

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CONSERVATION LAW
FOUNDATION, Inc.,

Plaintiff,

v.

EXXONMOBIL CORPORATION,
EXXONMOBIL OIL CORPORATION, and
EXXONMOBIL PIPELINE COMPANY,

Defendants.

No. 16-cv-11950 (MLW)

The Honorable Mark L. Wolf

JOINT MOTION FOR PROPOSED SCHEDULE

Pursuant to the Court's order entered September 13, 2016 (ECF No. 29), Defendants Exxon Mobil Corporation, ExxonMobil Oil Corporation and ExxonMobil Pipeline Company (collectively "ExxonMobil" or "Defendants") and Plaintiff Conservation Law Foundation ("CLF" or "Plaintiff") hereby jointly move the Court to: (i) enter an order setting the following schedule for the filing of the Amended Complaint, Defendants' response, and any required briefing; and (ii) enter a 30-day stay upon the filing of CLF's Amended Complaint, in order to allow the parties to meet and confer on resolving or narrowing the issues in this case. In support thereof, the parties state:

1. On September 18, 2017, counsel for CLF and ExxonMobil conferred telephonically, and agreed to propose the following schedule.
2. On or before October 20, 2017, Plaintiff CLF will file an Amended Complaint, narrowing its claims in accordance with the Court's order entered September 13, 2017.

3. Upon the filing of Plaintiff's Amended Complaint, the parties jointly request that the Court enter an order staying this case for 30 days, through November 20, 2017, in order to allow the parties to engage in negotiations to resolve or narrow any outstanding disputed issues.

4. In the event the parties are unable to reach a settlement, Defendants will answer or otherwise respond to the Amended Complaint on or before December 20, 2017.

5. In the event Defendants decide to file a Motion to Dismiss the Amended Complaint, the briefing schedule will be as follows:

(a) Defendants shall file a Motion to Dismiss and an accompanying Memorandum of Law not exceed thirty-five (35) pages no later than December 20, 2017.

(b) Plaintiff shall file an Opposition to Defendants' Motion to Dismiss not to exceed thirty-five (35) pages no later than January 19, 2018.

(c) Defendants shall file a Reply Memorandum of Law in Support of Defendants' Motion to Dismiss not to exceed ten (10) pages no later than February 5, 2018.

Dated: September 19, 2017

Respectfully submitted,

EXXON MOBIL CORPORATION,
EXXONMOBIL OIL CORPORATION, and
EXXONMOBIL PIPELINE COMPANY

And

CONSERVATION LAW FOUNDATION, INC.

By their attorneys,

PAUL, WEISS, RIFKIND, WHARTON &
GARRISON, LLP

By: /s/ Daniel J. Toal
Theodore V. Wells, Jr.*
Daniel J. Toal*
1285 Avenue of the Americas
New York, NY 10019-6064
(212) 373-3000
Fax: (212) 757-3990
* *Pro Hac Vice*

*Counsel for Defendants Exxon Mobil
Corporation, ExxonMobil Oil Corporation,
and ExxonMobil Pipeline Company.*

CONSERVATION LAW FOUNDATION

Zachary K. Griefen, Esq., (BBO# 665521)
15 East State Street, Suite 4
Montpelier, VT 05602 (802) 223-5992
x4011 zgriefen@clf.org

Christopher M. Kilian, Esq.*
15 East State Street, Suite 4
Montpelier, VT 05602 (802) 223-5992
x4015 ckilian@clf.org
* *Pro Hac Vice*

*Counsel for Plaintiff Conservation Law
Foundation, Inc.*

HOLLAND & KNIGHT LLP

By: /s/ Deborah E. Barnard
Deborah E. Barnard (BBO# 550654)
(deborah.barnard@hklaw.com)
Jessica R. Early (BBO# 672878)
(jessica.early@hklaw.com)
10 St. James Avenue, 11th Floor
Boston, MA 02116
(617) 523-2700
Fax: (617) 523-6850

KANNER & WHITELEY, LLC

/s/ Allan Kanner
Allan Kanner*
Elizabeth B. Petersen*
Allison S. Brouk*
701 Camp Street
New Orleans, LA 70130 (504) 524-5777
a.kanner@kanner-law.com
e.petersen@kanner-law.com
a.brouk@kanner-law.com
* *Pro Hac Vice*

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants.

/s/ Deborah E. Barnard _____

Deborah E. Barnard