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**STATEMENT OF AUTHORITY AND INTENTION TO TAKE LEGAL ACTION**

I, Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, state as follows:

- (1) As Corporation Counsel, I am the chief legal officer of the City of New York (the “City”) and have the power to conduct all the law business of the City and its agencies in which the City is interested. NYC Charter § 394(a). The Corporation Counsel has the right to institute actions in law or equity in any court. NYC Charter § 394(c).
- (2) In order to protect the City’s interests I have determined that it is appropriate for the City to intervene in support of the Plaintiffs in litigation currently pending against TotalEnergies in the French Court in Paris (*Notre Affaire a Tous et al. v. Total*) through *intervention volontaire accessoire*.
- (3) The City has a significant interest in engaging – locally and globally – in efforts to mitigate climate change. Climate hazards in the New York metropolitan region are increasing the risks for the people, economy, and infrastructure of the City in numerous and dramatic ways. For example, New York City has already suffered loss of life in severe storms linked directly to climate change, and has incurred substantial costs due to recovery from such storms. The City is investing hundreds of millions of dollars to develop and implement resiliency projects and to climate-proof existing infrastructure so that the City can effectively protect vulnerable New Yorkers and critical City infrastructure and resources.
- (4) The City has committed to a goal of achieving carbon neutrality by 2050.<sup>1</sup> However, the City’s greenhouse gas reductions alone will not prevent the impacts of global climate change on New York City and its residents. Action to reduce greenhouse gas emissions to stave off the realization of the “high-end” impacts of climate change described in the New

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<sup>1</sup> *OneNYC 2050 Building a Strong and Fair City Report Volume 7*, at 5, available at <https://onenyc.cityofnewyork.us/strategies/a-livable-climate/>.

York City Panel on Climate Change<sup>2</sup> requires not only local, but also national and international engagement.

- (5) Accordingly, supporting Plaintiffs in this proceeding against TotalEnergies, which seeks to enforce the law requiring TotalEnergies to produce a plan of vigilance to mitigate climate risks associated with their operations, furthers important interests of the City. A comprehensive plan of vigilance from TotalEnergies that identifies the risks of serious climate-related harms, including those resulting from the use of goods and services that Total produces, and commits the company to ensure that its activities align with reductions of greenhouse gas emissions necessary to limit global warming as set forth in the Paris Agreement,<sup>3</sup> will advance the City's goal of reducing the disastrous impacts of climate change on the City's people, economy, and infrastructure.
- (6) For the above stated reasons, pursuant to my authority under the New York City Charter, I have determined that the City will intervene through *intervention volontaire accessoire* in the proceeding against TotalEnergies before the Civil Court of Paris ("*Tribunal judiciaire de Paris*") registered under the number RG 22/03403, and designate Me Sebastien Mabile and Me François de Cambiaire, partners of Seattle Avocats, law firm based in Paris, France, to represent the City.

  
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Hon. Sylvia O. Hinds-Radix, Corporation Counsel

Dated: July 21, 2022

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<sup>2</sup> New York City Panel on Climate Change 2019 Report, *Executive Summary*, at 15, Annals of the New York Academy of Science, Vol. 1439 (Mar. 2019), available at <https://nyaspubs.onlinelibrary.wiley.com/doi/epdf/10.1111/nyas.14008>.

<sup>3</sup> United Nations, Paris Agreement (2015), available at [https://unfccc.int/sites/default/files/english\\_paris\\_agreement.pdf](https://unfccc.int/sites/default/files/english_paris_agreement.pdf) (noting that the Agreement aims to strengthen the global response to the threat of climate change by “[h]olding the increase in the global average temperature to well below 2 C above pre-industrial levels, . . . recognizing that this would significantly reduce the risks and impacts of climate change . . .”).