

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE CITY OF NEW YORK,

Plaintiff,

-against-

EXXON MOBIL CORPORATION,

Defendant.

1:21-CV-04807 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on July 7, 2021, Plaintiff filed a motion to remand to state court, *see* Dkt. 37;

WHEREAS on November 12, 2021, the Court stayed this action pending the Second Circuit's decision in *Connecticut v. Exxon Mobil Corp.*, No. 21-1446, Dkt. 80 (2d Cir. Oct. 5, 2021), *see* Dkt. 58;

WHEREAS on September 27, 2023, the Second Circuit issued its decision in *Connecticut v. Exxon Mobil Corp.*, No. 21-1446, 2023 WL 6279941 (2d Cir. Sept. 27, 2023), affirming the district court's order remanding the case to state court; and

WHEREAS on October 2, 2023, Plaintiff requested that the Court lift the stay and decide Plaintiff's pending motion to remand, *see* Dkt. 62.

IT IS HEREBY ORDERED that the stay of all proceedings entered on November 12, 2021, is LIFTED.

IT IS FURTHER ORDERED that Plaintiff's motion to remand to state court is DENIED without prejudice and with leave to refile. Plaintiff may resubmit its motion for remand, in light of the Second Circuit's decision in *Connecticut v. Exxon Mobil Corp.*, No. 21-1446, 2023 WL 6279941 (2d Cir. Sept. 27, 2023), not later than **Friday, October 20, 2023**. Defendant must

respond by **Tuesday, November 14, 2023**. Plaintiff's reply brief must be filed not later than **Friday, December 8, 2023**.

IT IS FURTHER ORDERED that the Clerk of Court is respectfully directed to terminate the open motion at docket entry 37.

SO ORDERED.

Dated: October 4, 2023
New York, New York

A handwritten signature in blue ink that reads "Valerie Caproni". The signature is written in a cursive style with a long horizontal flourish at the end.

VALERIE CAPRONI
United States District Judge