

CLIMATE LITIGATION CASES AND CLAIMS: STATES, DC, & TRIBES

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 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)	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓
Makah Indian Tribe (WA) (12/20/23)	✓	✓	✓			✓	✓	✓	✓	✓				✓		
Shoalwater Bay Indian Tribe (WA) (12/20/23)	✓	✓	✓			✓	✓	✓	✓	✓				✓		
Massachusetts (10/24/2019)	✓								✓						✓	✓
Connecticut (9/14/2020)	✓								✓						✓	
Vermont (9/14/2021)	✓	Shell	✓						✓						✓	
California (9/15/2023)	✓	✓	✓		✓	✓	✓	✓	✓	✓			✓	✓	✓	✓

CLIMATE LITIGATION CASE STATUS: STATES, DC, & TRIBES

CASE	REMAND STATUS	STATE COURT	DISCOVERY UNDERWAY?	CURRENT STATUS
Rhode Island	Granted Affirmed Re-affirmed Cert Denied	RI Superior Court Justice William Carnes C.A. No. PC-2018-4716	X	Remanded to state court July 19, 2019, and 1st Circuit affirmed remand October 29, 2020. SCOTUS remanded to 1 st Circuit May 24, 2021, which re-affirmed remand May 23, 2022. SCOTUS rejected Defendants' cert petition April 24, 2023. State court: Jurisdictional discovery ordered April 28, 2023.
Minnesota	Granted Affirmed	MN District Court, 2 nd Circuit Judge John H. Guthmann 62-CV-20-3837		Remanded to state court March 31, 2021, and 8 th Circuit affirmed remand March 23, 2023. Cert Petition filed in SCOTUS August 18, 2023. District Court stayed execution of remand.
District of Columbia	Granted Affirmed	Superior Court of DC Judge Alfred S. Jenkins 2020 CA 002892 B		Remanded to state court November 12, 2022, and DC Circuit affirmed December 19, 2023. State Court: Stayed until July 30, 2023, or until DC Circuit ruling.
Delaware	Granted Affirmed	Superior Court of DE Judge Mary M. Johnston Civ. Act. No. N20C-09-097		Remanded to state court January 5, 2022, and 3 rd Circuit affirmed August 17, 2022. SCOTUS rejected Defendants' cert petition May 15, 2023. State Court: Hearing on Defendants' Motions to Dismiss held on September 26, 2023.
New Jersey	Granted	Superior Court of NJ, Law Div., Mercer County Judge Douglas H. Hurd MER-L-001797-22		Remanded to state court June 20, 2023. Appeal to 3 rd Circuit not expected. State Court: briefing on Defendants' Motions to Dismiss ongoing Fall 2023.
Makah Indian Tribe (WA)	Expected	Superior Court of WA, King County Judge Josephine Wiggs No. 23-2-25216-1 SEA		Filed in Superior Court of Washington, King County, December 20, 2023.
Shoalwater Bay Indian Tribe (WA)	Expected	Superior Court of WA, King County Judge Maureen A. McKee No. 23-2-25215-2 SEA		Filed in Superior Court of Washington, King County, December 20, 2023.
Massachusetts	Granted No appeal filed.	MA Superior Court Assoc. Justice Karen Green NO. 1984CV03333-BLS1	X	Remanded to state court May 28, 2020; Exxon did not appeal. State Court: Motions to dismiss denied June 22, 2021. Discovery underway.
Connecticut	Granted Affirmed	NA		Remanded to state court June 2, 2021. 2 nd Circuit affirmed remand September 27, 2023.
Vermont	Pending	NA		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.
California	Pending	Superior Court of the State of California, San Francisco County		Filed in state court September 15, 2023.