

**From:** [Dan Emmett](#)  
**To:** [Carlson, Ann](#); [Horowitz, Cara](#); [Hecht, Sean](#); [Parson, Edward](#)  
**Subject:** Fwd: first climate cases filed  
**Date:** Saturday, July 22, 2017 11:15:17 AM

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Ann, I saw a brief quote from you in the media on this yesterday as I recall. Chuck Savitt who is heading this new organization behind the lawsuits has been seeking our support. Terry Tamminen in his new role with the DiCaprio Foundation has been a key supporter. I don't know how realistic this approach is from a practical and legal point of view though I respect the good intentions and the message.

I am wondering what you or any of your group thinks about the viability of this approach and these suits? Or if you know Vic Sher.

Drop me a note or give me a call and we can discuss. I will be meeting with them relatively soon and will learn more.

Thanks

Best

Dan

Sent from my iPhone

Begin forwarded message:

**From:** Chuck Savitt <[chuck@sheredling.com](mailto:chuck@sheredling.com)>  
**Date:** July 19, 2017 at 1:04:36 PM PDT  
**To:** Dan Emmett <[demmett@douglasemmett.com](mailto:demmett@douglasemmett.com)>  
**Cc:** "[nfuhrman@douglasemmett.com](mailto:nfuhrman@douglasemmett.com)" <[nfuhrman@douglasemmett.com](mailto:nfuhrman@douglasemmett.com)>, Vic Sher <[vic@sheredling.com](mailto:vic@sheredling.com)>  
**Subject:** first climate cases filed

Dear Dan,

Wanted to let you know that we filed the first three law suits supported by the Collective Action Fund on Monday. These precedent setting cases call on 37 of the world's leading fossil fuel companies to take responsibility for the devastating damage sea level rise - caused by their greenhouse gas emissions - is having on coastal communities. The suits were filed in California Superior Court on behalf of the City of Imperial Beach and the Counties of Marin and San Mateo.

These three communities are among the most vulnerable to sea level rise in California. Our co-counsel - the lawyers for these public entities - are exceptionally creative and dedicated. They and their elected public officials are motivated to pursue and win these important cases to recover damages for the public property and infrastructure already affected by sea level rise, and the costs of ever-worsening (and more expensive) impacts in the future. Sea

level rise puts at risk tens of thousands of homes, businesses, and institutions; billions of dollars in property value; as well as public parks, beaches, wetlands; and public sewer and storm-water systems. Funds recovered in the lawsuits will also be used to help these communities build or adapt the infrastructure needed to protect them from the increasingly severe flooding, storms, and erosion scientists predict in the coming decades.

You can follow [this link](#) to review all three of the cases and the press release. And here are the links to the SF Chronicle's story and editorial that ran on Monday.

editorial: <http://www.sfchronicle.com/24hrsale/article/Lawsuits-rise-against-Big-Oil-11294919.php>

Expanded

piece: <http://www.sfchronicle.com/bayarea/article/Marin-San-Mateo-County-sue-big-oil-over-climate-11294549.php>

We will keep you up to date as the cases move forward and as we file additional cases.

Dam, can we find a time to continue our conversation about your possible support for the project? And it would be great to have you meet Vic Sher.

I can coordinate with Nicholette.

Best,  
Chuck

Ps Dan I think you will be very interested in the link below to a powerfully reasoned review of the cases, written by Michael Burger of Columbia University's Law School.

<http://blogs.law.columbia.edu/climatechange/2017/07/18/local-governments-in-california-file-common-law-claims-against-largest-fossil-fuel-companies/>

Charles C. Savitt  
Sher Edling LLP  
Director of Strategic Client Relationships  
Mobile 202-236-0494

Important Notice: This message is intended only for the person or entity to which it is addressed. The information provided is confidential. Accordingly, any review,

**From:** [Carlson, Ann](#)  
**To:** [Dan Emmett](#)  
**Cc:** [Horowitz, Cara](#); [Hecht, Sean](#); [Parson, Edward](#)  
**Subject:** Re: first climate cases filed  
**Date:** Saturday, July 22, 2017 12:33:28 PM

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Hi Dan,

I am serving – along with Terry – on a committee advising the plaintiffs' lawyers so I definitely have thoughts about this. Generally I think it's high-quality litigation but with a very uncertain outcome given its novelty. Let's talk! Do you want to talk sometime on Monday?

Best,

Ann

On Jul 22, 2017, at 11:15 AM, Dan Emmett <[demmett@douglasemmett.com](mailto:demmett@douglasemmett.com)> wrote:

Ann, I saw a brief quote from you in the media on this yesterday as I recall.

Chuck Savitt who is heading this new organization behind the lawsuits has been seeking our support. Terry Tamminen in his new role with the DiCaprio Foundation has been a key supporter. I don't know how realistic this approach is from a practical and legal point of view though I respect the good intentions and the message.

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Dan

Sent from my iPhone

Begin forwarded message:

**From:** [Hecht, Sean](#)  
**To:** [Carlson, Ann](#); [Horowitz, Cara](#)  
**Subject:** Fwd: first climate cases filed  
**Date:** Saturday, July 22, 2017 11:24:46 AM

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Very interesting that the plaintiffs are seeking Dan's financial support! Keep us posted about what Dan says and his level of interest.

Begin forwarded message:

**From:** Dan Emmett <[demmett@douglasemmett.com](mailto:demmett@douglasemmett.com)>  
**Date:** July 22, 2017 at 11:15:08 AM PDT  
**To:** Ann Carlson <[carlson@law.ucla.edu](mailto:carlson@law.ucla.edu)>, Cara Horowitz <[horowitz@law.ucla.edu](mailto:horowitz@law.ucla.edu)>, Sean Hecht <[hecht@law.ucla.edu](mailto:hecht@law.ucla.edu)>, Edward Ted Parson <[parson@law.ucla.edu](mailto:parson@law.ucla.edu)>  
**Subject:** Fwd: first climate cases filed

Ann, I saw a brief quote from you in the media on this yesterday as I recall. Chuck Savitt who is heading this new organization behind the lawsuits has been seeking our support. Terry Tamminen in his new role with the DiCaprio Foundation has been a key supporter. I don't know how realistic this approach is from a practical and legal point of view though I respect the good intentions and the message. I am wondering what you or any of your group thinks about the viability of this approach and these suits? Or if you know Vic Sher. Drop me a note or give me a call and we can discuss. I will be meeting with them relatively soon and will learn more.  
Thanks  
Best  
Dan

Sent from my iPhone

Begin forwarded message:

**From:** [Carlson, Ann](#)  
**To:** [Dan Emmett](#)  
**Subject:** Re: WHITE HOUSE: Trump slams "totally disastrous" Paris pact, touts coal -- Friday, February 23, 2018 -- [www.eenews.net](#)  
**Date:** Monday, February 26, 2018 9:30:00 PM

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The case is all procedural at this point. There's a motion to remove to federal court, which they've argued and think they'll win. Speaking to additional cities as well.

Mike is up to speed -- Vic briefed him before they filed. Do you think I should ask him about Andy? Mike Berger, Mike G's right hand guy, is supportive of the cases.

Thanks!

Ann Carlson  
Shirley Shapiro Professor of Environmental Law  
Faculty Co-Director, Emmett Institute on Climate Change and the Environment  
UCLA School of Law  
(310) 206-9496

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**From:** Dan Emmett <[demmett@douglasemmett.com](mailto:demmett@douglasemmett.com)>  
**Sent:** Monday, February 26, 2018 8:18:53 PM  
**To:** Carlson, Ann  
**Subject:** Re: WHITE HOUSE: Trump slams 'totally disastrous' Paris pact, touts coal -- Friday, February 23, 2018 -- [www.eenews.net](#)

You could certainly reach out. You can tell him Terry's organization and I are both serious supporters, that you are an advisor, that the science is there, that it could do more for the environment than just about anything going on if it succeeds, etc..  
Is Mike Gerrard at Sabin Center up to speed on this?

How is the case going? Any update?

Dan

Sent from my iPad

On Feb 26, 2018, at 8:06 PM, Carlson, Ann <[carlson@law.ucla.edu](mailto:carlson@law.ucla.edu)> wrote:

Do you think Andy would have any interest in helping to finance the nuisance litigation? I was on a call with the lawyers today (Vic Sher and team) and continue to be very impressed with them. Would you be willing to reach out to him or do you think it would be OK if I did? Or we could jointly?

Begin forwarded message:

**From:** ANDY <[sabinandy@aol.com](mailto:sabinandy@aol.com)>  
**Date:** February 26, 2018 at 6:54:55 PM PST  
**To:** David Nage <[david@apeironventures.com](mailto:david@apeironventures.com)>  
**Cc:** George David Banks <[georgedbanks@gmail.com](mailto:georgedbanks@gmail.com)>, Carlos Curbelo