties stipulated a stay of further action pending final outcome of 9 <sup>th</sup> Circuit appeal of CA cases. Hearing on the motion to remand September 14, 2023.
San Francisco, Oakland (CA)	<a href="#">Denied</a> <a href="#">Reversed</a> <a href="#">Granted</a> Appeal Pending	The 2 cases are currently in separate county courts. Consolidation likely.		The 9 <sup>th</sup> Circuit reversed US District Court's denial of remand May 26, 2020. SCOTUS rejected Defendants' cert petition June 14, 2021. The District Court remanded to state court October 24, 2022, but stayed the remand pending appeals. Appeal is pending in the 9 <sup>th</sup> Circuit.
Honolulu (HI)	<a href="#">Granted</a> <a href="#">Affirmed</a> <a href="#">Cert Denied</a>	First Circuit Court State of Hawai'i Judge Lisa W. Cataldo 1ccv-20-0000380	X	Remanded to state court February 12, 2021, and 9 <sup>th</sup> Circuit affirmed remand July 7, 2022. SCOTUS rejected Defendants' cert petition April 24, 2023. <b>State Court:</b> All three Motions to Dismiss rejected February 2, 2022 (Anti-SLAPP), Feb. 22, 2022 (12(b)6), and February 28, 2022 (12(b)2). Appeal pending. Discovery underway.
Charleston (SC)	<a href="#">Granted</a> Appeal Pending	County of Charleston Court of Common Pleas, 9 <sup>th</sup> Judicial Circuit 2020CP1003975		Remanded to state court July 5, 2023. Appeal to 4 <sup>th</sup> Circuit is pending.
Maui (HI)	<a href="#">Granted</a> <a href="#">Affirmed</a> <a href="#">Cert Denied</a>	2 <sup>nd</sup> Circuit Court State of Hawai'i Judge Kelsey T. Kawano 2ccv-20-0000283	X	Remanded to state court February 12, 2021, and 9 <sup>th</sup> Circuit affirmed remand July 7, 2022. SCOTUS rejected Defendants' cert petition April 24, 2023. <b>State Court:</b> Motions to dismiss pending. Jurisdictional discovery underway.
Annapolis (MD)	<a href="#">Granted</a> Appeal Pending	Anne Arundel Circuit Court Judge Stephen I. Platt C-02-CV-21-000250		Remanded to state court September 29, 2022. Appeal to 4 <sup>th</sup> Circuit is pending. <b>State court:</b> briefing on Defendants' Motions to Dismiss ongoing into early 2024.
New York City II (NY) [Consumer Protection]	Pending	Supreme Court of the State of New York, County of New York 451071/2021		Remand briefing completed in US District Court. Further action stayed pending 2 <sup>nd</sup> Circuit ruling in Connecticut's case.
Anne Arundel (MD)	<a href="#">Granted</a> Appeal Pending	Anne Arundel Circuit Court Judge Stephen I. Platt C-02-CV-21-000565		Remanded to state court September 29, 2022. Appeal to 4 <sup>th</sup> Circuit is pending. <b>State court:</b> briefing on Defendants' Motions to Dismiss ongoing into early 2024.
Multnomah County (OR)	Removed	NA		Complaint filed June 22, 2023. Removed to federal court August 18, 2023. The County's remand motion is due October 2, 2023.
Boulder (City and County) San Miguel County (CO)	<a href="#">Granted</a> <a href="#">Affirmed</a> <a href="#">Re-Affirmed</a> <a href="#">Cert Denied</a>	CO District Court, Boulder County Judge Judith L. LaBuda 2018CV30349		Remanded to state court September 5, 2019. 10 <sup>th</sup> Circuit affirmed July 7, 2020 and re-affirmed on Feb. 8, 2022. SCOTUS rejected Defendants' cert petition April 24, 2023. <b>State Court:</b> Defendants filed Motions to Dismiss in 2019; supplemental briefing is underway.
Hoboken (NJ)	<a href="#">Granted</a> <a href="#">Affirmed</a> <a href="#">Cert Denied</a>	NJ Superior Court, Hudson County Judge Christine M. Vanek HUD-L-3179-20		Remanded to state court September 8, 2021, and 3 <sup>rd</sup> Circuit affirmed remand August 17, 2022. SCOTUS rejected Defendants' cert petition May 15, 2023. <b>State court:</b> briefing on Defendants' Motions to Dismiss ongoing Fall 2023.