

Nos. 18-15499, 18-15502, 18-15503, 18-16376

IN THE  
**United States Court of Appeals for the Ninth Circuit**

COUNTY OF SAN MATEO, Plaintiff–Appellee, v. CHEVRON CORPORATION, <i>et al.</i> , Defendants–Appellants.	Appeal No. 18-15499 No. 17-cv-4929-VC N.D. Cal., San Francisco Hon. Vince Chhabria presiding
CITY OF IMPERIAL BEACH, Plaintiff–Appellee, v. CHEVRON CORPORATION, <i>et al.</i> , Defendants–Appellants.	Appeal No. 18-15502 No. 17-cv-4934-VC N.D. Cal., San Francisco Hon. Vince Chhabria presiding
COUNTY OF MARIN, Plaintiff–Appellee, v. CHEVRON CORPORATION, <i>et al.</i> , Defendants–Appellants	Appeal No. 18-15503 No. 17-cv-4935-VC N.D. Cal., San Francisco Hon. Vince Chhabria presiding
COUNTY OF SANTA CRUZ, <i>et al.</i> , Plaintiff–Appellees, v. CHEVRON CORPORATION, <i>et al.</i> , Defendants–Appellants	Appeal No. 18-16376 No. 18-cv-00450-VC; 18-cv-00458-VC; 118-cv-00732-VC N.D. Cal., San Francisco Hon. Vince Chhabria presiding

**PLAINTIFFS-APPELLEES’ NOTICE OF NON-OPPOSITION TO  
 DEFENDANTS-APPELLANTS’ CONSENT MOTION FOR LEAVE  
 TO FILE SUPPLEMENTAL BRIEFING**

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The County of San Mateo, City of Imperial Beach, County of Marin, County of Santa Cruz, City of Santa Cruz, and City of Richmond (hereinafter Plaintiffs-Appellees) write to clarify their positions regarding Appellants' Consent Motion for Supplemental Briefing and Oral Argument (No. 18-15499, Dkt. 269).

Plaintiffs-Appellees agree that there is good cause to grant Defendants'-Appellants' Motion for supplemental briefing because several courts have issued relevant and persuasive decisions since this Court's decision of May 26, 2020, which affirmed the district court's order remanding these cases to state court. *Cnty. of San Mateo v. Chevron Corp.*, 960 F.3d 586 (9th Cir. 2020), *cert. granted, judgment vacated sub nom. Chevron Corp. v. San Mateo Cnty.*, No. 20-884, 2021 WL 2044534 (U.S. May 24, 2021).

However, Plaintiffs-Appellees strongly disagree with Defendants'-Appellants' characterization in their Consent Motion of the allegations in Plaintiffs-Appellees' complaints and the holdings and analysis in those newly decided cases. Plaintiffs-Appellees will set forth their position on these and other issues in their forthcoming brief, but wanted to make clear that by consenting to Defendants-Appellants' request for supplemental briefing, Plaintiffs-Appellees were neither agreeing with, nor acquiescing in, the accuracy or completeness of Defendants-Appellants' characterizations of the allegations in these cases or the cited legal authorities.

For these reasons, Plaintiffs-Appellees request that the Court grant Defendants'-Appellants' Consent Motion for Supplemental Briefing and Oral Argument.

Respectfully submitted,

Dated: June 29, 2021

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**CERTIFICATE OF COMPLIANCE**

Pursuant to Federal Rules of Appellate Procedure 32(g), I certify that this brief complies with the type-volume limitation of Circuit Rules 32-1(a) and 32-2(b). This brief contains 222 words, excluding the parts of the brief exempted by Federal Rules of Appellate Procedure 32(f).

This document complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the type style requirements of Federal Rule of Appellate Procedure 32(a)(6) because the document has been prepared in a proportionally spaced typeface using Microsoft Word 2016, Times New Roman 14-point font.

*/s/ Victor M. Sher*  
Victor M. Sher

**CERTIFICATE OF SERVICE**

I hereby certify that on June 29, 2021, I caused a copy of the foregoing to be electronically filed with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

*/s/ Victor M. Sher* \_\_\_\_\_  
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