

Hon. Robert S. Lasnik

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KING COUNTY,

Plaintiff,

v.

BP P.L.C., a public limited company of
England and Wales, CHEVRON
CORPORATION, a Delaware corporation,
CONOCOPHILLIPS, a Delaware
corporation, EXXON MOBIL
CORPORATION, a New Jersey corporation,
ROYAL DUTCH SHELL PLC, a public
limited company of England and Wales, and
DOES 1 through 10,

Defendants.

Case No. 2:18-cv-00758RSL

JOINT STATUS REPORT

NOTED: June 28, 2021

JOINT STATUS REPORT

1
2 The Court’s order dated April 8, 2021, requires the parties to “file a joint status report
3 regarding next steps for this matter,” “within 14 days of the resolution of the petition for writ of
4 certiorari in *City of Oakland*.” Dkt. No. 169. On June 14, 2021, the Supreme Court denied the
5 petition for a writ of certiorari in *City of Oakland*.¹

6 In light of the foregoing development, the parties have been discussing next steps for
7 proceedings in this case and hope to reach an agreement soon. The parties believe and
8 respectfully submit that a joint proposal on next steps would be more helpful to the Court than
9 receiving separate positions from the parties. Accordingly, the parties respectfully request that
10 the Court continue the stay in this matter and direct the parties to submit a further joint status
11 report, including a proposal for next steps, to the Court by July 6, 2021.

12
13 DATED this 28th day of June, 2021.
14
15
16
17
18
19
20
21
22
23
24
25

26
27 ¹ This submission does not operate as an admission of any factual allegation or legal
28 conclusion and is submitted subject to and without waiver of any right, defense,
affirmative defense, claim, or objection, including lack of personal jurisdiction, insufficient
process, or insufficient service of process.

1 By: /s/ Kevin Wright
2 /s/ Jennifer Stacy
3 /s/ Steve W. Berman
4 /s/ Barbara A. Mahoney
5 /s/ Matthew F. Pawa
6 /s/ Benjamin A. Krass
7 /s/ Wesley Kelman

By: **/s/ Theodore J. Boutrous, Jr.
/s/ Joshua S. Lipshutz
/s/ Robert M. McKenna
/s/ Amanda M. McDowell
/s/ Herbert J. Stern
/s/ Joel M. Silverstein
/s/ Neal S. Manne
/s/ Erica Harris

8 Kevin Wright
9 Jennifer Stacy
10 Senior Deputy Prosecuting Attorneys
11 KING COUNTY PROSECUTING
12 ATTORNEY'S OFFICE
13 CIVIL DIVISION
14 516 Third Avenue, Suite 400
15 Seattle, WA 98104
16 Telephone: (206) 477-1120
17 Facsimile: (206) 296-0191

Theodore J. Boutrous, Jr. (*pro hac vice*)
Joshua S. Lipshutz (*pro hac vice*)
GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071
Telephone: +213 229 7000
Facsimile: +213 229 7520
E-mail: tboutrous@gibsondunn.com
E-mail: jlipshutz@gibsondunn.com

18 Steve W. Berman (WSBA No. 12536)
19 Barbara A. Mahoney (WSBA No. 31845)
20 HAGENS BERMAN SOBOL SHAPIRO
21 LLP
22 1918 Eighth Ave. Suite 3300
23 Seattle, WA 98101
24 Telephone: (206) 623-7292
25 Facsimile: (206) 623-0594
26 E-mail: steve@hbsslaw.com
27 E-mail: barbara@hbsslaw.com

Robert M. McKenna (WSBA No. 18327)
Amanda M. McDowell (WSBA No. 52312)
ORRICK, HERRINGTON & SUTCLIFFE
LLP
701 Fifth Ave., Suite 5600
Seattle, WA 98104
Telephone: (206) 839-4300
Facsimile: (206) 839-4301
E-mail: rmckenna@orrick.com
E-mail: amcdowell@orrick.com

28 Matthew F. Pawa (*pro hac vice*)
Benjamin A. Krass (*pro hac vice*)
Wesley Kelman (*pro hac vice*)
Seeger Weiss LLP
1280 Centre Street, Suite 230
Newton Centre, MA 02459
Telephone: (617) 641-9550
Facsimile: (617) 641-9551
E-mail: mpawa@seegerweiss.com
E-mail: bkrass@seegerweiss.com
E-mail: wkelman@seegerweiss.com

Herbert J. Stern (*pro hac vice*)
Joel M. Silverstein (*pro hac vice*)
STERN, KILCULLEN & RUFALO LLC
325 Columbia Turnpike, Suite 110
P.O. Box 992
Florham Park, NJ 07932-0992
Telephone: +973 535 1900
Facsimile: +973 535 9664
E-mail: hstern@sgklaw.com
E-mail: jsilverstein@sgklaw.com

Attorneys for Plaintiff KING COUNTY

Neal S. Manne (*pro hac vice*)
Erica Harris (*pro hac vice*)
Johnny W. Carter (*pro hac vice*)
SUSMAN GODFREY LLP
1000 Louisiana, Suite 5100
Houston, TX 77002
Telephone: 713.651.9366
Facsimile: 713.654.6666
E-mail: nmanne@susmangodfrey.com
E-mail: eharris@susmangodfrey.com
E-mail: jcarter@susmangodfrey.com

Steven M. Shepard (*pro hac vice*)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SUSMAN GODFREY LLP
1301 Avenue of the Americas
New York, NY 10019
Telephone: 212.729.2010
E-mail: sshepard@susmangodfrey.com

Kemper P. Diehl (WSBA #53212)
SUSMAN GODFREY LLP
1201 Third Avenue, Suite 3800
Seattle, WA 98101
Telephone: 206.516.3880
Facsimile: 206.516.3883
E-mail: kdiehl@susmangodfrey.com

Attorneys for Defendant CHEVRON CORPORATION

**** Pursuant to this Court's Electronic Filing Procedure III.L, the electronic signatory has obtained approval from all other signatories**

By: /s/ Angelo J. Calfo
/s/ Theodore V. Wells, Jr.
/s/ Daniel J. Toal

Angelo J. Calfo (WSBA #27079)
Gabriel Reilly-Bates (WSBA #52257)
CALFO EAKES LLP
1301 Second Avenue, Suite 2800
Seattle, WA 98101
Telephone: (206) 407-2200
Facsimile: (206) 407-2224
E-mail: angeloc@calfoeakes.com

Theodore V. Wells, Jr. (*pro hac vice*)
Daniel J. Toal (*pro hac vice*)
Yahonnes Cleary (*pro hac vice forthcoming*)
Caitlin Grusauskas (*pro hac vice forthcoming*)
PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP
1285 Avenue of the Americas
New York, NY 10019-6064
Telephone: (212) 373-3000
Facsimile: (212) 757-3990
E-Mail: twells@paulweiss.com
E-Mail: dtoal@paulweiss.com

Attorneys for Defendant EXXON MOBIL CORPORATION

By: /s/ Erika H. Spanton

Erika H. Spanton (WSBA No. 46992)
BEVERIDGE & DIAMOND, P.C.
600 University Street, Suite 1601
Seattle, WA 98101
Telephone: (206) 315-4815
E-mail: espanton@bdlaw.com

David C. Frederick (*pro hac vice*)
Grace W. Knofczynski (*pro hac vice*)
Daniel S. Severson (*pro hac vice*)
KELLOGG, HANSEN, TODD, FIGEL & FREDERICK, P.L.L.C.
1615 M Street NW, Suite 400
Washington, DC 20036
Telephone: (202) 326-7900
E-mail: dfrederick@kellogghansen.com
E-mail: gknofczynski@kellogghansen.com
E-mail: dseverson@kellogghansen.com

Attorneys for Defendant ROYAL DUTCH SHELL PLC

1 By: /s/ Jonathan W. Hughes
2 /s/ Matthew T. Heartney
3 /s/ John D. Lombardo
4 /s/ Nancy Milburn

By: /s/ Daniel A. Brown
/s/ Sean C. Grimsley
/s/ Jameson R. Jones
/s/ Daniel R. Brody

Jonathan W. Hughes (*pro hac vice*)
ARNOLD & PORTER KAYE SCHOLER
LLP
Three Embarcadero Center, 10th Floor
San Francisco, California 94111-4024
Telephone: (415) 471-3100
Facsimile: (415) 471-3400
E-mail: jonathan.hughes@apks.com

Daniel A. Brown, WSBA #22028
WILLIAMS, KASTNER & GIBBS PLLC
601 Union Street, Suite 4100
Seattle, WA 98101-2380
Telephone: (206) 628-6600
Fax: (206) 628-6611
dbrown@williamskastner.com

Matthew T. Heartney (*pro hac vice*)
John D. Lombardo (*pro hac vice*)
ARNOLD & PORTER KAYE SCHOLER
LLP
777 South Figueroa Street, 44th Floor
Los Angeles, California 90017-5844
Telephone: (213) 243-4000
Facsimile: (213) 243-4199
E-mail: matthew.heartney@apks.com
E-mail: john.lombardo@apks.com

Sean C. Grimsley (*pro hac vice*)
Jameson R. Jones (*pro hac vice*)
Daniel R. Brody (*pro hac vice*)
BARTLIT BECK LLP
1801 Wewatta St., Suite 1200
Denver, Colorado 80202
Telephone: 303-592-3123
Facsimile: 303-592-3140
Email: sean.grimsley@bartlit-beck.com
Email: jameson.jones@bartlit-beck.com
Email: dan.brody@bartlit-beck.com

Nancy Milburn (*pro hac vice*)
ARNOLD & PORTER KAYE SCHOLER
LLP
250 West 55th Street
New York, NY 10019-9710
Telephone: (212) 836-8383
Facsimile: (212) 715-1399
E-mail: philip.curtis@apks.com
E-mail: nancy.milburn@apks.com

Attorneys for Defendant CONOCOPHILLIPS

Attorneys for Defendant BP P.L.C.