

# 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)	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	
Chicago (IL) (2/20/2024)	✓	✓	✓		✓		✓	✓	✓	✓	✓			✓	✓	✓	✓

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Boulder (CO) (4/17/2018)	✓		✓				✓		✓		✓	✓				✓	
Hoboken (NJ) (9/2/2020)	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓		✓		✓	
16 Municipalities in Puerto Rico (11/22/22)	✓	✓	✓			✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓
Multnomah Cty. (OR) (6/22/2023)	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓		✓			✓

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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. Coordination 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 coordinated in San Francisco Superior Court. Briefing on Motions to Dismiss expected Spring 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> hearing on Defendants' Motions to Dismiss March 12, 2024.
Pacific Coast Federation of Fishermen's Assns.	<a href="#">Denied</a>	N.A.		Motion to remand denied November 1, 2023. Voluntarily dismissed without prejudice by PCFFA on December 14, 2023.
San Francisco, Oakland (CA)	<a href="#">Denied</a> <a href="#">Reversed</a> <a href="#">Granted</a> <a href="#">Affirmed</a>	The 2 cases are currently in separate county courts. Coordination 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. District Court remanded to state court October 24, 2022. 9 <sup>th</sup> Circuit affirmed November 27, 2023. <b>State Court:</b> cases expected to be coordinated in San Francisco Superior Court. Briefing on Motions to Dismiss expected Spring 2024.
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). SCOHI Affirmed October 31, 2023. 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. <b>State Court:</b> briefing on Defendants' Motions to Dismiss completed in February 2024.
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> <a href="#">Affirmed</a>	Anne Arundel Circuit Court Judge Stephen I. Platt C-02-CV-21-000250		Remanded to state court September 29, 2022. 4 <sup>th</sup> Circuit affirmed February 26, 2024. <b>State court:</b> hearing on Defendants' Motions to Dismiss March 8, 2024.
New York City II (NY) [Consumer Protection]	Pending	Supreme Court of the State of New York, County of New York 451071/2021		Renewed remand briefing completed in US District Court following 2 <sup>nd</sup> Circuit ruling affirming remand in Connecticut's case. Hearing date on remand motion not yet scheduled.
Anne Arundel (MD)	<a href="#">Granted</a> <a href="#">Affirmed</a>	Anne Arundel Circuit Court Judge Stephen I. Platt C-02-CV-21-000565		Remanded to state court September 29, 2022. 4 <sup>th</sup> Circuit affirmed February 26, 2024. <b>State court:</b> hearing on Defendants' Motions to Dismiss March 8, 2024.
Chicago (IL)	N.A.	Cook County Circuit Court Judge Allen Price Walker 2024CH01024		Filed in Cook County Circuit Court February 20, 2024.

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CASE	REMAND STATUS	STATE COURT	DISCOVERY UNDERWAY?	CURRENT STATUS
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. 10th 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.
16 Municipalities in Puerto Rico	NA	NA		Filed in federal court as a class action on November 22, 2022, raising various state law claims as well as federal anti-trust and RICO claims. Motion to dismiss filed.
Multnomah County (OR)	Removed	NA		Complaint filed June 22, 2023. Removed to federal court August 18, 2023. Remand motion filed October 2, 2023.