

Angulo, Guadalupe

From: Dunn, Matthew
Sent: Monday, March 14, 2016 9:24 AM
To: Gignac, James; Wallace, Elizabeth
Cc: Burlingham, Rebecca; Morrissey-Kochanny, Mary
Subject: MTBE; possible meeting

If Atty. Pawa is attending, Gerry please try to arrange an MTBE discussion to overlap with him. Need to try to include IEPA in that. Will need a background memo on that as well.

Mary: want to plug in if we arrange an MTBE discussion?

From the letter:

I would like to bring to this meeting Attorney Matt Pawa of Pawa Law Group, P.C., Sharon Eubanks of Bordas & Bordas and an attorney from Hagens, Berman Sobol Shapiro LLP. Attorney Pawa has represented several states in environmental cases and has been a pioneer on global warming legal theories for fifteen years.

Matthew J. Dunn, Chief
Environmental Enforcement/Asbestos
Litigation Division
Illinois Attorney General's Office
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mdunn@atg.state.il.us

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From: Dunn, Matthew
Sent: Monday, March 14, 2016 8:59 AM
To: Gignac, James; Wallace, Elizabeth; Armstrong, Andrew
Cc: Burlingham, Rebecca
Subject: Exxon climate change investigation;



<http://insideclimatenews.org/news/02032016/justice-department-refers-exxon-investigation-request-fbi-climate-change-research-denial>



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From: Gignac, James
Sent: Thursday, March 10, 2016 3:03 PM
To: Dunn, Matthew; Wallace, Elizabeth; Armstrong, Andrew
Subject: FW: background information

More on Exxon. I will go to this meeting and keep you posted. The letter at the bottom references theories about the Illinois Consumer Fraud and Deceptive Business Practices Act. Matt Pawa represented a village in Alaska [REDACTED]

James

From: Spillane, Ann M.
Sent: Thursday, March 10, 2016 2:12 PM
To: Ali, Khadija
Cc: Hendrickson, Cara; Gignac, James; Stachon, Eva; Holmes, Kirsten
Subject: Re: background information

An hour, I think. At most.

Sent from my iPhone

On Mar 10, 2016, at 1:53 PM, Ali, Khadija <kali@atg.state.il.us> wrote:

Hello Everyone,

The AG may stop in briefly for this meeting to discuss ExxonMobil if her schedule permits. Can you please let me know if the following dates work on your end so that I may reach out to Wendy Abrams?

Ann, how much time do you think you may need for this meeting?

Monday, March 22
10:30am or 2pm

Tuesday, March 21
10:30am or 2pm

Thanks,
Khadija

From: wendy abrams [mailto:]
Sent: Friday, February 26, 2016 6:07 PM
To: Ali, Khadija
Subject: background information

Kali

Nice to speak with you this afternoon. As I mentioned, I would like to meet with Attorney General Madigan to discuss ExxonMobil's practices and if the IL AG office would be interested in investigating the matter. Below is a brief description from a New York Times article of the NY AG's investigation; and a letter from Matt Pawa outlining the issues.

Please let me know if there is a time in March or early April that would be convenient for the Attorney General to meet.

Best regards,
Wendy Abrams

NYT, Nov 5, 2015:

The New York attorney general has begun an investigation of Exxon Mobil to determine whether the company lied to the public about the risks of climate change or to investors about how such risks might hurt the oil business.

According to people with knowledge of the investigation, Attorney General Eric T. Schneiderman issued a subpoena Wednesday evening to Exxon Mobil, demanding extensive financial records, emails and other documents.

The investigation focuses on whether statements the company made to investors about climate risks as recently as this year were consistent with the company's own long-running scientific research.

The people said the inquiry would include a period of at least a decade during which Exxon Mobil funded outside groups that sought to undermine climate science, even as its in-house scientists were outlining the potential consequences — and uncertainties — to company executives.

Re: Violation of Illinois Consumer Fraud and Deceptive Business Practices Act. by ExxonMobil Corp.

Dear General Madigan:

I write to bring to your attention the issue of whether ExxonMobil may have violated the Illinois Consumer Fraud and Deceptive Business Practices Act and to request a meeting with you. By way of background, I have worked closely with attorney general for many years. I represent New Hampshire, Vermont and Rhode Island in MTBE groundwater contamination cases and have worked as co-counsel with attorneys general on a series of environmental cases, including cases dealing with climate change.

Two news organizations recently disclosed internal Exxon documents demonstrating that Exxon was aware of the key pieces of information about global warming in the late 1970s and early 80s. For example, internal Exxon documents disclosed by *Inside Climate News* show that Exxon knew that:

- the use of its core product – fossil fuel – was causing the level of carbon dioxide in the atmosphere to rise;
- “a clear scientific consensus has emerged regarding the expected climatic effects of increased atmospheric CO₂,” namely, that doubling atmospheric CO₂ would cause a planetary warming of approximately 3 degrees Celsius;
- there was “unanimous agreement in the scientific community that a temperature increase of this magnitude would bring about significant changes in the earth’s climate”; and
- “the present trend of fossil fuel consumption will cause dramatic environmental effects before the year 2050,” and it was “distinctly possible” the effects “will indeed be catastrophic (at least for a substantial fraction of the earth’s population).”

In light of this threat to the planet, Exxon’s in-house science team informed corporate management in 1977 that “the use of fossil fuels” “should not be encouraged” and warned that “man can afford 5-10 yr. time window to establish what must be done.”

In addition, the *Los Angeles Times* revealed that Exxon, among other things, has relied on global climate models since the 1980s in order to project future warming so that it could protect its own business assets, such as pipelines and offshore platforms located in the Arctic. These are the same models that Exxon spent the next decades publicly seeking to discredit as unreliable.

Exxon’s long campaign of deception and denial on global warming has been repeatedly documented through glimpses of information that have occasionally become public.^[1] Exxon has made false, misleading and deceptive statements directly and through extensive funding of third parties, such as organizations that have held themselves out as think tanks but in fact have turned out to be secretly paid industry mouthpieces. Exxon’s long pattern of false and misleading statements on global warming has, on its face, been aimed in substantial part at trying to convince consumers that its products, i.e., fossil fuels, were and are safe for the climate; this pattern continues to this day. Now, however, we have a glimpse into Exxon’s own scientific analysis showing that it has known the key facts about global warming for the entire time it has engaged in this campaign of deception. I enclose a recent article by author and leader of 350.org Bill McKibben on this matter. http://www.tomdispatch.com/blog/176105/tomgram%3A_bill_mckibben,_it's_not_just_what_exxon_did,_it's_what_it's_doing/

I would like to bring to this meeting Attorney Matt Pawa of Pawa Law Group, P.C., Sharon Eubanks of Bordas & Bordas and an attorney from Hagens, Berman Sobol Shapiro LLP. Attorney Pawa has represented several states in environmental cases and has been a pioneer on global warming legal theories for fifteen years. Ms. Eubanks, who formerly led the U.S. Department of Justice litigation against tobacco companies under the federal RICO statute; she is now in private practice. Steve Berman of Hagens Berman represented 13 states in the tobacco litigation. These lawyers are focused on assisting states in investigating whether Exxon has violated consumer fraud statutes and in particular on the possibility of obtaining injunctive relief similar to the federal RICO injunction, e.g., requiring Exxon to disclose all of its documents on this matter, prohibiting further deceptive statements and requiring the issuance of corrective statements.

These law firms have undertaken a preliminary review of the Illinois Consumer Fraud and Deceptive Business Practices Act by ExxonMobil Corp. and believe that this matter warrants your consideration. We request an opportunity to meet with you and your staff in order to provide you with a presentation on Exxon's early knowledge of climate change and its subsequent campaign of deception and denial.

Thank you for your attention and consideration.

Angulo, Guadalupe

From: Dunn, Matthew
Sent: Wednesday, March 16, 2016 9:56 AM
To: Gignac, James
Subject: FW: Exxon climate change investigation;

[REDACTED]

[REDACTED]

thx

Matthew J. Dunn, Chief
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From: Wallace, Elizabeth
Sent: Monday, March 14, 2016 9:27 AM
To: Dunn, Matthew; Gignac, James; Armstrong, Andrew
Cc: Burlingham, Rebecca
Subject: RE: Exxon climate change investigation;

I will do that.

From: Dunn, Matthew
Sent: Monday, March 14, 2016 8:59 AM
To: Gignac, James; Wallace, Elizabeth; Armstrong, Andrew
Cc: Burlingham, Rebecca
Subject: Exxon climate change investigation;

[REDACTED]

<http://insideclimatenews.org/news/02032016/justice-department-refers-exxon-investigation-request-fbi-climate-change-research-denial>

[REDACTED]

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Sent: Thursday, March 10, 2016 3:03 PM
To: Dunn, Matthew; Wallace, Elizabeth; Armstrong, Andrew
Subject: FW: background information

More on Exxon. I will go to this meeting and keep you posted. The letter at the bottom references theories about the Illinois Consumer Fraud and Deceptive Business Practices Act. Matt Pawa represented a village in Alaska [REDACTED]
[REDACTED]

James

From: Spillane, Ann M.
Sent: Thursday, March 10, 2016 2:12 PM
To: Ali, Khadija
Cc: Hendrickson, Cara; Gignac, James; Stachon, Eva; Holmes, Kirsten
Subject: Re: background information

An hour, I think. At most.

Sent from my iPhone

On Mar 10, 2016, at 1:53 PM, Ali, Khadija <kali@atg.state.il.us> wrote:

Hello Everyone,

The AG may stop in briefly for this meeting to discuss ExxonMobil if her schedule permits. Can you please let me know if the following dates work on your end so that I may reach out to Wendy Abrams?

Ann, how much time do you think you may need for this meeting?

Monday, March 22
10:30am or 2pm

Tuesday, March 21
10:30am or 2pm

Thanks,
Khadija

From: wendy abrams [mailto: [REDACTED]]
Sent: Friday, February 26, 2016 6:07 PM
To: Ali, Khadija
Subject: background information

Kali

Nice to speak with you this afternoon. As I mentioned, I would like to meet with Attorney General Madigan to discuss ExxonMobil's practices and if the IL AG office would be interested in investigating the matter. Below is a brief description from a New York Times article of the NY AG's investigation; and a letter from Matt Pawa outlining the issues.

Please let me know if there is a time in March or early April that would be convenient for the Attorney General to meet.

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The investigation focuses on whether statements the company made to investors about climate risks as recently as this year were consistent with the company's own long-running scientific research.

The people said the inquiry would include a period of at least a decade during which Exxon Mobil funded outside groups that sought to undermine climate science, even as its in-house scientists were outlining the potential consequences — and uncertainties — to company executives.

Re: Violation of Illinois Consumer Fraud and Deceptive Business Practices Act. by ExxonMobil Corp.

Dear General Madigan:

I write to bring to your attention the issue of whether ExxonMobil may have violated the Illinois Consumer Fraud and Deceptive Business Practices Act and to request a meeting with you. By way of background, I have worked closely with attorney general for many years. I represent New Hampshire, Vermont and Rhode Island in MTBE groundwater contamination cases and have worked as co-counsel with attorneys general on a series of environmental cases, including cases dealing with climate change.

Two news organizations recently disclosed internal Exxon documents demonstrating that Exxon was aware of the key pieces of information about global warming in the late 1970s and early 80s. For example, internal Exxon documents disclosed by *Inside Climate News* show that Exxon knew that:

- the use of its core product – fossil fuel – was causing the level of carbon dioxide in the atmosphere to rise;
- “a clear scientific consensus has emerged regarding the expected climatic effects of increased atmospheric CO₂,” namely, that doubling atmospheric CO₂ would cause a planetary warming of approximately 3 degrees Celsius;
- there was “unanimous agreement in the scientific community that a temperature increase of this magnitude would bring about significant changes in the earth’s climate”; and
- “the present trend of fossil fuel consumption will cause dramatic environmental effects before the year 2050,” and it was “distinctly possible” the effects “will indeed be catastrophic (at least for a substantial fraction of the earth’s population).”

In light of this threat to the planet, Exxon’s in-house science team informed corporate management in 1977 that “the use of fossil fuels” “should not be encouraged” and warned that “man can afford 5-10 yr. time window to establish what must be done.”

In addition, the *Los Angeles Times* revealed that Exxon, among other things, has relied on global climate models since the 1980s in order to project future warming so that it could protect its own business assets, such as pipelines and offshore platforms located in the Arctic. These are the same models that Exxon spent the next decades publicly seeking to discredit as unreliable.

Exxon’s long campaign of deception and denial on global warming has been repeatedly documented through glimpses of information that have occasionally become public.^[1] Exxon has made false, misleading and deceptive statements directly and through extensive funding of third parties, such as organizations that have held themselves out as think tanks but in fact have turned out to be secretly paid industry mouthpieces. Exxon’s long pattern of false and misleading statements on global warming has, on its face, been aimed in substantial part at trying to convince consumers that its products, i.e., fossil fuels, were and are safe for the climate; this pattern continues to this day. Now, however, we have a glimpse into Exxon’s own scientific analysis showing that it has known the key facts about global warming for the entire time it has engaged in this campaign of deception. I enclose a recent article by author and leader of 350.org Bill McKibben on this matter. http://www.tomdispatch.com/blog/176105/tomgram%3A_bill_mckibben,_it's_not_just_what_exxon_did,_it's_what_it's_doing/

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These law firms have undertaken a preliminary review of the Illinois Consumer Fraud and Deceptive Business Practices Act by ExxonMobil Corp. and believe that this matter warrants your consideration. We request an opportunity to meet with you and your staff in order to provide you with a presentation on Exxon's early knowledge of climate change and its subsequent campaign of deception and denial.

Thank you for your attention and consideration.

Angulo, Guadalupe

From: Dunn, Matthew
Sent: Friday, March 18, 2016 1:03 PM
To: Ali, Khadija; Hendrickson, Cara; Spillane, Ann M.
Cc: Gignac, James; Stachon, Eva; Holmes, Kirsten
Subject: RE: Exxon climate change investigation;
Attachments: Exxon Memo for March 21.docx

Memo for Monday's meeting.

Matthew J. Dunn, Chief
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From: Ali, Khadija
Sent: Friday, March 18, 2016 12:24 PM
To: Dunn, Matthew; Hendrickson, Cara; Spillane, Ann M.
Cc: Gignac, James; Stachon, Eva; Holmes, Kirsten
Subject: RE: Exxon climate change investigation;

Hi Everyone,

Just sending a reminder e-mail for this meeting on Monday at 3:30pm in the 12th floor large conference room. Wendy is bringing Matt Pawa only.

Thanks,
Khadija

From: Dunn, Matthew
Sent: Tuesday, March 15, 2016 11:30 AM
To: Ali, Khadija; Hendrickson, Cara; Spillane, Ann M.
Cc: Gignac, James; Stachon, Eva; Holmes, Kirsten
Subject: Exxon climate change investigation;

James and I have discussed. We will get a draft together with Cara and provide.

Do we have attendees list for Ms. Abrams?

Thanks!

From: Ali, Khadija
Sent: Tuesday, March 15, 2016 11:00 AM
To: Dunn, Matthew; Hendrickson, Cara; Spillane, Ann M.
Cc: Gignac, James; Stachon, Eva; Holmes, Kirsten
Subject: RE: Exxon climate change investigation;

Thanks, everyone. This meeting is confirmed for 3pm on March 21st here at JRTC. Ann, do you think there is any background info the AG will need prior to this meeting?

Eva or Kirsten, can you please reserve the large conference room?

Thanks,
Khadija

From: Dunn, Matthew
Sent: Tuesday, March 15, 2016 10:52 AM
To: Hendrickson, Cara; Ali, Khadija
Cc: Gignac, James; Stachon, Eva
Subject: Re: Exxon climate change investigation;

Good for me.

From: Hendrickson, Cara
Sent: Tuesday, March 15, 2016 10:31 AM
To: Ali, Khadija
Cc: Dunn, Matthew; Gignac, James; Stachon, Eva
Subject: Re: Exxon climate change investigation;

That works for me.

On Mar 15, 2016, at 9:11 AM, Ali, Khadija <kali@atg.state.il.us> wrote:

Good Morning All,

Wendy Abrams has asked if 3pm on Wednesday, March 21 is possible instead of 2pm. Please let me know so I can get back to her.

Thanks,
Khadija

From: Ali, Khadija
Sent: Monday, March 14, 2016 12:06 PM
To: Dunn, Matthew
Cc: Spillane, Ann M.; Hendrickson, Cara; Gignac, James; Stachon, Eva
Subject: RE: Exxon climate change investigation;

Hi Matt,

I am waiting to hear back from Wendy Abrams on whether Monday, March 21st at 2pm will work. I will let all of you know as soon as I hear back.

Thanks,
Khadija

From: Dunn, Matthew
Sent: Monday, March 14, 2016 12:00 PM
To: Ali, Khadija
Subject: FW: Exxon climate change investigation;

Hi. Has the below meeting been set?

If it is held in P.M., on those dates, I would try to attend.

Thanks.

Matt

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