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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

The COUNTY OF SAN MATEO, individually  
and on behalf of THE PEOPLE OF THE  
STATE OF CALIFORNIA,

Plaintiff,

v.

CHEVRON CORP.; CHEVRON U.S.A., INC.;  
EXXONMOBIL CORP.; BP P.L.C.; BP  
AMERICA, INC.; ROYAL DUTCH SHELL  
PLC; SHELL OIL PRODUCTS COMPANY  
LLC; CITGO PETROLEUM CORP.;  
CONOCOPHILLIPS; CONOCOPHILLIPS  
COMPANY; PHILLIPS 66; PEABODY  
ENERGY CORP.; TOTAL E&P USA INC.;  
TOTAL SPECIALTIES USA INC.; ARCH  
COAL, INC.; ENI S.p.A.; ENI OIL & GAS  
INC.; RIO TINTO PLC; RIO TINTO LTD.;  
RIO TINTO ENERGY AMERICA INC.; RIO  
TINTO MINERALS, INC.; RIO TINTO  
SERVICES INC.; STATOIL ASA;  
ANADARKO PETROLEUM CORP.;  
OCCIDENTAL PETROLEUM CORP.;  
OCCIDENTAL CHEMICAL CORP.; REPSOL  
S.A.; REPSOL ENERGY NORTH AMERICA  
CORP.; REPSOL TRADING USA CORP.;  
MARATHON OIL COMPANY; MARATHON  
OIL CORPORATION; MARATHON  
PETROLEUM CORP.; HESS CORP.; DEVON  
ENERGY CORP.; DEVON ENERGY  
PRODUCTION COMPANY, L.P.; ENCANA  
CORP.; APACHE CORP.; and DOES 1 through  
100, inclusive,  
Defendants.

First Filed Case: No. <sup>3:</sup> ~~17-cv-4929-YGR~~ VC  
Related Case: No. 4:17-cv-4934-PJH  
Related Case: No. 4:17-cv-4935-JSW

**STIPULATION AND [PROPOSED]  
ORDER TO RELATE CASES**

1 WHEREAS, on July 17, 2017, plaintiff County of San Mateo initiated this action against  
2 Defendants, based on allegations related to Defendants’ extraction, production, refining,  
3 manufacturing, distribution, promotion, marketing, and sale of fossil fuels (the “San Mateo County  
4 Action”);

5 WHEREAS, on July 17, 2017, plaintiff City of Imperial Beach initiated an action against  
6 Defendants predicated on substantially similar facts and substantive allegations, and asserting  
7 identical claims, captioned *City of Imperial Beach et al. v. Chevron Corp. et al.*, Case No. 4:17-cv-  
8 4934-PJH (the “Imperial Beach Action”); and

9 WHEREAS, on July 17, 2017, plaintiff County of Marin initiated an action against  
10 Defendants predicated on substantially similar facts and substantive allegations, and asserting  
11 identical claims as the San Mateo Action and the Imperial Beach Action, captioned *County of Marin*  
12 *et al. v. Chevron Corp. et al.*, Case No. 4:17-cv-4935-JSW (the “Marin County Action”); and

13 WHEREAS, on August 24, 2017, Defendants removed all three actions to federal court, with  
14 the San Mateo County Action being the first-filed and lowest-numbered action (Case No. 4:17-cv-  
15 4929-YGR); and

16 WHEREAS, on August 25, 2017, Defendants filed in *Native Village of Kivalina et al. v.*  
17 *ExxonMobil Corp. et al.*, Case No. 4:08-cv-1138-SBA (“*Kivalina*”), an Administrative Motion to  
18 Relate the San Mateo Action, the Imperial Beach Action, and the Marin County Action to *Kivalina*;  
19 and

20 WHEREAS, on August 28, 2017, Judge Sandra Brown Armstrong, the presiding Judge in  
21 *Kivalina*, found that the San Mateo Action, the Imperial Beach Action, and the Marin County Action  
22 are not related to *Kivalina* and referred the Imperial Beach Action and the Marin County Action to  
23 this Court for a related case determination; and

24 WHEREAS, the undersigned parties agree that the San Mateo Action, the Imperial Beach  
25 Action, and the Marin County Action are related pursuant to Civil Local Rule 3-12(b) because  
26 “(1) [t]he actions concern substantially the same parties, property, transaction, or event; and (2) [i]t  
27 appears likely that there will be an unduly burdensome duplication of labor and expense or  
28 conflicting results if the cases are conducted before different Judges;” and

1 WHEREAS, this stipulation is not intended to operate as an admission of any factual  
2 allegation or legal conclusion and is submitted subject to and without waiver of any right, claim,  
3 defense, affirmative defense, or objection, including personal jurisdiction.

4 NOW, THEREFORE, pursuant to Civil Local Rules 3-12 and 7-12, and subject to the  
5 approval of the Court, the parties hereby stipulate that the San Mateo Action, the Imperial Beach  
6 Action, and the Marin County Action are related and request that the Court enter an order reassigning  
7 the second-filed Imperial Beach Action and the third-filed Marin County Action to the first-filed San  
8 Mateo County Action.

9  
10  
11 Dated: September 6, 2017

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23      Attorneys for Defendant  
24      SHELL OIL PRODUCTS COMPANY LLC

25      \*\* Pursuant to Civ. L.R. 5-1(i)(3), the  
26      electronic signatory has obtained approval  
27      from this signatory

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~~PROPOSED~~ ORDER

Having considered the parties' Stipulation, and good cause appearing, the Court hereby GRANTS the parties' Stipulation. The San Mateo Action (Case No. 3:17-cv-04929-VC-~~YGR~~), the Imperial Beach Action (Case No. 4:17-cv-04934-PJH), and the Marin County Action (Case No. 4:17-cv-04935-JSW), are related under Civil Local Rule 3-12(a), and the Imperial Beach Action and the Marin County Action are therefore reassigned to this Court pursuant to Civil Local Rule 3-12(f).

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: September 12, 2017

