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For inquiries or interview requests, please contact:

Julia Olson	415-786-4825	julia@ourchildrenstrust.org
Phil Gregory	650-697-6000	pgregory@cpmlegal.com
Victoria Loorz	805-200-8747	victoria@kvgw.org

Fossil Fuel, Manufacturing and Services Industries Granted Defendant Status in a Landmark Climate Change Lawsuit brought by Youth

Judge moves Atmospheric Trust Litigation case forward on tight schedule and grants the Fossil Fuel, Manufacturing, and Service Industries in the U.S. Defendant Status in the Case

Washington, D.C. – Yesterday, after two hours of deliberation, U.S. District Court Judge Robert Wilkins, ruling from the bench, decided to allow the National Association of Manufacturers and five California industry groups to join a significant climate change case brought by youth. Plaintiffs filed the case against the federal government for its failure to combat climate change and protect the public trust resources of this nation. Plaintiffs seek an order requiring the federal government to immediately conduct a detailed accounting of our nation's atmosphere and develop a national climate recovery plan.

The National Association of Manufacturers and the five California industry groups represent every aspect of America's manufacturing, services, and fossil fuel industries and will be defending their right to freely emit carbon into the atmosphere. In support of their intervention, they argued that if the youth Plaintiffs prevail, they will have no option but to significantly reduce their greenhouse gas emissions. The NAM has more than 12,000 members across all major industrial sectors of the U.S. economy. Its members include companies across the coal, oil and natural gas sectors, petroleum refiners, and petrochemical producers. They have spent millions of dollars on lobbying efforts to thwart any attempts by Congress to reduce greenhouse gases.

At the hearing, all parties and the court recognized the significance of the case. Counsel for intervenors exclaimed, "This is a very big case!" Acknowledging that Plaintiffs seek to hold the federal government accountable for responding to the climate crisis, the court characterized the relief sought as asking the government to turn the aircraft carrier around. The next hearing on the

defendants' motions to dismiss will be heard on May 11 at 9:30 a.m. in Judge Wilkins' courtroom.

“We’re pleased that the court is moving the case forward quickly and understands its significance,” says Phil Gregory, one of the attorneys for the plaintiffs.

The case asks the judicial branch to use its authority to require the Federal government to develop a comprehensive plan to prevent further increases in United States carbon dioxide (CO₂) emissions and to begin to rapidly reduce emissions to 350 parts per million by 2100, which climate experts agree is necessary to halt catastrophic climate change. A consensus of scientists warn we are fast approaching a climate threshold that will result in unstoppable melting of ice sheets, loss of forests, massive species extinction, threats to public health, national security, and a decrease in global food and water supplies.

The youths’ claim is based on the Public Trust Doctrine, which requires sovereign governments to manage and protect vital, natural resources for the common benefit of its citizens. This is not only the first time the Public Trust Doctrine has been used to secure climate protection, but it is also the first time the nation’s youth have come together to hold their government accountable for climate change on such a large scale.

In a recent speech, President Obama called for an end to subsidies to Big Oil and said, “let’s put every single member of Congress on record: You can stand with oil companies or you can stand with the American people.” The youth plaintiffs made the same request. Now they’re up against the Federal government and the fossil fuel industry in one of the biggest climate change lawsuits to date.

Our Children's Trust is a nonprofit focused on protecting earth’s natural systems for current and future generations. We are here to empower and support youth as they stand up for their lawful inheritance: a healthy planet. We are mothers, fathers, grandparents, aunts, uncles, teachers. We are adults, part of the ruling generation, and we care about the future of our children--and their children's children.
www.ourchildrenstrust.org/

iMatter is a youth-led campaign of the nonprofit group, Kids vs Global Warming, that is focused on mobilizing and empowering youth to lead the way to a sustainable and just world. We are teens and moms and young activists committed to raising the voices of the youngest generation to issue a wake-up call to live, lead and govern as if our future matters. www.imattercampaign.org/

WITNESS is the global pioneer in the use of video to promote human rights. We empower people to transform personal stories of abuse into powerful tools for justice, promoting public engagement and policy change. In partnership with the iMatter TRUST Campaign we seek to bring visibility to the challenges our youth already face because of the changing climate and call for a massive assault on fossil fuel emissions. Without an all out assault effects will range from drought to disease, from food shortages to tainted water supplies, from the loss of homes due to floods, erosion and fire to massive relocations. The human rights challenge is most succinctly summarized by Mary Robinson, “Climate change will, in short, have immense human consequences.” WITNESS partnered on this campaign in hopes that predictions will not become realities. To view Stories of TRUST: Calling for Climate Recovery told by our youth plaintiffs, go to www.witness.org/campaigns/all-campaigns/imatter or www.ourchildrenstrust.org.

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