

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

PEOPLE OF THE STATE OF NEW YORK, By LETITIA JAMES, Attorney General of the State of New York,  <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">– against –</p> EXXON MOBIL CORPORATION,  <p style="text-align: right;">Defendant.</p>
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Index No. 452044/2018

IAS Part 61  
Hon. Barry R. Ostrager

**JOINT STATEMENT OF  
UNDISPUTED FACTS**

The New York State Office of the Attorney General (“OAG”) and Exxon Mobil Corporation (“ExxonMobil”) (together, the “Parties”) submit this statement of undisputed facts.

1. ExxonMobil is a New Jersey corporation and has its principal place of business at 5959 Las Colinas Boulevard, Irving, Texas 75039.
2. ExxonMobil is registered to do business in New York State as an active Foreign Business Corporation and maintains a registered agent for service of process with the Corporation Service Company, 80 State Street, Albany, New York, 12207.
3. ExxonMobil’s stock is listed on the New York Stock Exchange under the ticker symbol XOM.
4. ExxonMobil is the world’s largest investor-owned oil and gas company.
5. ExxonMobil operates a number of subsidiaries.
6. ExxonMobil has three main business segments—upstream, downstream and chemicals—which encompass the exploration for, and production of, crude oil and natural gas, as well as the manufacture, trade, transport and sale of crude oil, natural gas, petroleum products, petrochemicals and a wide variety of specialty products.

7. Certain ExxonMobil shareholders have submitted proposals requesting that ExxonMobil take certain actions concerning climate change, and these proposals are at times included in ExxonMobil's annual proxy statement.

8. Between 2006 and 2016, ExxonMobil annually published a report called the *Outlook for Energy*. That report included ExxonMobil's forward-looking, long-term views of energy supply and demand.

9. Between 2007 and 2016, ExxonMobil annually issued an internal Corporate Plan Dataguide with accompanying Appendices. The Appendices included greenhouse gas emissions budget and project considerations.

10. Between 2006 and 2016, members of ExxonMobil's Management Committee annually reviewed the *Outlook for Energy* and key elements of the Corporate Plan and its accompanying Dataguide Appendices.

11. On January 21, 2014, ExxonMobil wrote to the U.S. Securities and Exchange Commission ("SEC") requesting permission to exclude from its 2014 proxy statement shareholder proposals from Arjuna Capital and the Christopher Reynolds Foundation ("CRF").

12. On March 31, 2014, ExxonMobil published a report titled *Energy and Carbon – Managing the Risks*. Arjuna Capital withdrew its shareholder proposal when ExxonMobil indicated it would release this report.

13. On March 31, 2014, ExxonMobil released a report titled *Energy and Climate*. CRF withdrew its shareholder proposal when ExxonMobil indicated it would release this report.

14. Rex Tillerson reviewed and approved the publication of both *Energy and Climate* and *Energy and Carbon – Managing the Risks*.

15. On November 4, 2015, the OAG served a subpoena on ExxonMobil for the production of documents.

Dated: October 7, 2019  
New York, New York

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