

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

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 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 (NY) [Consumer Protection] (4/22/2021)	✓	Shell, BP			✓											✓	
Anne Arundel (MD) (4/26/2021)	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	
New York City (NY) (1/9/2018)	✓	✓	✓			✓					✓	✓					
King County (WA) (5/9/2018)	✓	✓	✓			✓	✓		✓		✓	✓					
Boulder (CO) (4/17/2018)	✓		✓				✓		✓		✓	✓				✓	
Hoboken (NJ) (9/2/2020)	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓		✓		✓	

CLIMATE LITIGATION CASE STATUS: CITIES, COUNTIES, & PCFFA

CASE NAME	REMOVED/ COURT	REMAND SOUGHT?	REMAND STATUS	CURRENT STATUS
San Mateo, Marin, Imperial Beach, Santa Cruzes, Richmond (CA)	Yes: N.D. Cal. (Chhabria)	Yes	Granted, Affirmed ¹ Re-affirmed	9th Circuit affirmed remand to state court on May 26, 2020. ¹ SCOTUS remanded to 9th Circuit to consider Defendants' other removal grounds on May 24, 2021. 9th Circuit unanimously rejected all other grounds and affirmed remand on April 19, 2022. ¹
Baltimore (MD)	Yes: D. Md. (Hollander) (Reassigned to S. Gallagher)	Yes	Granted, Affirmed. Re-affirmed. ²	4th Circuit affirmed remand on March 6, 2020. SCOTUS remanded to 4th Circuit on May 17, 2021 to consider Defendants' other grounds for removal. 4 th Circuit unanimously rejected all other grounds and affirmed remand on April 7, 2022. ² State court action stayed pending outcome of cert petition to US Supreme Court.
Pacific Coast Federation of Fishermen's Associations	Yes: N.D. Cal. (Chhabria)	Yes	Stayed	Parties stipulated a stay of further action pending final outcome of 9th Circuit appeal of CA cases.
San Francisco, Oakland (CA)	Yes: N.D. Cal. (Alsup)	Yes	Denied, Reversed ³ Granted	The 9th Circuit reversed the district court's denial of remand on May 26, 2020. SCOTUS denied cert. June 14, 2021. ³ Returned to district court to determine whether there are any other bases for federal jurisdiction. Renewed remand motion granted October 24, 2022; stayed pending appeal.
Honolulu (HI)	Yes: D. Haw. (Watson)	Yes	Granted, ⁶ Affirmed.	Remanded to state court February 12, 2021. ⁶ 9th Circuit affirmed remand July 7, 2022. ⁶ State Court: All three Motions to Dismiss rejected on February 2, 2022 (Anti-SLAPP), Feb. 22, 2022 (12(b)6), and February 28, 2022 (12(b)2). Appeal pending. Discovery pending.
Charleston (SC)	Yes; D.S.C. (Hendricks)	Yes	Stayed	Filed in state court September 9, 2020. Removed to federal court October 9, 2020. Remand motion filed November 5, 2020. Stay lifted August 22, 2022. Remand briefing Fall 2022.
Maui (HI)	Yes; D. Haw. (Watson)	Yes	Granted ⁶ Affirmed.	Remanded to state court February 12, 2021. ⁶ Ninth Circuit affirmed remand July 7, 2022. ⁶ State Court: Motions to dismiss pending. Jurisdictional discovery pending.
Annapolis (MD)	Yes (Gallagher)	Yes	Granted	Filed in state court February 22, 2021. Removed to federal court March 25, 2021; Motion to remand filed May 13, 2021. Remand granted September 29, 2022; stayed pending appeal.
New York City (NY) [Consumer Protection]	Yes (Caproni)	Yes	Pending	Filed in state court April 22, 2021. Removed to federal court May 28, 2021. Remand briefing completed; further action stayed pending 2 nd Circuit ruling in Connecticut's case.
Anne Arundel (MD)	Yes (Gallagher)	Yes	Granted	Filed in state court April 26, 2021. Removed to federal court May 28, 2021. Motion to remand filed June 28, 2021. Remand granted September 29, 2022; stayed pending appeal.
New York City (NY)	N.A.: Filed in federal court	N.A.	N.A.	Case dismissed by District Court July 19, 2018. 2nd Circuit affirmed dismissal April 1, 2021. ⁴
King County (WA)	Yes: W.D. Wash. (Lasnik)	N.A.	N.A.	Voluntarily dismissed without prejudice September 28, 2021.
Boulder (City and County) San Miguel County (CO)	Yes: D. Colo. (Martinez)	Yes	Granted, Affirmed ⁵ Re-Affirmed	Case underway in state court. Motion to transfer venue granted in part on January 25, 2021. The 10th Circuit affirmed remand to state court on July 7, 2020. ⁵ SCOTUS remanded to 10th Circuit May 24, 2021. The 10 th Circuit re-affirmed remand on Feb. 8, 2022. ⁵
Hoboken (NJ)	Yes; D.N.J. (Vasquez)	Yes	Granted ⁷ , Affirmed.	Filed in state court September 3, 2020. Removed to federal court October 9, 2020. Remanded to state court September 8, 2021. 3 rd Circuit affirmed remand August 17, 2022. ⁷

1. *County of San Mateo v. Chevron Corp.*, 960 F.3d 586 (9th Cir. 2020), *reh'g denied* Aug. 4, 2020, *vacated and remanded to address removal grounds other than federal officer*, No. 20-884 (U.S. May 24, 2021), *aff'd* 32 F.4th 733, 744 (9th Cir. 2022).

2. *Mayor & City Council of Baltimore v. BP P.L.C.*, 31 F.4th 178, 194 (4th Cir. 2022).

3. *City of Oakland v. BP p.l.c.*, 969 F.3d 895 (9th Cir. 2020), *reh'g denied, amended opinion issued* Aug. 12, 2020, *petition for cert. denied* (June 14, 2021).

4. *City of New York v. BP P.L.C.*, 993 F.3d 81 (2d Cir. 2021).

5. *Boulder County v. Suncor Energy (U.S.A.) Inc.*, 25 F.4th 1238 (10th Cir. 2022).

6. *City & Cty. of Honolulu v. Sunoco LP*, No. 20-cv-163, 2021 WL 531237 (D. Haw. Feb. 12, 2021), *aff'd* 39 F.4th 1101 (9th Cir. 2022).

7. *City of Hoboken v. Exxon Mobil Corp.*, 2021 WL 4077541 (D.N.J. Sept. 8, 2021), *aff'd* No. 21-2728, 2022 WL 3440653 (3d Cir. Aug. 17, 2022).