

Lead Plaintiff Greater Pennsylvania Carpenters Pension Fund (“Lead Plaintiff”) respectfully moves this court for an extension of time until October 2, 2020 to respond to Defendants’ Supplemental Brief Addressing New Case Development (ECF No. 120) (the “Supplemental Brief”) and Motion for Reconsideration of Their Motions to Dismiss and to Strike Based on New Case Development and Brief in Support (ECF No. 122) (the “Motion for Reconsideration”), both of which were filed on July 31, 2020.

The above-captioned matter (the “Action”) has been pending since November 7, 2016 (ECF No. 1). The Court denied Defendants’ motion to dismiss on August 14, 2018 (ECF No. 62). Defendants moved to reconsider that order on September 11, 2018 (ECF No. 69), and the Court denied that motion on November 5, 2018 (ECF No. 80). Lead Plaintiff’s motion for class certification has been fully briefed since May 8, 2019 (ECF No. 104).

Nearly two years after this Action was filed, on October 24, 2018, the New York Attorney General (“NYAG”) filed a complaint styled *People of the State of New York v. Exxon Mobil Corp.*, No. 452044/2018 (N.Y. Sup. Ct., N.Y. Cty.). Defendants’ counsel in this Action were also defense counsel in *People of the State of New York v. Exxon Mobil Corp.* On December 10, 2019, Justice Ostrager issued a Decision After Trial (the “NYAG Trial Decision”) in *People of the State of New York v. Exxon Mobil Corp.*, No. 452044/2018, 119 N.Y.S.3d 829 (N.Y. Sup. Ct. 2019).

On July 31, 2020, more than seven months after the NYAG Trial Decision, Defendants filed two separate submissions in this Action: (i) the 25-page Supplemental Brief, which was accompanied by a supporting Appendix (ECF No. 121) containing more than 530 pages of exhibits; and (ii) the 12-page Motion for Reconsideration, which was accompanied by an Appendix (ECF No. 123) containing more than 100 pages of exhibits. The only purported basis for Defendants’ filings is the December 10, 2019 NYAG Trial Decision.

Given the sheer volume of Defendants' submissions, as well as the current circumstances presented by the ongoing COVID-19 pandemic, Lead Plaintiff respectfully moves this Court for an extension of time until October 2, 2020 to respond to Defendants' submissions. Although the parties have generally accommodated scheduling requests in this Action in the past, Defendants have refused to consent to Lead Plaintiff's request in this instance.

DATED: August 4, 2020

Respectfully submitted,

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s/ Joe Kendall
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Lead Counsel for Plaintiff

CERTIFICATE OF CONFERENCE

I hereby certify that Scott H. Saham conferred on August 3-4, 2020 with Defendants' counsel Daniel J. Toal regarding the relief sought in this motion, and that Defendants refused to consent to such relief.

DATED: August 4 , 2020

s/ Joe Kendall
JOE KENDALL

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on August 4, 2020, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

s/ Joe Kendall

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Mailing Information for a Case 3:16-cv-03111-K Ramirez v. Exxon Mobil Corporation et al

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Manual Notice List

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