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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MATTHEW J. PLATKIN, ATTORNEY
GENERAL OF THE STATE OF NEW
JERSEY; NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION; and
CARI FAIS, ACTING DIRECTOR OF THE
NEW JERSEY DIVISION OF CONSUMER
AFFAIRS,

Plaintiffs,

v.

EXXON MOBIL CORPORATION;
EXXONMOBIL OIL CORPORATION; BP
P.L.C.; BP AMERICA INC.; CHEVRON
CORPORATION; CHEVRON U.S.A. INC.;
CONOCOPHILLIPS; CONOCOPHILLIPS
COMPANY; PHILLIPS 66; PHILLIPS 66
COMPANY; SHELL PLC; SHELL OIL
COMPANY; and AMERICAN PETROLEUM
INSTITUTE,

Defendants.

No. 3:22-cv-06733-ZNQ-RLS

**PLAINTIFFS' NOTICE OF
SUPPLEMENTAL AUTHORITIES**

Hon. Zahid N. Quraishi, U.S.D.J.
Hon. Rukhsanah L. Singh, U.S.M.J.

Plaintiffs hereby notify the Court of supplemental authority relevant to Defendants’ Motion to Stay Proceedings (Dkt. 75). Defendants’ briefing emphasizes the need to “await guidance from the Supreme Court on whether these types of climate change cases should be litigated in federal or state court.” Defs’ Mot. to Stay (Dkt. 75-1) at 2 (“Motion”). Specifically, Defendants argue that proceedings should be stayed because the jurisdictional issues presented in Plaintiffs’ Motion to Remand to State Court “ha[ve] now been presented to the Supreme Court in *five* petitions for writs of certiorari in substantially similar climate change-related cases.” *See* Mot. at 1.

On April 24, 2023, the U.S. Supreme Court denied all five petitions. *See Shell Oil Prods. Co. v. Rhode Island*, No. 22-524, 2023 WL 3046229 (U.S. Apr. 24, 2023); *BP P.L.C. v. Mayor & City Council of Baltimore*, No. 22-361, 2023 WL 3046224 (U.S. Apr. 24, 2023); *Chevron Corp. v. San Mateo Cnty.*, No. 22-495, 2023 WL 3046226 (U.S. Apr. 24, 2023); *Sunoco LP v. Honolulu*, No. 22-523, 2023 WL 3046227 (U.S. Apr. 24, 2023); *Suncor Energy, Inc. v. Bd. of Comm’rs of Boulder Cnty.*, No. 21-1550, 2023 WL 3046222 (U.S. Apr. 24, 2023). The Court’s April 24 Order List is attached hereto as **Exhibit A**, and the relevant denials appear on page 4.

By denying these petitions, the Supreme Court has shown that it will almost certainly deny Defendants’ materially identical petition for review of the Third Circuit’s decision in *City of Hoboken v. Chevron Corp.*, 45 F.4th 699 (3d Cir. 2022) (“*Hoboken*”), which is scheduled for conference on May 11. *See* Mot. at 1–2. *Hoboken* undisputedly controls the outcome of Defendants’ removal here, and the Supreme Court’s impending denial of the *Hoboken* petition will soon ratify the lack of federal jurisdiction over this case. Because Defendants’ petitions for certiorari were the sole basis for their request to stay this action—and the Supreme Court has now denied them—their motion has no remaining force. It is time to proceed toward remand, and this Court should decline to stay the case.

Dated: April 27, 2023

MATTHEW J. PLATKIN,
Attorney General of the State of New Jersey

/s/ Andrew Reese

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on April 27, 2023, the document above was electronically filed with the Clerk of Court using the CM/ECF system, which automatically sent notification to all parties of record.

/s/ Paul M. Stephan

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