

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

STATE OF MINNESOTA, BY ITS  
ATTORNEY GENERAL, KEITH ELLISON,

Plaintiff,

v.

AMERICAN PETROLEUM INSTITUTE,  
EXXON MOBIL CORPORATION,  
EXXONMOBIL OIL CORPORATION,  
KOCH INDUSTRIES, INC., FLINT HILLS  
RESOURCES LP, and FLINT HILLS  
RESOURCES PINE BEND,

Defendants.

Case No. 20-cv-1636-JRT-HB

**DEFENDANTS' NOTICE OF SUPPLEMENTAL AUTHORITY**

Defendants write to apprise this Court of a recent decision that supports Defendants' pending motion to stay remand (ECF No. 87).<sup>1</sup> As background, the case that was the subject of the Supreme Court's decision in *BP P.L.C. v. Mayor & City Council of Baltimore*, 141 S. Ct. 1532 (2021) had been remanded to state court. On Friday, May 28, 2021, the Baltimore state court entered an order staying the case and all pending state-court motions "[u]pon consideration of the decision of the United States Supreme Court" in *BP P.L.C. Ex. 1*, at 1 (*Mayor & City Council of Baltimore v. BP P.L.C., et al.*, Case No. 24-C-18-004219, Dkt. No. 136 (Baltimore Cir. Ct., May 28, 2021)). The stay will remain in

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<sup>1</sup> By filing this notice, Defendants do not waive any right, defense, affirmative defense, or objection, including any challenges to personal jurisdiction over Defendants.

effect until after the Fourth Circuit, on remand from the Supreme Court, adjudicates all issues asserted as grounds for defendants' appeal. *See id.*

DATE: June 3, 2021

Respectfully submitted,

/s/ Jerry W. Blackwell

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