



DEPARTMENT OF THE ATTORNEY GENERAL

DAVID Y. IGE
GOVERNOR

CLARE E. CONNORS
ATTORNEY GENERAL

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Hawaii Attorney General Connors Leads a Coalition Supporting County Efforts to Hold Big Oil Accountable for Misleading the Public About the Harmful Effects of Fossil Fuels on the Climate

HONOLULU – Hawai'i Attorney General Connors led a coalition of 14 Attorneys General in support of the City and County of Honolulu and the County of Maui's efforts to hold major fossil fuel producing companies accountable for deceptive trade practices and other violations of state law. In an amicus brief filed in the United States Court of Appeals for the Ninth Circuit, the coalition supports the Counties' claims that several major fossil fuel producing companies, including ExxonMobil Corporation, Chevron Corporation, and BP plc, knowingly contributed to climate change and misled consumers about the harmful effects of fossil fuels. The lawsuit argues that these companies are liable for damages and other costs associated with this deliberate campaign to confuse the public and maintain their profits.

"Hawai'i is an island state dependent on the health of its natural environment, which is home to a diverse and fragile range of species not found anywhere else on the planet," said Attorney General Connors. "For decades, Big Oil knowingly deceived consumers about the harmful impact of its products on our environment and in support of the Counties' efforts to hold these companies accountable, we urge the Ninth Circuit to allow these cases to proceed in state court, where they belong."

Hawai'i and other states are witnessing the catastrophic results of climate change, whether it be wildfires and heat waves; sea-level rise and precipitation changes; or other changes that affect agriculture and food production. Hawai'i has experienced substantial erosion of beaches due to rising sea levels, as well as significant loss of living coral reefs due to rising ocean temperatures.

As the Intergovernmental Panel on Climate Change recently concluded, these phenomena, along with more severe weather events, are going to worsen, and "[m]any of the changes observed in the climate are unprecedented in thousands, if not hundreds of thousands of years." In 2020 alone, weather events cost \$22 billion, the most recorded since the National Oceanic and Atmospheric Administration began tracking

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the cost of these disasters. The average number of billion-dollar events since 1980 is seven; the average number since 2015 is more than double at 15.1.

Although the Counties originally filed their cases in state court, the oil companies removed the cases to federal district court to avoid being held accountable in the state justice system. The District Court rejected this tactic by the oil companies and the case is currently pending in the Ninth Circuit following the companies' appeal of the District Court decision that the lawsuit belongs in state court. The coalition argues that the Ninth Circuit should affirm the District Court's order because the right to remove cases is narrowly construed so as to protect the ability of states and local governments to enforce state laws.

Joining Attorney General Connors in the amicus brief are the attorneys general of California, Connecticut, Delaware, Maryland, Massachusetts, Minnesota, New Jersey, New Mexico, New York, Oregon, Rhode Island, Washington, and the District of Columbia.

A copy of the amicus brief can be found [here](#).

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For more information, contact:
Gary H. Yamashiroya
Special Assistant to the Attorney General
Department of the Attorney General
425 Queen Street
Honolulu, HI 96813