

**IN THE UNITED STATES DISTRICT COURT FOR THE
THE DISTRICT OF MARYLAND
(Northern Division)**

MAYOR AND CITY COUNCIL
OF BALTIMORE

*

*

Plaintiff,

*

v.

Case No.: 1:18-cv-2357-ELH

*

BP p.l.c., *et al.*

*

Defendants

*

* * * * *

NOTICE OF APPEAL

Notice is hereby given that Defendants BP p.l.c., BP America Inc., BP Products North America Inc., Crown Central LLC, Crown Central New Holdings LLC, Chevron Corporation, Chevron U.S.A., Inc., Exxon Mobil Corporation, ExxonMobil Oil Corporation, Royal Dutch Shell plc, Shell Oil Company, CITGO Petroleum Corp., ConocoPhillips, ConocoPhillips Company, Phillips 66, Marathon Petroleum Corporation, Speedway LLC, Hess Corp., CNX Resources Corporation, CONSOL Energy, Inc. and CONSOL Marine Terminals LLC in the above captioned case, pursuant to 28 U.S.C. §§ 1291 and 1447(d), hereby appeal to the United States Court of Appeals for the Fourth Circuit from the Order and Memorandum Opinion entered in this action on the 11th day of June, 2019, granting Plaintiff’s Motion to Remand (ECF Nos. 172 and 173).¹

¹ This Notice of Appeal is submitted subject to and without waiver of any defense, affirmative defense, or objection, including personal jurisdiction, insufficient process, or insufficient service of process.

Respectfully submitted,

CHEVRON CORP. AND CHEVRON
U.S.A., INC.

By Counsel

Dated: June 12, 2019

By: /s/ Tonya Kelly Cronin

Tonya Kelly Cronin (Bar No. 27166)

Jonathan Biran (Bar No. 28098)

BAKER, DONELSON, BEARMAN,
CALDWELL, & BERKOWITZ, P.C.

100 Light Street, 19th Floor

Baltimore, MD 21202

Telephone: (410) 685-1120

Email: tykelly@bakerdonelson.com

Email: jbiran@bakerdonelson.com

Theodore J. Boutrous, Jr. (*pro hac vice*)

Joshua S. Lipshutz (*pro hac vice*)

GIBSON, DUNN & CRUTCHER LLP

333 South Grand Avenue

Los Angeles, CA 90071

Telephone: (213) 229-7000

Email: tboutrous@gibsondunn.com

Email: jlipshutz@gibsondunn.com

Anne Champion (*pro hac vice*)

GIBSON, DUNN & CRUTCHER LLP

200 Park Avenue

New York, NY 10166-0193

Telephone: (212) 351-4000

Email: achampion@gibsondunn.com

Neal S. Manne (*pro hac vice*)

SUSMAN GODFREY LLP

1000 Louisiana, Suite 5100

Houston, TX 77002

Telephone: (713) 651-9366

Email: nmanne@susmangodfrey.com

*Attorneys for Defendants CHEVRON
CORP. and CHEVRON U.S.A., INC.*

By: /s/ John B. Isbister

John B. Isbister (Bar No. 00639)
Jaime W. Luse (Bar No. 27394)
TYDINGS & ROSENBERG LLP
One East Pratt Street, Suite 901
Baltimore, MD 21202
Telephone: 410-752-9700
Facsimile: 410-727-5460
Email: jisbister@tydingslaw.com
Email: jluse@tydingslaw.com

Philip H. Curtis (*pro hac vice*)
Nancy G. Milburn (*pro hac vice*)
ARNOLD & PORTER KAYE SCHOLER
250 West 55th Street
New York, NY 10019-9710
Telephone: (212) 836-8383
Facsimile: (212) 715-1399
Email: philip.curtis@arnoldporter.com
Email: nancy.milburn@arnoldporter.com

Matthew T. Heartney (*admitted pro hac vice*)
ARNOLD & PORTER KAYE SCHOLER
777 South Figueroa Street, 44th Floor
Los Angeles, California 90017-5844
Telephone: (213) 243-4000
Facsimile: (213) 243-4199
Email: matthew.heartney@arnoldporter.com

*Attorneys for Defendants BP PRODUCTS NORTH
AMERICA INC., BP p.l.c. and BP AMERICA INC.*

By: /s/ Craig A. Thompson

Craig A. Thompson, (Bar No. 26201)
VENABLE LLP
750 East Pratt Street, Suite 900
Baltimore, MD 21202
Telephone: (410) 244-7605
Facsimile: (410) 244-7742
Email: cathompson@venable.com

Theodore V. Wells, Jr. (*pro hac vice*)
Daniel J. Toal (*pro hac vice*)
Jaren Janghorbani (*pro hac vice*)
PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP
1285 Avenue of the Americas
New York, NY 10019-6064
Telephone: (212) 373-3089
Fax: (212) 492-0089
Email: twells@paulweiss.com
Email: dtoal@paulweiss.com
Email: jjanghorbani@paulweiss.com

*Attorneys for Defendants EXXONMOBIL
CORPORATION and EXXONMOBIL OIL
CORPORATION*

By: /s/ James M Webster, III

David C. Frederick (*pro hac vice*)
James M. Webster, III (Bar No. 23376)
Brendan J. Crimmins (*pro hac vice*)
Grace Knofczynski (*pro hac vice pending*)
KELLOGG, HANSEN, TODD,
FIGEL & FREDERICK, P.L.L.C.
1615 M Street, N.W., Suite 400
Washington, D.C. 20036
Telephone: (202) 326-7900
Facsimile: (202) 326-7999
Email: dfrederick@kellogghansen.com
Email: jwebster@kellogghansen.com
Email: bcrimmins@kellogghansen.com
Email: gknofczynski@kellogghansen.com

Jerome C. Roth (*pro hac vice*)
Elizabeth A. Kim (*pro hac vice*)
MUNGER, TOLLES & OLSON LLP
560 Mission Street
Twenty-Seventh Floor
San Francisco, CA 94105-2907
Telephone: (415) 512-4000
Facsimile: (415) 512-4077
Email: jerome.roth@mto.com
Email: elizabeth.kim@mto.com

*Attorneys for Defendants SHELL OIL
COMPANY and ROYAL DUTCH SHELL, plc*

By: /s/ Warren N. Weaver

Warren N Weaver (Bar No. 3600)
Peter Sheehan (Bar No. 29310)
WHITEFORD TAYLOR AND
PRESTON LLP
Seven Saint Paul St., Ste. 1400
Baltimore, MD 21202
Telephone: (410) 347-8757
Facsimile: (410) 223-4177
Email: wwweaver@wtplaw.com

Nathan P. Eimer, Esq. (*pro hac vice*)
Pamela R. Hanebutt, Esq. (*pro hac vice*)
Lisa S. Meyer, Esq. (*pro hac vice*)
Raphael Janove, Esq. (*pro hac vice*)
EIMER STAHL LLP
224 South Michigan Ave., Ste. 1100
Chicago, IL 60604
Telephone: (312) 660-7600
Facsimile: (312) 692-1718
Email: neimer@EimerStahl.com
Email: phanebutt@EimerStahl.com
Email: lmeyer@EimerStahl.com
Email: rjanove@Eimerstahl.com

*Attorneys for Defendant CITGO
PETROLEUM CORPORATION*

By: /s/ Jonathan C. Su

Jonathan Chunwei Su (Bar No. 16965)
LATHAM AND WATKINS LLP
555 Eleventh St NW, Ste 1000 Washington,
DC 20004-1304
Telephone: (202) 637-2200
Facsimile: (202) 637-2201
Email: jonathan.su@lw.com

Steven M. Bauer (*pro hac vice*)
Margaret A. Tough (*pro hac vice*)
LATHAM & WATKINS LLP
505 Montgomery Street, Suite 2000
San Francisco, CA 94111-6538
PHONE: (415) 391-0600
FAX: (415) 395-8095
Email: steven.bauer@lw.com
Email: margaret.tough@lw.com

Sean C. Grimsley, Esq. (*pro hac vice*)
Jameson R. Jones, Esq. (*pro hac vice*)
BARTLIT BECK LLP
1801 Wewatta Street, Suite 1200
Denver, CO 80202
PHONE: (303) 592-3100
FAX: (303) 592-3140
Email: sean.grimsley@bartlit-beck.com
Email: jameson.jones@bartlit-beck.com

Attorneys for Defendants
CONOCOPHILLIPS and
CONOCOPHILLIPS COMPANY

By: /s/ Jonathan C. Su

Jonathan Chunwei Su (Bar No. 16965)
LATHAM AND WATKINS LLP
555 Eleventh St NW, Ste 1000
Washington, DC 20004-1304
Telephone: (202) 637-2200
Facsimile: (202) 637-2201
Email: jonathan.su@lw.com

Steven M. Bauer (*pro hac vice*)
Margaret A. Tough (*pro hac vice*)
LATHAM & WATKINS LLP
505 Montgomery Street, Suite 2000
San Francisco, CA 94111-6538
PHONE: (415) 391-0600
FAX: (415) 395-8095
Email: steven.bauer@lw.com
Email: margaret.tough@lw.com

Attorneys for Defendant PHILLIPS 66

By: /s/ Shannon S. Broome

Shannon S. Broome (*pro hac vice*)
HUNTON ANDREWS KURTH LLP
50 California Street
San Francisco, CA 94111
Tel: (415) 975-3718
Fax: (415) 975-3701
E-mail: SBroome@HuntonAK.com

Shawn Patrick Regan (*pro hac vice*)
HUNTON ANDREWS KURTH LLP
200 Park Avenue
New York, NY 10166
Tel: (212) 309-1046
Fax: (212) 309-1100
Email: SRegan@HuntonAK.com

Ann Marie Mortimer (*pro hac vice*)
HUNTON ANDREWS KURTH LLP
550 South Hope Street, Suite 2000
Los Angeles, CA 90071
Tel: (213) 532-2103
Fax: (213) 312-4752
Email: AMortimer@HuntonAK.com

Perie Reiko Koyama (Bar No. 20017)
HUNTON ANDREWS KURTH LLP
2200 Pennsylvania Ave. NW
Washington, DC 20037
Telephone: (202) 778-2274
Facsimile: (202) 778-2201
Email: PKoyama@HuntonAK.com

*Attorneys for Defendants MARATHON
PETROLEUM CORP. and SPEEDWAY, LLC*

By: /s/ Emily Wilson

Emily Wilson (Bar No. 20780)
Megan Berge (*pro hac vice*)
BAKER BOTTS L.L.P.
1299 Pennsylvania Ave., NW
Washington, D.C. 20004
Telephone: (202) 639-7700
Facsimile: (202) 639-1171
Email: Emily.wilson@bakerbotts.com
Email: megan.berge@bakerbotts.com

Scott Janoe (*pro hac vice*)
BAKER BOTTS L.L.P.
910 Louisiana Street
Houston, Texas 77002
Telephone: (713) 229-1553
Facsimile: (713) 229 7953
Email: scott.janoe@bakerbotts.com

Attorneys for Defendant HESS CORP.

By: /s/ Thomas K. Prevas

Michelle N. Lipkowitz (Bar No. 27188)
Thomas K. Prevas (Bar No. 29452)
SAUL EWING ARNSTEIN & LEHR LLP
Baltimore, Maryland 21202-3133
Telephone: (410) 332-8683
Facsimile (410) 332-8123
Email: michelle.lipkowitz@saul.com
Email: Thomas.prevas@saul.com

*Attorneys for Defendants CROWN CENTRAL
LLC, and CROWN CENTRAL NEW
HOLDINGS LLC*

By: /s/ Tracy Roman

Kathleen Taylor Sooy (*pro hac vice*)
Tracy A. Roman (Bar No. 11245)
CROWELL & MORING LLP
1001 Pennsylvania Avenue, N.W.
Washington, DC 20004
Telephone: 202-624-2500
Facsimile: 202-628-5116
Email: ksooy@crowell.com
Email: troman@crowell.com

*Attorneys for Defendants CNX
RESOURCES CORPORATION,
CONSOL ENERGY INC. and
CONSOL MARINE TERMINALS LLC*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of June, 2019, the foregoing document was filed through the ECF system and was therefore served on all registered participants identified on the Notice of Electronic Filing.

/s/ Tonya Kelly Cronin
Tonya Kelly Cronin