

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

June 25, 2021

FOR THE TENTH CIRCUIT

Christopher M. Wolpert
Clerk of Court

BOARD OF COUNTY
COMMISSIONERS OF BOULDER
COUNTY; BOARD OF COUNTY
COMMISSIONERS OF SAN MIGUEL
COUNTY; CITY OF BOULDER,

Plaintiffs - Appellees,

v.

SUNCOR ENERGY (U.S.A.), INC.;
SUNCOR ENERGY SALES INC.;
SUNCOR ENERGY INC.; EXXON
MOBIL CORPORATION,

Defendants - Appellants.

No. 19-1330
(D.C. No. 1:18-CV-01672-WJM-SKC)
(D. Colorado)

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA;
COLORADO COMMUNITIES FOR
CLIMATE ACTION; THE NATIONAL
LEAGUE OF CITIES; THE U.S.
CONFERENCE OF MAYORS; THE
INTERNATIONAL MUNICIPAL
LAWYERS ASSOCIATION; NATURAL
RESOURCES DEFENSE COUNCIL;
PUBLIC CITIZEN, INC.,

Amici Curiae.

ORDER

Before **HOLMES**, Circuit Judge, **LUCERO**, Senior Circuit Judge and **McHUGH**,
Circuit Judge.

This case is on remand from the United States Supreme Court.

The Court vacated our prior opinion in this appeal, issued July 7, 2020, and instructed that we reconsider the issues in light of the Court's recent decision in *BP P.L.C. v. Mayor and City Council of Baltimore*, 141 S. Ct. 1532 (2021).

To facilitate reconsideration, the parties may provide supplemental briefing to address the import of the Supreme Court's order. Simultaneous briefing from both parties shall be due on Friday, July 16, 2021, and limited to 15 pages in a 13- or 14-point font. While the supplemental briefs need not comply with the content requirements of Fed. R. App. P. 28(a), they should be organized in a manner that is helpful to the court. Hard copies need not be submitted.

Entered for the Court



CHRISTOPHER M. WOLPERT, Clerk