
From: Jessica Gordon
Sent: Monday, October 16, 2023 12:01 PM
To: Heather Lewis
Subject: 12:30? FW: community briefing re California v Exxon

Heather, are you available at 12:30 for the pre-briefing check-in? No worries if not. Thanks!

From: Iyla Shornstein <iyla@climateintegrity.org>
Sent: Monday, October 16, 2023 11:09 AM
To: Jessica Gordon <Jessica.Gordon@doj.ca.gov>; Kassie Siegel <ksiegel@biologicaldiversity.org>
Cc: Heather Lewis <Heather.Lewis@doj.ca.gov>; Alyssa Johl <alyssa@climateintegrity.org>
Subject: Re: community briefing re California v Exxon

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Hi again,

Looks like we can start early. I will change the invite to a start time of 12:30 PT. Let me know if anything changes and I look forward to speaking then!

Best,

Iyla Shornstein ([pronounce](#)) (she/her)
Political Director, State and Local Programs
[Center for Climate Integrity](#)
iyla@climateintegrity.org
+1 (845) 706 3159

On Mon, Oct 16, 2023 at 1:38 PM Jessica Gordon <Jessica.Gordon@doj.ca.gov> wrote:

Apologies for the slow reply but the invitation looks great.

Unfortunately I now have a conflict at 1:20 PT today, so either need to start our prep call earlier or reschedule. I am available all day until that time and from 2-2:30 PT. Thanks!

From: Iyla Shornstein <iyla@climateintegrity.org>
Sent: Thursday, October 5, 2023 6:57 AM
To: Jessica Gordon <Jessica.Gordon@doj.ca.gov>
Cc: Heather Lewis <Heather.Lewis@doj.ca.gov>; Alyssa Johl <alyssa@climateintegrity.org>
Subject: Re: community briefing re California v Exxon

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Absolutely! We are grateful to you for joining! We are going to invite mainly nonprofits (CA-based and some national) and CA elected officials. We've been educating elected officials in CA about climate accountability for some time so we want to make sure folks know about and understand the recent filing. We would be delighted if you suggested groups to add. The more the merrier! No specific parameters -- we wanted this to be largely educational.

I am attaching the event description to this email. Can you let me know if you are comfortable with this and then we can move forward promoting it?

Thanks Jessica

PS - I am just confirming the monday times for a prep call but will be back to you ASAP!

Iyla Shornstein ([pronounce](#)) (she/her)
Political Director, State and Local Programs
[Center for Climate Integrity](#)
iyla@climateintegrity.org
+1 (845) 706 3159

On Wed, Oct 4, 2023 at 8:53 PM Jessica Gordon <Jessica.Gordon@doj.ca.gov> wrote:

Thanks again for organizing! Can you please tell us who you're inviting? I've gotten requests to speak with a number of NGOs, so it would be great to know who we'll already be briefing at this event. And if it would be appropriate for us to suggest groups to add, please let us know if you have parameters for invited groups (e.g., only orgs with legal teams).

Thanks,

Jessica

From: Heather Lewis <Heather.Lewis@doj.ca.gov>
Sent: Wednesday, October 4, 2023 9:53 AM
To: Iyla Shornstein <iyla@climateintegrity.org>; Jessica Gordon <Jessica.Gordon@doj.ca.gov>
Cc: Alyssa Johl <alyssa@climateintegrity.org>
Subject: RE: community briefing re California v Exxon

Hi Iyla,

Jessica and I are available for a prep call during the 10/16 and 10/17 windows in Jessica's earlier email – those times would be preferable if possible as I'll be out much of the previous week.

Thanks,

Heather Lewis

Deputy Attorney General

Environment Section

California Department of Justice

1515 Clay St, 20th Floor

Oakland, CA 94612

(510) 879-1008

From: Iyla Shornstein <iyla@climateintegrity.org>
Sent: Wednesday, October 4, 2023 6:38 AM
To: Jessica Gordon <Jessica.Gordon@doj.ca.gov>
Cc: Alyssa Johl <alyssa@climateintegrity.org>; Heather Lewis <Heather.Lewis@doj.ca.gov>
Subject: Re: community briefing re California v Exxon

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Sorry for the double message! Realizing we should also get a prep call on the calendar. Kassie Siegel from Center for Biological Diversity and Michel Legendre from Corporate Accountability are helping us to organize this as well. Shall we aim to prep the week prior? Whatever works best for you!

Best,

Iyla Shornstein ([pronounce](#)) (she/her)
Political Director, State and Local Programs
[Center for Climate Integrity](#)
iyla@climateintegrity.org
+1 (845) 706 3159

On Wed, Oct 4, 2023 at 8:44 AM Iyla Shornstein <iyla@climateintegrity.org> wrote:

Hi Jessica,

Thanks so much! Let's go with Wednesday, 10/18 at 12pm PT. I will work to get a registration link and language together so we can start promoting. I will send what I put together here before it goes live for your approval.

Thank you!

Best,

Iyla Shornstein ([pronounce](#)) (she/her)
Political Director, State and Local Programs
[Center for Climate Integrity](#)
iyla@climateintegrity.org
+1 (845) 706 3159

On Tue, Oct 3, 2023 at 5:09 PM Jessica Gordon <Jessica.Gordon@doj.ca.gov> wrote:

Thanks! We're currently available in these slots:

- Monday, 10/16/2023 – 11:00 AM, 1:00 PM
- Tuesday, 10/17/2023 – 10:00 AM – 12:00 PM
- Wednesday, 10/18/2023 – 12:00 PM, 1:00 PM

From: Iyla Shornstein <iyla@climateintegrity.org>
Sent: Monday, October 2, 2023 6:43 AM
To: Alyssa Johl <alyssa@climateintegrity.org>
Cc: Jessica Gordon <Jessica.Gordon@doj.ca.gov>; Heather Lewis <Heather.Lewis@doj.ca.gov>
Subject: Re: community briefing re California v Exxon

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Hi folks!

Sorry for the late reply! Yes, we were thinking an hour.

Thanks so much!

Best,

Iyla Shornstein ([pronounce](#)) (she/her)
Political Director, State and Local Programs
Center for Climate Integrity
iyla@climateintegrity.org
+1 (845) 706 3159

On Fri, Sep 29, 2023 at 5:50 PM Alyssa Johl <alyssa@climateintegrity.org> wrote:

I would imagine it will be an hour.

Iyla, is that what you're thinking?

On Sep 29, 2023, at 3:49 PM, Jessica Gordon <Jessica.Gordon@doj.ca.gov> wrote:

Sounds good and nice to meet you, Iyla. How long an event were you thinking? Thanks.

From: Alyssa Johl <alyssa@climateintegrity.org>

Sent: Friday, September 29, 2023 12:48 PM

To: Jessica Gordon <Jessica.Gordon@doj.ca.gov>

Cc: Heather Lewis <Heather.Lewis@doj.ca.gov>; Iyla Shornstein <iyla@climateintegrity.org>

Subject: community briefing re California v Exxon

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Hi Jessica (and Heather),

Thanks so much for getting back to me, and no worries! We're happy to hear that you and Heather are able to participate.

Could we schedule the briefing for the week of 10/16, sometime between 9 am-2 pm PT? We are flexible, so please let us know what works best for you. I'm cc'ing my colleague Iyla Shornstein, who is helping to organize behind the scenes.

Many thanks,

Alyssa

On Fri, Sep 29, 2023 at 2:42 PM Jessica Gordon <Jessica.Gordon@doj.ca.gov> wrote:

Alyssa, with further apologies for the slow reply, I'm adding Heather Lewis, a member of the legal team who will join me on the briefing. Please send a few potential dates/times that work for you. We're looking forward to it!

Thanks,

Jessica

From: Jessica Gordon
Sent: Tuesday, September 26, 2023 10:51 AM
To: Alyssa Johl <alyssa@climateintegrity.org>
Subject: RE: California opens the floodgates on Big Oil

So sorry for the slow reply – it's been hectic, as you can probably imagine! We are discussing internally and hope to get back to you in the next day or so. Thank you for your interest and patience!

From: Alyssa Johl <alyssa@climateintegrity.org>
Sent: Thursday, September 21, 2023 11:26 AM
To: Jessica Gordon <Jessica.Gordon@doj.ca.gov>
Subject: Re: California opens the floodgates on Big Oil

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Hi Jessica,

I wanted to circle back on this, as we'd love to get this scheduled. Have you been able to consult with AG Bonta or others in your office re interest/availability for a briefing next week?

Many thanks,

Alyssa

On Sep 18, 2023, at 3:27 PM, Jessica Gordon
<Jessica.Gordon@doj.ca.gov> wrote:

Thanks, Alyssa! Will get back to you ASAP.

On Sep 18, 2023, at 3:20 PM, Alyssa Johl
<alyssa@climateintegrity.org> wrote:

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Hi both,

I thought you would be interested in this piece my
colleague Emily Sanders just published.

Also, I sent this message earlier (to Jessica), but
know that you and others are caught up in the
mayhem of Climate Week. Please let me know if this
would be of interest, we'd love to get it scheduled and
start promoting this week.

I spoke with Kassie from CBD, and we are interested
in organizing a virtual briefing, ideally early next
week (Monday or Tuesday) for elected officials, non-
profits, and other members of the climate,
environment, and justice communities. We'd love to
have AG Bonta (or you or Ed or someone else from
your office) join to share his perspective, and discuss
why the state brought the suit, the specific claims,
and how others can support as the case moves
forward. Would the AG or someone else be interested
and available?

Many thanks,

Alyssa

----- Forwarded message -----

From: **ExxonKnews** <exxonknews@substack.com>

Date: Mon, Sep 18, 2023 at 1:49 PM

Subject: California opens the floodgates on Big Oil

To: <alyssa@climateintegrity.org>

Emily Sanders is the Center for Climate Integrity's editorial lead. Catch up with her on Twitter [here](#).

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California opens the floodgates on Big Oil

Attorney General Rob Bonta's lawsuit against ExxonMobil and other oil giants signals a new era for climate accountability.

EXXONKNEWS

SEP 18

Graphic design by Tess Abbot

READ IN APP The state of California just launched a game-changing climate lawsuit against oil majors, bringing the weight of one of the world's largest economies and the most

populous state in the nation to bear against some of the biggest fossil fuel companies on earth.

California's size and political influence — and its position as the first major oil producing state to take the industry to court — give the lawsuit distinction as likely the most powerful action to date to hold Big Oil companies accountable for lying about their products' role in climate change. The Golden State's action could very likely open the floodgates for other states that might have been waiting to make their own moves; while Attorney General Rob Bonta is the ninth attorney general to sue Big Oil, 16 attorneys general signed on to the [latest legal brief](#) in support of a climate accountability case.

Both Bonta and Governor Gavin

Newsom indicated as much while speaking at Climate Week NYC on Sunday. Bonta said he hopes California's move "will be an inspiration to other states and other entities to get involved and join us, to sue and be part of the effort to hold the industry accountable."

"I just met with another governor a moment ago," Newsom said, shortly before posting a photo with Governor Wes Moore of Maryland, where three municipalities are already suing Big Oil. "We want to see this spread, we want more and more jurisdictions, the United Nations and more countries to move in this direction."

The lawsuit, filed late Friday in California state court, argues that ExxonMobil, BP, Chevron, ConocoPhillips, Shell, and the American

Petroleum Institute
“aggressive[ly]
promot[ed] the use of
fossil fuel products”
while “misrepresenting
and concealing the
hazards of those
products to deceive
consumers and the
public.” As a result,
climate action was
delayed for decades, the
case argues, and
Californians now face a
regular onslaught of
disasters — from deadly
wildfires and droughts
to dangerous heat
waves, hurricanes, and
floods.

“Californians and their
families, communities,
and small businesses
should not have to bear
all the costs of climate
change alone,” reads the
complaint, citing the
billions of dollars
residents have and will
spend to recover from
such disasters. “This
lawsuit seeks to hold
those companies
accountable for the lies
they have told and the

damage they have caused.”

In a first for state climate lawsuits, California’s case looks to create an abatement fund that fossil fuel defendants would pay into to help residents foot the bill for adaptation and recovery. That remedy is based on a strong California law, which was successfully used to create a \$305 million abatement fund for lead paint.

Here are some other things to know about California’s case:

Bonta’s lawsuit builds on cases filed by eight California municipalities.

In 2017 and 2018, eight California municipalities — San Francisco, Oakland, Santa Cruz, Richmond, Imperial Beach, and the counties of San Mateo, San Marin, and Santa Cruz — filed some of

the earliest climate liability lawsuits against the fossil fuel industry. According to the attorney general's complaint, the state's lawsuit won't supersede any of those pending local actions, which are expected to reach trial first.

The latest of those cases was filed in Richmond, the site of a major Chevron oil refinery known for its chronic pollution, explosions, and fires. The city, mostly made up of people of color, is also home to soaring rates of cancer, cardiovascular disease, and childhood asthma.

But many residents say Chevron, which funds the city's newspaper (which it uses as a PR platform) and is its largest employer, continues to mislead the public about its operations and push for false climate solutions

that will worsen environmental justice harms and continue its oil and gas business in the community. Since the company built a much-touted hydrogen plant at its “modernized” Richmond refinery in 2018, emissions flaring incidents have skyrocketed.

Screenshot from a post on Chevron’s website last year.

“There’s a daily effort to create this misinformation campaign while we’re fighting to survive,” said Katt Ramos, Managing Director at the Richmond Our Power coalition. “What [Chevron is] actually doing is prolonging their life while causing us harm with unproven technology.”

Chevron and the other oil companies' ongoing misinformation and greenwashing plays a major role in California's claims.

California's complaint puts a spotlight on the companies' modern deception.

California's complaint documents Big Oil's modern greenwashing and deception about the environmental benefits of its operations.

“Through recent advertising campaigns and public statements in California and/or intended to reach California, including but not limited to online advertisements and social media posts, Defendants falsely and misleadingly portray these products as ‘green,’ and the Fossil Fuel Defendants portray themselves as climate-friendly energy companies that are deeply engaged in

finding solutions to climate change,” reads the complaint.

Among many claims familiar to other climate accountability suits, including public nuisance, false advertising, fraud, and negligence, the case also brings a new cause of action under California law: misleading environmental marketing. California argues the companies are violating the state’s law meant to protect consumers against greenwashing.

According to the complaint, the companies deceptively promoted natural gas as a climate solution; deceptively marketed fossil fuel products as “low carbon,” “emissions-reducing,” “clean” and/or “green,” just as tobacco companies promoted “low-tar” or “light”

cigarettes as healthy alternatives to giving up smoking; marketed their businesses as contributing to “climate solutions” despite their negligible investments in clean energy as opposed to their increasing production of oil and gas; and claimed to be in alignment with international climate goals, all while protecting and growing their business in fossil fuels.

Just last week, the Wall Street Journal reported never-before-seen documentation of Exxon’s deception under the reign of former CEO Rex Tillerson, who pledged the company’s support for climate actions like the Paris Agreement while working to cast doubt on climate science behind the scenes. Exxon is the lead defendant in California’s case.

California’s case is the latest sign of the evolving politics of taking on Big Oil.

Both Bonta, who filed the suit and has said he is “seriously considering” a run for governor, and Newsom, who is expected to be preparing for a future presidential run, are clearly embracing this issue.

“The scale and scope of what the state of California can do we think can move the needle,” Newsom told David Gelles of the New York Times at the opening ceremony of Climate Week NYC.

“We cannot address [climate change] unless we get serious about addressing the issue. And the issue is fossil fuels, the issue is the deceit from these companies.”

It’s the latest sign that politicians see taking on Big Oil as an

increasingly popular
move, as we saw during
last year's midterm
elections.

*A sign at Sunday's
March to End Fossil
Fuels in New York City.*

**It's a tipping point for
the legal fight for
climate accountability.**

California is the first
state to file since the
Supreme Court cleared
the way for climate
accountability suits
against Big Oil to
proceed toward trial in
state courts. On Sunday,
Bonta told reporters that
the Supreme Court's
ruling "allows us to get
to where we want to go,
to the merits, to hold
them accountable for
their deceit."

The industry's attempts
to delay and derail the
cases have persistently
failed, and now
California's in the

game, with all signs pointing to more lawsuits against Big Oil to come.

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