

STATE OF RHODE ISLAND
PROVIDENCE, SC.

SUPERIOR COURT

STATE OF RHODE ISLAND

Plaintiff,

vs.

Case No.: PC-2018-4716

CHEVRON CORP.;
CHEVRON U.S.A. INC.;
EXXONMOBIL CORP.;
BP P.L.C.;
BP AMERICA, INC.;
BP PRODUCTS NORTH AMERICA, INC.;
ROYAL DUTCH SHELL PLC;
MOTIVA ENTERPRISES, LLC;
SHELL OIL PRODUCTS COMPANY LLC;
CITGO PETROLEUM CORP.;
CONOCOPHILLIPS;
CONOCOPHILLIPS COMPANY;
PHILLIPS 66;
MARATHON OIL COMPANY;
MARATHON OIL CORPORATION;
MARATHON PETROLEUM CORP.;
MARATHON PETROLEUM COMPANY LP;
SPEEDWAY LLC;
HESS CORP.;
LUKOIL PAN AMERICAS, LLC;
GETTY PETROLEUM MARKETING, INC.; AND
DOES 1 through 100, inclusive,

Defendants.

**PLAINTIFF STATE OF RHODE ISLAND'S OBJECTION TO DEFENDANTS'
MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM
UPON WHICH RELIEF CAN BE GRANTED**

NOW COMES the Plaintiff, the State of Rhode Island (“State”), and pursuant to Super. Ct. R. Civ. P. 12 hereby objects to the Motion to Dismiss for Failure to State a Claim Upon Which Relief Can Be Granted submitted jointly by Defendants Chevron Corp., et al., on January 13, 2020. The State relies on its Complaint, all pleadings and proceedings in this matter to date, the Memorandum of Law in Opposition to Defendants’ Joint Motion to Dismiss for Failure to State a Claim Upon Which Relief Can Be Granted filed herewith, and all legal authorities cited therein.

WHEREFORE, the State requests entry of an Order denying Defendants’ Motion to Dismiss for Failure to State a Claim Upon Which Relief Can Be Granted.

STATE OF RHODE ISLAND

By Its Attorneys,

PETER F. NERONHA
ATTORNEY GENERAL

Date: March 13, 2020

/s/ Neil F.X. Kelly _____

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State of Rhode Island

CERTIFICATION

I hereby certify that on the 13th day of March, 2020 I served the within, Plaintiff State of Rhode Island's Objection to Defendants' Motion to Dismiss for Failure to State a Claim Upon Which Relief Can Be Granted, via the Electronic Filing System (EFS) on each counsel of record for the above mentioned matters and that it is available for viewing and downloading.

/s/ Victor M. Sher