

Climate Cases Face More Delay After Big Oil's High Court Win

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Exxon Mobil and other oil and gas companies have new ways to prevent high-stakes climate litigation from advancing in state courts throughout the country after winning a procedural challenge before the U.S. Supreme Court.

The ruling, issued on May 17, 2021, found that a lower court should have considered an array of industry arguments for shifting a Baltimore climate case from state to federal court—which is often considered a more favorable venue for corporate defendants. The decision has immediate impacts for climate lawsuits filed by the state of Rhode Island and local governments in California and Colorado. The Supreme Court is expected to remand those cases to their respective circuit courts for broader review.

Speaking to Bloomberg Law, Lena Konanova said the decision doesn't give any indication on where the justices are leaning on the merits of the litigation.

“Justices Breyer and Kagan joined the majority opinion, which is notable for how carefully it avoids disclosing any perspective as to what forum should hear state law claims against fossil fuel companies for their role in rising global temperatures,” she said, referring to Justices Stephen Breyer and Elena Kagan, who are part of the court's liberal wing. “For now, the debate will continue.”

Read the full story in [Bloomberg Law](#).

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