

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

IN RE EXXON MOBIL  
CORPORATION DERIVATIVE  
LITIGATION

Lead Case No. 3:19-cv-01067-K

This Document Relates To:

ALL ACTIONS

**ORDER**

Before the Court are Lead Plaintiff's Motion for Leave to Conduct Limited Discovery Related to Defendants' Refusal of Lead Plaintiff's Litigation Demand (the "Motion for Discovery") (Doc. No. 53) and Nominal Defendant's and Defendants' Request for Oral Argument on Plaintiff's Motion for Leave to Conduct Limited Discovery (the "Motion for Hearing") (Doc. No. 70). The Court carefully considered both motions, responsive briefing, appendices, relevant portions of the record, and applicable law.

The Court concludes that Lead Plaintiff has not shown that good cause exists to warrant limited discovery at this juncture. The Court therefore **DENIES** the Motion for Discovery to the extent Lead Plaintiff requests to conduct discovery, but the Court **GRANTS** Lead Plaintiff's request for leave to amend the consolidated complaint. Lead Plaintiff shall file an amended consolidated complaint on or before September 10, 2021.

The Court's ruling on the Motion for Discovery is the same whether analyzed under New Jersey Statutes § 14A:3-6.5 or the federal rules governing the requested discovery. The Court also acknowledges that Lead Plaintiff has access to the Report, the minutes of the Board's meetings where the Working Group was created and the Board decided to reject the litigation demands as Defendants attached these documents to their motion to dismiss, and other public documents and information related to the issues in this case.

Because the Court can resolve the Motion for Discovery on the submitted briefing, there is no need for a hearing. The Court therefore **DENIES** the Motion for Hearing.

**SO ORDERED.**

August 13<sup>th</sup>, 2021.

  
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UNITED STATES DISTRICT JUDGE