

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,
FLINT HILLS PINE BEND,

Defendants.

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

**PLAINTIFF STATE OF MINNESOTA'S
RESPONSE TO DEFENDANTS' NOTICE OF SUPPLEMENTAL AUTHORITY**

Mayor & City Council of Baltimore v. BP P.L.C., et al., Case No. 24-C-18-004219 (Baltimore Cir. Ct., May 28, 2021), cited by Defendants as supplemental authority, is distinguishable and does not support a stay here. In that case, the U.S. District Court properly remanded the case to state court, and the defendants filed motions to dismiss. In staying the case and pending motions, the Maryland *state* court issued a decision within its purview.¹ By contrast, in seeking to stay execution of this Court's remand order in this case, Defendants seek to deprive the Minnesota state court of that decision entirely.

¹ As noted in prior briefing, the *Baltimore* defendants' stay was denied at all levels of the federal judiciary. See *Mayor & City Council of Baltimore v. BP P.L.C.*, No. CV ELH-18-2357, 2019 WL 3464667, at *1 (D. Md. July 31, 2019); Ex. 3 to Pl. State of Minnesota's Opp. to Mot. to Stay, Dkt. 92-3 (Apr. 13, 2021), *Mayor & City Council of Baltimore v. BP P.L.C.*, No. 19-1644 (4th Cir. Oct. 1, 2019); *BP P.L.C. v. Mayor & City Council of Baltimore*, 140 S. Ct. 449 (2019).

Respectfully Submitted,

Dated: June 8, 2021

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By: /s/ Leigh Currie

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