

**THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**  
**Civil Division**

**DISTRICT OF COLUMBIA**

a municipal corporation  
441 4th Street, N.W.  
Washington, DC 20001

Civil Action Number:

Plaintiff,

v.

**COMPLAINT**

**EXXON MOBIL CORP.**

a New Jersey corporation  
5959 Las Colinas Blvd.  
Irving, TX 75039

Serve: Prentice-Hall Corp. System, Inc.  
1090 Vermont Ave. NW  
Washington, DC 20005

**EXXONMOBIL OIL CORPORATION**

a New Jersey corporation  
5959 Las Colinas Blvd.  
Irving, TX 75039

Serve: Prentice-Hall Corp. System, Inc.  
1090 Vermont Ave. NW  
Washington, DC 20005

**ROYAL DUTCH SHELL PLC**

Carel van Bylandtlaan 16  
2596 HR The Hague  
The Netherlands

Serve: Carel van Bylandtlaan 16  
2596 HR The Hague  
The Netherlands

**SHELL OIL COMPANY**

a Delaware corporation  
150 N. Dairy Ashford  
Houston, TX 77079

Serve: CT Corp. System

1015 15th St. NW, Suite 1000  
Washington, DC 20005

**BP P.L.C.**

1 St. James's Square  
London, SW1Y4PD

Serve: 1 St. James's Square  
London, SW1Y4PD

**BP AMERICA INC.**

a Delaware corporation  
501 Westlake Park Blvd.  
Houston, TX 77079

Serve: CT Corp. System  
1015 15th St. NW, Suite 1000  
Washington, DC 20005

**CHEVRON CORPORATION**

a Delaware corporation  
6001 Bollinger Canyon Road  
San Ramon, CA 94583

Serve: CSC – Lawyers Incorporating  
Service  
2710 Gateway Oaks Drive,  
Suite 150N  
Sacramento, CA 95833

**CHEVRON U.S.A. INC.**

a Pennsylvania corporation  
6001 Bollinger Canyon Rd.  
San Ramon, CA 94583

Serve: Prentice-Hall Corp. System, Inc.  
1090 Vermont Ave. NW  
Washington, DC 20005

Defendants.

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Plaintiff District of Columbia (“the District”), by the Office of the Attorney General, brings this action against Defendants Exxon Mobil Corporation, ExxonMobil Oil Corporation, Royal Dutch Shell PLC, Shell Oil Company, BP P.L.C., BP America Inc., Chevron Corporation, and Chevron U.S.A. Inc. for violations of the District’s Consumer Protection Procedures Act (“CPPA”), D.C. Code §§ 28-3901, *et seq.* In support of its claims, the District states as follows:

**I. Introduction**

1. For over five decades Defendants, four of the largest oil and gas companies, have systematically and intentionally misled consumers in Washington, DC (“DC consumers”) about the central role their products play in causing climate change, one of the greatest threats facing humanity. Independently and through coordinated campaigns and industry front groups, Defendants have deceived DC consumers about how Defendants’ fossil fuel products warm the planet and disrupt the climate in a quest to drive profits through increased sales of gas and other fossil fuel products. Defendants continue to mislead DC consumers to this day.

2. Defendants’ deception has contributed to their realizing massive profits, which in turn have enabled the unabated and expanded extraction, production, promotion, marketing, and sale of Defendants’ fossil fuel products, to the detriment of DC consumers and the public generally. Defendants’ deceptive and unfair conduct violates the District’s CPPA, D.C. Code §§ 28-3901, *et seq.*, and must be stopped.

3. Defendants’ CPPA violations take the form of both significant misrepresentations and omissions of information material to DC consumers’ decisions to purchase Defendants’ fossil fuel products. The District seeks injunctive relief, civil penalties, and costs to deter Defendants from continuing to engage in these and similar unlawful trade practices, as well as restitution for DC consumers.

4. Going back more than half a century—long before “global warming” was a common household term—Defendants knew that their crude oil, petroleum, natural gas, and related hydrocarbon products (together, “fossil fuels”) caused greenhouse gas pollution, which causes climate change. With astonishing accuracy, scientists working for Defendants or their industry trade associations predicted: (a) how much global warming unchecked use of their fossil fuel products would cause; (b) when global temperature rises would occur and by how much; and (c) the catastrophic harms and damages that would directly result.

5. For example, a 1968 report paid for by the American Petroleum Institute (“API”)—the leading industry trade group at the time and funded and controlled by these Defendants—projected that atmospheric carbon dioxide (“CO<sub>2</sub>”) concentrations would rise from 280 to 370 parts per million (“ppm”) by 2000, which in fact occurred with actual concentrations in 2000 at 369 ppm. By 1982, Defendant Exxon’s scientists predicted that atmospheric carbon dioxide would reach nearly 415 ppm by 2019, which likewise proved true. On May 11, 2019, atmospheric CO<sub>2</sub> surpassed 415 ppm, Earth’s highest level in three million years.

6. Defendants also knew that these increases in greenhouse gas concentrations would increase global temperatures, which would in turn wreak havoc on the planet, causing long-lasting changes in all components of the climate system, resulting in severe, pervasive, and irreversible impacts for people and ecosystems. The effects of a warming planet from massive fossil fuel combustion include, but are not limited to: increased sea levels; increased ocean temperature and acidity; extreme weather including heat and drought, as well as extreme precipitation events, wildfires, flooding, and more frequent, longer-lasting, and more severe storms. These events threaten human health, food security, agriculture, economic productivity, water supplies, national security, and labor productivity. The effects of climate change also damage public infrastructure

and social systems, and exacerbate economic inequality. A warmer planet poses a significantly increased risk for biodiversity, species loss and extinction, and ecosystem impacts, as well as enormous economic injuries and losses on individuals, communities, and public and private institutions.

7. Defendants knew that only a narrow window existed to reverse the increase of greenhouse gas emissions before the “catastrophic” consequences of global warming became unavoidable. Despite possessing this knowledge—with its dire implications for the future of the planet and its inhabitants—Defendants acted through sophisticated, coordinated, tobacco-industry-style campaigns involving industry associations and front groups to deceive and mislead the public about the threat of global warming and the damaging nature of their fossil fuel products. Defendants have separately and collectively engaged in a long-term and widespread campaign to conceal and deny their own knowledge of these threats, discredit the growing body of publicly available scientific evidence, and create unwarranted doubt in the minds of consumers about the reality and severity of the climate impacts from their fossil fuel products.

8. This coordinated campaign of disinformation and deception continues today, even as the scientific consensus about the cause and consequences of climate change has cemented. Defendants now falsely claim through advertising campaigns directed at DC consumers that their businesses are substantially invested in lower carbon technologies and renewable energy sources. In truth, each Defendant has invested minimally in renewable energy while continuing to greatly expand its fossil fuel production. Defendants have also claimed that certain of their fossil fuel products are “green” or “clean,” and that using these products will sufficiently reduce or reverse the dangers of climate change. But none of Defendants’ fossil fuel products are “green” or “clean”; they all pollute and ultimately warm the planet.

9. In connection with selling gasoline and other fossil fuel products to DC consumers, Defendants failed to inform consumers about the effects of their fossil fuel products in causing and accelerating the climate crisis. The significant harm that Defendants knew would result from increased consumer use of their fossil fuel products is material to and would have affected DC consumers' purchasing decisions.

10. Indeed, consumer demand has changed in the face of increased public awareness of fossil fuel products' impact on climate change. As consumer awareness has increased and a commitment to renewable energy and lowering greenhouse gas emissions has become an important factor in DC consumers' purchasing decisions, Defendants have shifted their advertising strategies to mislead DC consumers into believing that buying Defendants' products supports companies committed to reducing and reversing the effects of climate change. In fact, the opposite is true.

11. In sum, rather than telling customers the truth about their products, Defendants have and continue to place profits over people by misleading consumers about the realities of climate change, the significant detrimental impacts of their fossil fuel products, and their commitment to renewable energy sources and reducing greenhouse gas emissions. Defendants have reaped massive financial benefits from increased sales made possible through their coordinated campaign of mass deception.

## **II. Parties**

### **A. Plaintiff**

12. Plaintiff District of Columbia is a municipal corporation empowered to sue and be sued and is the local government for the territory constituting the permanent seat of the federal government. The District is represented by and through its chief legal officer, the Attorney General for the District of Columbia. The Attorney General has general charge and conduct of all legal

business of the District and all suits initiated by and against the District and is responsible for upholding the public interest. D.C. Code § 1-301.81(a)(1). The Attorney General is also specifically authorized to enforce the District's consumer protection laws, including the CPPA.

**B. Defendants**

**13. Exxon Mobil Entities**

a. Exxon Mobil Corporation is a multi-national, vertically integrated, energy and chemicals company incorporated in the State of New Jersey with its headquarters and principal place of business in Irving, Texas. Exxon Mobil Corporation is among the largest publicly traded international oil and gas companies in the world. Exxon Mobil Corporation was formerly known as, did or does business as, and/or is the successor in liability to ExxonMobil Refining and Supply Company; Exxon Chemical U.S.A.; ExxonMobil Chemical Corporation; ExxonMobil Chemical U.S.A.; ExxonMobil Refining & Supply Corporation; Exxon Company, U.S.A.; Exxon Corporation; and Mobil Corporation.

b. Exxon Mobil Corporation controls and has controlled companywide decisions about the quantity and extent of fossil fuel production and sales, including those of its subsidiaries.

c. Exxon Mobil Corporation controls and has controlled companywide decisions related to climate change and greenhouse gas emissions from its fossil fuel products, including those of its subsidiaries. Exxon Mobil Corporation's board of directors holds the highest level of direct responsibility for climate change policy within the company. Exxon Mobil Corporation's Chairman of the Board and Chief Executive Officer, its President, and the other members of its Management Committee have been and are actively engaged in discussions relating to greenhouse gas emissions and the risks of climate change on an ongoing basis. Exxon Mobil Corporation requires its subsidiaries to

provide an estimate of greenhouse gas-related emissions costs in their economic projections when seeking funding for capital investments.

d. Exxon Mobil Corporation controls and directs companywide advertising and messaging strategy, including, in particular, companywide advertising and messaging concerning climate change and the relationship between fossil fuel use and climate change, including among its subsidiaries. Exxon Mobil Corporation's control over companywide advertising and messaging includes control over positions taken in communications directed at consumers in the District.

e. Exxon Mobil Corporation has been registered to do business in the District since 1972.

f. ExxonMobil Oil Corporation is a wholly owned subsidiary of Exxon Mobil Corporation that acts on Exxon Mobil Corporation's behalf and subject to Exxon Mobil Corporation's control. ExxonMobil Oil Corporation is incorporated in the State of New York with its principal place of business in Irving, Texas. ExxonMobil Oil Corporation is qualified to do business in the District. ExxonMobil Oil Corporation was formerly known as, did or does business as, and/or is the successor in liability to Mobil Oil Corporation.

g. "Exxon" as used hereafter, means collectively Defendants Exxon Mobil Corporation and ExxonMobil Oil Corporation, and their predecessors, successors, parents, subsidiaries, affiliates, and divisions.

h. Exxon consists of numerous divisions and affiliates in all areas of the fossil fuel industry, including exploration for and production of crude oil and natural gas; manufacture of petroleum products; and transportation, promotion, marketing, and sale of

crude oil, natural gas, and petroleum products. Exxon is also a major manufacturer and marketer of commodity petrochemical products.

i. Exxon transacts and has transacted substantial fossil fuel-related business in the District. Exxon markets or has marketed gasoline and other fossil fuel products to DC consumers, including through Exxon-branded and Mobil-branded petroleum service stations in the District. Among other locations in the District, ExxonMobil Oil Corp. owned and operated a gasoline service station adjacent to the Watergate Hotel, at or about 2708 Virginia Ave. NW, Washington, DC, 20037, between approximately 1992 and 2009. In 2009, ExxonMobil Oil Corp. sold the station and all others it owned in the District. Exxon continued to license trademarks and sell gasoline and other fossil-fuel products to a licensee operating that station through 2012. At least eight other Exxon franchisee service stations continue to operate within the District, using and displaying licensed Exxon and Mobil trademarks, selling Exxon gasoline, and operating according to standards dictated by Exxon pursuant to the operative franchise agreement.

j. Exxon also markets and sells petroleum products to DC consumers through retailers including Walmart, Autozone, and Advance Auto Parts, at their locations in the District. Such products sold to DC consumers include engine lubricants and motor oils sold under the Mobil 1 brand name, which is owned by Exxon.

k. Exxon offers a proprietary credit card known as the “ExxonMobil Smart Card,” which allows DC consumers to pay for gasoline and other products at Exxon- and Mobil-branded service stations, including in the District. Consumers who use the ExxonMobil Smart Card receive various rewards, including discounts on gasoline purchases.

1. Exxon maintains an interactive website that allows consumers to locate Exxon- and Mobil-branded gas stations in the District. Exxon further maintains a smartphone application known as “Rewards+” that offers DC consumers a cashless payment method for gasoline and other products at Exxon- and Mobil-branded service stations. DC consumers utilize the payment method by providing their credit card information through the Rewards+ application.

**14. Shell Entities**

a. Royal Dutch Shell PLC is a vertically integrated, multinational energy and petrochemical company. Royal Dutch Shell PLC is incorporated in England and Wales, with its headquarters and principal place of business in the Hague, Netherlands. Royal Dutch Shell PLC consists of over a thousand divisions, subsidiaries, and affiliates engaged in all aspects of the fossil fuel industry, including exploration, development, extraction, manufacturing, and energy production, transport, trading, marketing, and sales.

b. Royal Dutch Shell PLC controls and has controlled companywide decisions about the quantity and extent of fossil fuel production and sales, including those of its subsidiaries. Royal Dutch Shell PLC’s board of directors determines whether and to what extent Shell subsidiary holdings around the globe produce Shell-branded fossil fuel products. For instance, in 2015, a Royal Dutch Shell PLC subsidiary employee admitted in a deposition that Royal Dutch Shell PLC’s Board of Directors decided whether to drill a particular oil deposit off the coast of Alaska.

c. Royal Dutch Shell PLC controls and has controlled companywide decisions related to climate change and greenhouse gas emissions from its fossil fuel products, including those of its subsidiaries. Overall accountability for climate change within the

Shell group of companies lies with Royal Dutch Shell PLC's Chief Executive Officer and Executive Committee. Additionally, in November 2017, Royal Dutch Shell PLC announced it would reduce the carbon footprint of "its energy products" by "around" half by 2050. Royal Dutch Shell PLC's effort is inclusive of all fossil fuel products produced under the Shell brand, including those of its subsidiaries. Royal Dutch Shell PLC's CEO stated that Royal Dutch Shell PLC would reduce the carbon footprint of its products, including those of its subsidiaries "by reducing the net carbon footprint of the full range of Shell emissions, from our operations and from the consumption of our products." Additionally, at least as early as 1986, Royal Dutch Shell PLC, by and through its subsidiaries, was researching companywide CO<sub>2</sub> emissions and concluded in a 1988 Shell report entitled "The Greenhouse Effect" that the Shell group of companies accounted for "4% of the CO<sub>2</sub> emitted worldwide from combustion," and that climatic changes could compel the Shell group, as controlled by Royal Dutch Shell PLC, to "examine the possibilities of expanding and contracting [its] business accordingly."

d. Royal Dutch Shell PLC controls and directs companywide advertising and messaging strategy, including in particular companywide advertising and messaging concerning climate change and the relationship between fossil fuel use and climate change, including among its subsidiaries. Royal Dutch Shell PLC's control over companywide advertising and messaging includes control over positions taken in communications directed at consumers.

e. Shell Oil Company is a wholly owned subsidiary of Royal Dutch Shell PLC that acts on Royal Dutch Shell PLC's behalf and subject to Royal Dutch Shell PLC's control. Shell Oil Company is incorporated in Delaware with its principal place of business

in Houston, Texas. Shell Oil Company was formerly known as, did or does business as, and/or is the successor in liability to Deer Park Refining LP; Shell Oil; Shell Oil Products; Shell Chemical; Shell Trading US; Shell Trading (US) Company; Shell Energy Services; The Pennzoil Company; Shell Oil Products Company LLC; Shell Oil Products Company; Star Enterprise LLC; and Pennzoil-Quaker State Company. Shell Oil Company has been registered to do business in the District since 1954.

f. Defendants Royal Dutch Shell PLC, Shell Oil Company, and their predecessors, successors, parents, subsidiaries, affiliates, and divisions are collectively referred to as “Shell.”

g. Shell transacts and has transacted substantial fossil fuel-related business in the District, including the marketing and promotion of gasoline and other fossil fuel products to consumers, including through Shell-branded petroleum service stations in the District. At least 15 stations in the District currently operate under the Shell name, display and use Shell trademarks, and sell Shell-branded gasoline and other branded products.

h. Shell markets and sells other products including engine lubricant and motor oils to DC consumers under its Pennzoil brand name, at retail outlets within the District including Walmart, Target, Autozone, Shell-branded service stations, and other local automotive supply businesses.

i. Shell offers a proprietary credit card known as the “Shell Fuel Rewards Card,” which allows DC consumers to pay for gasoline and other products at Shell-branded service stations, including in the District. Consumers who use the Shell Fuel Rewards Card receive various rewards, including discounts on gasoline purchases at Shell service stations and cash rebates.

j. Shell maintains an interactive website that allows DC consumers to locate Shell-branded gas stations in the District. Shell further maintains a smartphone application known as the “Shell US App” that offers DC consumers a cashless payment method for gasoline and other products at Shell-branded service stations. DC consumers utilize the payment method by providing their credit card information through the application. DC consumers can also receive rewards including discounts on gasoline purchases by registering their personal identifying information into the Shell US App and using the application to identify and activate gas pumps at Shell service stations during a purchase.

**15. BP Entities**

a. BP P.L.C. is a multinational, vertically integrated energy and petrochemical public limited company, registered in England and Wales with its principal place of business in London, England. BP P.L.C. consists of three main operating segments: (1) exploration and production; (2) refining and marketing; and (3) gas power and renewables. BP P.L.C. is the ultimate parent company of numerous subsidiaries, which explore for and extract oil and gas worldwide; refine oil into fossil fuel products such as gasoline; and market and sell oil, fuel, other refined petroleum products, and natural gas worldwide. BP P.L.C.’s subsidiaries explore for oil and natural gas under a wide range of licensing, joint arrangement, and other contractual agreements.

b. BP P.L.C. controls and has controlled companywide decisions about the quantity and extent of fossil fuel production and sales, including those of its subsidiaries (collectively referred to as the “BP Group”). BP P.L.C. is the ultimate decisionmaker on fundamental decisions about the BP Group’s core business, i.e., the level of companywide fossil fuels to produce, including production among BP P.L.C.’s subsidiaries.

c. BP P.L.C. makes fossil fuel production decisions for the entire BP Group based on factors including climate change. BP P.L.C.'s board of directors is the highest decision-making body within the company, with direct responsibility for the BP Group's climate change policy. BP P.L.C.'s chief executive is responsible for maintaining the BP Group's system of internal control that governs the BP Group's business conduct. BP P.L.C. reviews climate change risks facing the BP Group through two executive committees—one chaired by the Group chief executive, and one working group chaired by the executive vice president and Group chief of staff—as part of BP Group's established management structure, and directs Group-wide strategy and decisions regarding climate change.

d. BP P.L.C. controls and directs Group-wide advertising and messaging strategy, including in particular Group-wide advertising and messaging concerning climate change and the relationship between fossil fuel use and climate change. BP P.L.C.'s control over Group-wide advertising and messaging includes control over positions taken in communications directed at consumers.

e. BP America Inc. is a wholly owned subsidiary of BP P.L.C. that acts on BP P.L.C.'s behalf and subject to BP P.L.C.'s control. BP America Inc. is a vertically integrated energy and petrochemical company incorporated in the State of Delaware with its headquarters and principal place of business in Houston, Texas. BP America Inc. consists of numerous divisions and affiliates in all aspects of the fossil fuel industry, including exploration for and production of crude oil and natural gas; manufacture of petroleum products; and transportation, marketing, and sale of crude oil, natural gas, and petroleum products. BP America Inc. has been registered to do business in the District

since 1991. BP America Inc. was formerly known as, did or does business as, and/or is the successor in liability to Amoco Corporation; Amoco Oil Company; ARCO Products Company; Atlantic Richfield Delaware Corporation; Atlantic Richfield Company (a Delaware Corporation); BP Exploration & Oil, Inc.; BP Products North America Inc.; BP Amoco Corporation; BP Amoco Plc; BP Oil, Inc.; BP Oil Company; Sohio Oil Company; Standard Oil of Ohio (SOHIO); Standard Oil (Indiana); The Atlantic Richfield Company (a Pennsylvania corporation) and its division, the Arco Chemical Company.

f. Defendants BP P.L.C. and BP America Inc., and their predecessors, successors, parents, subsidiaries, affiliates, and divisions are collectively referred to herein as “BP.”

g. BP transacts and has transacted substantial fossil fuel-related business in the District, including the marketing and promotion of gasoline and other fossil fuel products to DC consumers, including through BP-branded petroleum service stations in the District. From at least 1970 through 2005, BP owned numerous service stations in the District, which sold BP gasoline and other products, under management by franchisees. In 2005, BP sold all those stations to another entity, which would also act as the wholesaler of BP gasoline to the retailer franchisees managing the service stations. The stations would still operate under the BP name, display and use BP trademarks, and sell BP gasoline and other branded products. Currently at least 17 service stations in the District operate under the BP name, and sell BP-branded gasoline and related products pursuant to franchise agreements with BP.

h. BP markets and sells other products including engine lubricant and motor oils to DC consumers under its Castrol brand name at retail outlets within the District,

including Safeway, Home Depot, Autozone, BP-branded service stations, and other local automotive supply businesses.

i. BP offers a proprietary credit card known as the “BP Credit Card,” which allows DC consumers to pay for gasoline and other products at BP- and Amoco-branded service stations, including in the District. Consumers who use the BP Credit Card receive various rewards, including discounts on gasoline purchases at BP and Amoco service stations.

j. BP maintains an interactive website that allows consumers to locate BP- and Amoco-branded gas stations in the District. BP further maintains a smartphone application known as “BPme Rewards” that offers DC consumers a cashless payment method for gasoline and other products at BP- and Amoco-branded service stations. DC consumers utilize the payment method by providing their credit card information through the application. DC consumers can also receive rewards including discounts on gasoline purchases by registering their personal identifying information into the BPme Rewards application and using the application to identify and activate gas pumps at BP and Amoco service stations during a purchase.

## 16. **Chevron Entities**

a. Chevron Corporation is a multi-national, vertically integrated energy and chemicals company incorporated in the State of Delaware, with its global headquarters and principal place of business in San Ramon, California.

b. Chevron Corporation operates through a web of United States and international subsidiaries at all levels of the fossil fuel supply chain. Chevron Corporation’s and its subsidiaries’ operations consist of: (1) exploring for, developing, and producing

crude oil and natural gas; (2) processing, liquefaction, transportation, and regasification associated with liquefied natural gas; (3) transporting crude oil by major international oil export pipelines; (4) transporting, storage, and marketing of natural gas; (5) refining crude oil into petroleum products; (6) marketing of crude oil and refined products; (7) transporting crude oil and refined products by pipeline, marine vessel, motor equipment, and rail car; (8) basic and applied research in multiple scientific fields including chemistry, geology, and engineering; and (9) manufacturing and marketing of commodity petrochemicals, plastics for industrial uses, and fuel and lubricant additives.

c. Chevron Corporation controls and has controlled companywide decisions about the quantity and extent of fossil fuel production and sales, including those of its subsidiaries.

d. Chevron Corporation controls and has controlled companywide decisions related to climate change and greenhouse gas emissions from its fossil fuel products, including those of its subsidiaries.

e. Chevron Corporation controls and directs companywide advertising and messaging strategy, including in particular companywide advertising and messaging concerning climate change and the relationship between fossil fuel use and climate change, including among its subsidiaries. Chevron Corporation's control over companywide advertising and messaging includes control over positions taken in communications directed at consumers.

f. Chevron U.S.A. Inc. is a Pennsylvania corporation with its principal place of business located in San Ramon, California. Chevron U.S.A. Inc. is a wholly owned subsidiary of Chevron Corporation that acts on Chevron Corporation's behalf and subject

to Chevron Corporation's control. Chevron U.S.A. Inc. was formerly known as, and did or does business as, and/or is the successor in liability to: Gulf Oil Corporation; Gulf Oil Corporation of Pennsylvania; Chevron Products Company; and Chevron Chemical Company. Chevron U.S.A. Inc. has been registered to do business in the District since 1954.

g. "Chevron" as used hereafter, means collectively, Defendants Chevron Corporation and Chevron U.S.A. Inc., and their predecessors, successors, parents, subsidiaries, affiliates, and divisions.

h. Chevron transacts and has transacted substantial fossil fuel-related business in the District and the greater metropolitan area. Chevron markets and/or has marketed gasoline and other fossil fuel products to DC consumers, including through Chevron-branded petroleum services stations in the District and the greater metropolitan area. Prior to 2010, Chevron licensed its brand-name to, and sold gasoline and diesel fuel to, independently owned and operated service stations in the District. Those stations sold Chevron- and Texaco-branded gasoline, used and displayed Chevron and Texaco trademarks, and sold other Chevron- and Texaco-branded products under licensing agreements dictated by Chevron.

i. Through the present, Chevron markets and sells other products including engine lubricant and motors oils to DC consumers under its Delo and Techron brand names at retail outlets within the District including Walmart, Costco, and Autozone.

j. Chevron offers proprietary credit cards known as the "Chevron Techron Advantage Card," and "Texaco Techron Advantage Card," which allow DC consumers to pay for gasoline and other products at Chevron- and/or Texaco-branded service stations in

the greater metropolitan area. Consumers who use the Chevron or Texaco Techron Advantage Card receive various rewards, including discounts on gasoline purchases at Chevron and/or Texaco service stations and cash rebates.

k. Chevron further maintains smartphone applications known as the “Chevron App” and “Texaco App” that offer DC consumers a cashless payment method for gasoline and other products at Chevron- and Texaco-branded service stations in the greater metropolitan area. DC consumers utilize the payment method by providing their credit card information through the application. DC consumers can also receive rewards including discounts on gasoline purchases by registering their personal identifying information into the Chevron App and Texaco App and using the application to identify and activate gas pumps at Chevron and/or Texaco service stations during a purchase.

17. This Court has personal jurisdiction over each Defendant pursuant to D.C. Code § 13-423(a).

18. The acts and omissions set forth in this Complaint were committed or authorized by the officers, directors, agents, employees, and representatives of the Defendants, or those same persons had the ability to control those acts or omissions and failed to adequately supervise or control them on behalf of and in furtherance of their positions with Defendants and while engaged in the management, direction, or operation of the affairs of Defendants.

### **C. Defendants’ Agents and Front Groups**

19. Defendants employed and financed several industry associations and industry-created front groups to serve their climate change disinformation and denial mission. These organizations, acting on behalf of and under the supervision and control of Defendants, assisted the deception campaign by implementing public advertising and outreach campaigns to discredit climate science, funding scientists to cast doubt upon climate science, denying the human

connection to climate change, and overall engaging in a significant marketing campaign that misrepresented and concealed the dangers of Defendants' fossil fuel products with the aim of protecting or enhancing Defendants' sales to consumers, including consumers in the District. Defendants actively supervised, facilitated, consented to, and/or directly participated in the misleading messaging of these front groups, from which they profited significantly, including in the form of increased sales in the District.

20. **American Petroleum Institute (API):**

a. API is a national trade association formed in 1919 and based in the District. API's purpose is to advance the individual members' collective business interests, which includes increasing consumers' consumption of oil and gas to Defendants' financial benefit. Among other functions, API coordinates among members of the petroleum industry and gathers information of interest to the industry and disseminates that information to its members.

b. Member companies participate in API strategy, governance, and operation through membership dues and by contributing company officers and other personnel to API boards, committees, and task forces. All Defendants and/or their predecessors-in-interest are, or have been, core API members at times relevant to this litigation and had executives serving on the API Executive Committee and/or as API Chairman, which is akin to serving as a corporate officer. For example, Exxon's CEO served on API's Executive Committee almost continuously for over 20 years (1991, 1996–97, 2001, and 2005–2016). BP's CEO served as API's Chairman in 1988, 1989, and 1998. Chevron's CEO served as API Chairman in 1994, 1995, 2003, and 2012. And Shell's President served on API's Executive Committee from 2005–06.

c. Relevant information was shared among API and Defendants and their predecessors-in-interest through: (a) distribution of information held by API to its members; and (b) participation of officers and other personnel of Defendants and their predecessors-in-interest on API boards, committees, and task forces. Acting on behalf of and under the supervision and control of Defendants, API has been a member of at least five organizations that have promoted disinformation about fossil fuel products to consumers, including the Global Climate Coalition, Partnership for a Better Energy Future, Coalition for American Jobs, Alliance for Energy and Economic Growth, and Alliance for Climate Strategies. On information and belief, these front groups were formed to provide climate disinformation and advocacy from a misleadingly objective source, when, in fact, they were financed and controlled by the Defendant sellers of fossil fuel products. Defendants benefited from the spread of this disinformation.

d. API's stated mission includes "influenc[ing] public policy in support of a strong, viable U.S. oil and natural gas industry," which includes increasing consumers' consumption of oil and gas to Defendants' financial benefit. Through their Executive Committee roles, API board membership, and/or budgetary funding of API, Defendants collectively wielded control over the policies and trade practices of API. In addition, Defendants directly supervised and participated in API's misleading messaging regarding climate change. Defendants used their control over and involvement in API to further their goal of influencing consumer demand for their fossil fuel products through a long-term advertising and communications campaign centered on climate change denialism.

21. **Global Climate Coalition (“GCC”)**

a. The GCC was an industry group formed to oppose greenhouse gas emission reduction initiatives. The GCC was founded in 1989, shortly after the first meeting of the Intergovernmental Panel on Climate Change (“IPCC”), the United Nations body for assessing the science related to climate change. The GCC was disbanded in or around 2001. Founding members included Defendants through API. In addition, over the course of its existence, the GCC’s individual corporate members included BP America Inc., Amoco (BP), ARCO (BP), Texaco (Chevron), Unocal (Chevron), Exxon, and Shell Oil Company.

**III. Jurisdiction and Venue**

22. This Court has jurisdiction over the subject matter of this case pursuant to D.C. Code §§ 1-301.81, 11-921, and 28-3909.

23. This Court has personal jurisdiction over Defendants pursuant to D.C. Code § 13-423(a).

24. Venue is proper in the District because many of the acts upon which this action is based occurred in the District and were directed at and impacted DC consumers.

25. Defendants’ deceptive and unlawful conduct targeted consumers in the District, and in significant part occurred in the District, including through print advertisements in the District and electronic advertisements provided to DC consumers, including the *Washington Post*, as well as at District train stations and airports.

**IV. Defendants Have Known for Decades that Their Fossil Fuel Products Would Disrupt the Global Climate with Potentially “Catastrophic” Consequences for Humankind.**

26. The mechanism that causes climate disruption is straightforward: When emitted, greenhouse gases trap heat within Earth’s atmosphere that would otherwise radiate out into space.

27. Scientists working for the fossil fuel industry knew about this simple fact and the potential warming effects of CO<sub>2</sub> emissions as early as the 1950s.

28. For example, in 1954, API learned from a geochemist at the California Institute of Technology that measurements of natural archives of carbon in tree rings indicated that fossil fuels had caused atmospheric CO<sub>2</sub> levels to increase by about 5% since 1840. Scientists funded by API began to measure CO<sub>2</sub> levels themselves. API's results were provided to Defendants. However, they were never made available to the public.

29. In 1959, API organized a centennial celebration of the American oil industry at Columbia University in New York City. High-level representatives of Defendants were in attendance. During one of the keynote presentations, nuclear physicist Edward Teller warned the industry that "a temperature rise corresponding to a 10 per cent increase in carbon dioxide will be sufficient to melt the icecap and submerge . . . [a]ll the coastal cities." Teller emphasized the seriousness of "this chemical contamination," given that "a considerable percentage of the human race lives in coastal regions."

30. By 1965, concern over the potential for fossil fuel products to cause disastrous global warming reached the highest levels of the United States' scientific community. In that year, President Lyndon B. Johnson's Science Advisory Committee's Environmental Pollution Panel reported that, due to the burning of coal, oil, and natural gas, a 25% increase in carbon dioxide concentrations could occur by the year 2000. The Panel reported that such an increase could cause significant global warming, which would result in melting of the Antarctic ice cap and sea level rise.

31. Three days after the report from President Johnson's Science Advisory Committee was published, API's President, Frank Ikard, relayed the findings of the report to leaders of the

petroleum industry, including Defendants and their predecessors-in-interest, at the trade association's annual meeting, saying, "The substance of the report is that there is still time to save the world's peoples from the catastrophic consequence of pollution, but time is running out." Ikard also relayed that "by the year 2000 the heat balance will be so modified as possibly to cause marked changes in climate beyond local or even national efforts" and quoted the report's finding that "the pollution from internal combustion engines is so serious, and is growing so fast, that an alternative nonpolluting means of powering automobiles, buses, and trucks is likely to become a national necessity."

32. In 1968, API received a report it had commissioned from the Stanford Research Institute ("SRI") regarding the state of research on environmental pollutants, including carbon dioxide. The report endorsed the findings of President Johnson's Scientific Advisory Council from three years prior, stating, "Significant temperature changes are almost certain to occur by the year 2000, and . . . there seems to be no doubt that the potential damage to our environment could be severe."

33. SRI delivered a supplemental report on air pollution to API in 1969. The supplemental report projected with remarkable accuracy that atmospheric CO<sub>2</sub> concentrations would reach 370 ppm by the year 2000—almost exactly what was subsequently calculated in 2000 (369 ppm). The report explicitly connected the rise in CO<sub>2</sub> levels to fossil fuel combustion, finding it "unlikely that the observed rise in atmospheric CO<sub>2</sub> has been due to changes in the biosphere."

34. In 1972, Defendants received a status report on all environmental research projects funded by API. The report included a summary of the SRI reports.

35. In 1979, API and its members, including Defendants, convened a Task Force to monitor and share climate research among the oil industry. The group was initially called the CO<sub>2</sub>

and Climate Task Force, but in 1980 changed its name to the Climate and Energy Task Force (hereinafter referred to as “CO<sub>2</sub> Task Force”). Membership included senior scientists and engineers from nearly every major U.S. and multinational oil and gas company, including Defendants. The task force was charged with monitoring government and academic research and evaluating the implications of emerging science for the petroleum and gas industries.

36. According to meeting minutes generated by API, in 1980, the CO<sub>2</sub> Task Force invited Dr. John Laurmann, “a recognized expert in the field of CO<sub>2</sub> and climate,” to present to its members at a meeting intended to provide a “complete technical discussion” of global warming, its scientific basis, impacts on society, and policy implications. Laurmann informed the Task Force of the “scientific consensus” on the “likely impacts” of increased CO<sub>2</sub> levels along the trajectory below, warning that global warming of 2.5 °C could “bring[] world economic growth to a halt.” He further explained that there was “strong empirical evidence” showing “fossil fuel burning” as the main cause of CO<sub>2</sub> level rise. Among his conclusions were the following “likely impacts”:

- 1° C RISE (2005): BARELY NOTICEABLE
- 2.5° C RISE (2038): MAJOR ECONOMIC CONSEQUENCES,  
STRONG REGIONAL DEPENDENCE
- 5° C RISE (2067): GLOBALLY CATASTROPHIC EFFECTS

Representatives from Standard Oil of Ohio (BP), Texaco (Chevron), and Exxon were present, and the meeting minutes, including Dr. Laurmann’s analysis, were distributed to the entire CO<sub>2</sub> Task Force. Laurmann’s predictions of the timing and magnitude of future global warming were consistent with Exxon’s own internal predictions from three years earlier in 1977.

37. In 1982, another scientific report prepared for API recognized that atmospheric CO<sub>2</sub> concentration had risen significantly compared to the beginning of the industrial revolution, from about 290 to about 340 ppm, and emphasized that “all climate model studies indicate that a doubling of CO<sub>2</sub> will produce a significant increase in the global and annual mean temperature of

the earth.” The report warned that “[s]uch a warming can have serious consequences for man’s comfort and survival since patterns of aridity and rainfall can change, the height of the sea level can increase considerably and the world food supply can be affected.”

38. During this period, Defendants also formed their own climate research units. In the late 1970s, Exxon developed and financed a sophisticated in-house research and development project to study carbon dioxide emissions and the greenhouse effect. Exxon scientists consistently and repeatedly informed management that the increase in atmospheric carbon dioxide was caused by fossil fuel consumption, that increasing CO<sub>2</sub> in the atmosphere would lead to temperature increases, and that temperature increases would lead to a range of significant adverse impacts on the world’s climate and people. For example, an Exxon memo dated June 6, 1978, reported that “current scientific opinion overwhelmingly favors attributing atmospheric carbon dioxide increase to fossil fuel consumption,” and that doubling atmospheric carbon dioxide, according to the best climate model available, would “produce a mean temperature increase of about 2°C to 3°C over most of the earth,” with double to triple as much warming at the poles. Exxon scientists warned senior management that the window of opportunity to avoid major disruptions to the world and to Exxon’s business was narrow, estimating “mankind has a 5–10 yr. time window to obtain the necessary information” and “establish what must be done.”

39. Likewise, Shell instituted an internal “Greenhouse Effect Working Group.” In a confidential report entitled “The Greenhouse Effect,” the Shell Group detailed the findings of a study it conducted between 1981 and 1986, in which it acknowledged global warming’s anthropogenic nature: “Man-made carbon dioxide released into and accumulated in the atmosphere is believed to warm the earth through the so-called greenhouse effect.” The report also noted the burning of fossil fuels as a primary driver of CO<sub>2</sub> buildup and warned that warming could “create

significant changes in sea level, ocean currents, precipitation patterns, regional temperature and weather.” The Shell report warned management that “by the time the global warming becomes detectable it could be too late to take effective countermeasures to reduce the effects or even to stabilise the situation.”

40. Texaco (predecessor-in-interest to Chevron) similarly instituted a climate modeling team at the company’s research facility in Beacon, New York.

41. Defendants knew that use of their fossil fuel products was a primary cause of climate change and that the failure to reduce usage would lead to potentially catastrophic effects, including significant changes in sea level, ocean currents, precipitation patterns, regional temperature, and weather, and resulting impacts on and loss of ecosystems, communities, and people. They also knew that by the time global warming became detectable it could be too late to take effective countermeasures to mitigate these effects or stabilize the situation.

**V. Defendants’ Internal Actions Demonstrated Awareness and Acceptance of the Known Effects of Climate Change.**

42. Defendants’ internal actions evidence their understanding of the reality of climate change and its likely consequences for their businesses. Indeed, they used their closely held knowledge of the detrimental effects of fossil fuel usage to accommodate and protect their own businesses against the effects of anthropogenic climate-related change through multi-billion-dollar infrastructure investments. These investments included (among others), raising offshore oil platforms to accommodate sea level rise; reinforcing offshore oil platforms to withstand increased wave strength and storm severity; and developing equipment and making plans to extract crude oil and natural gas in areas previously unreachable because of the presence of polar ice sheets.

43. For example, in 1973, Exxon obtained a patent for a cargo ship capable of breaking through sea ice and for an oil tanker designed specifically for use in previously unreachable areas of the Arctic.

44. In 1974, Chevron obtained a patent for a mobile arctic drilling platform designed to withstand significant interference from lateral ice masses, allowing for drilling in areas with increased ice flow movement due to elevated temperature.

45. That same year, Texaco (Chevron) sought a patent for a method and apparatus for reducing ice forces on a marine structure prone to being frozen in ice through natural weather conditions, allowing for drilling in previously unreachable Arctic areas that would become seasonally accessible due to climate change.

46. Shell obtained a patent similar to Texaco's (Chevron) in 1984. In 1989, a Shell subsidiary, Norske Shell, altered designs for a natural gas platform in the North Sea and incurred substantial related construction costs to account for anticipated sea level rise and increased storm intensity caused by climate change.

47. In the mid-1990s, Exxon, Shell, and Imperial Oil (Exxon) jointly undertook the Sable Offshore Energy Project in Nova Scotia. The project's Environmental Impact Statement declared: "The impact of a global warming sea-level rise may be particularly significant in Nova Scotia. The long-term tide gauge records at a number of locations along the N.S. coast have shown sea level has been rising over the past century. . . . For the design of coastal and offshore structures, an estimated rise in water level, due to global warming, of 0.5 m [1.64 feet] may be assumed for the proposed project life (25 years)."

**VI. Contrary to Their Clear Knowledge of Climate Change and Resultant Business Decisions, Defendants Promoted Disinformation and Doubt Among DC Consumers and Nationwide.**

48. Defendants clearly knew that climate change posed a serious threat to the planet and the continued vitality of their businesses. As a result, they engaged in significant infrastructure adjustments to accommodate for increased sea levels and more severe weather patterns caused by a warming planet.

49. Defendants also knew that consumer awareness of the detrimental impacts of the purchase and use of fossil fuel products posed a fundamental threat to their bottom lines. Once armed with full and accurate information about climate change and its primary driver, consumers would be less likely to purchase fossil fuel products and more likely to seek and demand less destructive, renewable energy sources.

50. Thus, starting no later than 1988, Defendants—on their own and jointly through industry and front groups such as API and the GCC—funded, conceived, planned, and carried out a sustained and widespread campaign of denial and disinformation about the existence of climate change and their products’ contribution to it. The campaign included a long-term pattern of direct misrepresentations and material omissions to consumers, as well as a plan to influence consumers indirectly by affecting public opinion through the dissemination of misleading research to the press, government, and academia. Although Defendants were competitors in the marketplace, they combined and collaborated on this public campaign to misdirect and stifle public knowledge in order to increase sales and protect profits.

51. Defendants undertook a momentous effort to provide false and misleading assurances to consumers that global warming did not pose a threat, that the science about climate change was uncertain, and that there was no need to shift away from fossil fuels.

52. As a result of Defendants' false and misleading statements and material omissions, consumers of Defendants' fossil fuel products, including those in the District, were deliberately deceived about numerous issues, including: the depth and breadth of the scientific evidence on climate change and the role of fossil fuel products in causing it; the acceleration of global warming since the mid-twentieth century; and the fact that the continued use of fossil fuel products contributes to severe environmental and health threats at significant economic cost. Consumers have also been deceived about the degree of change needed to halt global warming and the extent to which Defendants have invested in renewable energy.

**A. Defendants Formed the Global Climate Coalition to Deceive Consumers by Distorting Climate Science.**

53. In or around 1989, Defendants and their trade groups formed the front group GCC to disseminate misleading messages regarding climate change to consumers, including those in the District. Specifically, although an *internal* GCC primer acknowledged the realities and implications of climate change and admitted that various "contrarian theories" [i.e., climate change skepticism] do not "offer convincing arguments against the conventional model of greenhouse gas emission-induced climate change," the GCC excluded this admission from the public version of the same primer, and funded efforts to promote climate denial theories.

54. Defendants funded and orchestrated the GCC's operations both directly through their own membership and through proxy GCC members, including API. Defendants BP (and its precursor Amoco), Chevron (and its precursors Texaco and Unocal), Exxon, and Shell were core members of and substantial financial contributors to the GCC, including by holding leadership positions on its board, and received ongoing information about its activities.

55. As part of Defendants' long-term campaign to influence consumers' demand for oil and gas through mass disinformation, Defendants ensured that the GCC implemented public

advertising and outreach campaigns to discredit climate science and cast doubt on the dangerous consequences of climate change. Defendants exerted control over the GCC's deceptive marketing in the form of funding, supervision, facilitation, and direct participation. Defendants also benefited financially from the GCC's misleading campaigns, which helped to ensure a thriving consumer market for Defendants' fossil fuel products.

56. In 1992, when 130 nations came together to sign the U.N. Framework Convention on Climate Change at the Rio de Janeiro "Earth Summit," the GCC spent millions on misleading marketing to discredit the underlying science of climate change. A significant portion of these funds was provided by Defendants. The GCC widely distributed a video titled "The Greening of Planet Earth," which claimed that climate change would not be a problem and that more atmospheric carbon dioxide would actually be beneficial for the world. Defendants knew and approved of the dissemination of this false and misleading video.

57. The GCC also produced and disseminated a pamphlet in 1995, titled "Climate Change: Your Passport to the Facts." The pamphlet falsely stated that the "notion that scientists have reached consensus that man-made emissions of greenhouse gases are leading to a dangerous level of global warming is not true," and that "there is no evidence to demonstrate the climate has changed as a result of . . . man-made greenhouse gases." Defendants knew and approved of the dissemination of this pamphlet.

58. These GCC advertisements were intentionally misleading. The GCC's members, including Defendants, knew that climate change was real and ongoing, and that its impacts increasingly were posing serious risks to the public and the world. Defendants supported, approved, and furthered these misleading advertisements because they were consistent with

Defendants' goal of influencing consumer demand for their fossil fuel products and assisted them in maintaining profits.

59. In 1997, William O'Keefe, GCC Chairman and API Executive Vice President, falsely stated in an op-ed published in the *Washington Post*, "Climate scientists don't say that burning oil, gas and coal is steadily warming the earth." This false statement contradicted long-established science, as well as Defendants' own knowledge. Yet Defendants nevertheless supported and approved the publication of this op-ed.

60. By funding and actively participating in the GCC and other similar organizations that published disinformation about the risks of climate change, Defendants directly contributed to and helped coordinate the deception of consumers and the broader public about the risks of climate change and the harmful consequences associated with the sale and use of Defendants' fossil fuel products.

**B. Defendants Used API to Deceive Consumers as to the Existence of Climate Change and Whether Fossil Fuels Had a Role in Causing It.**

61. In 1996, API published on behalf of its members, including Defendants, a lengthy public report that falsely disputed the basis for concern over CO<sub>2</sub> buildup and any need to curb consumption or regulate the industry. API discouraged the further development of certain alternative energy sources and denied the human connection to climate change, falsely stating that "no conclusive or even strongly suggestive scientific evidence exists that human activities are significantly affecting sea levels, rainfall, surface temperatures or the intensity and frequency of storms." The report's false message was clear: "Facts don't support the arguments for restraining oil use." Defendants were involved in and approved of the publication of this report.

62. In 1998, API then convened a Global Climate Science Communications Team, ("GCSCT") whose members included Exxon's senior environmental lobbyist, an API public

relations representative, and representatives from Chevron. Steve Milloy and his organization The Advancement of Sound Science Coalition (“TASSC”) were founding members of the GCSCT. TASSC was a fake grassroots citizen group created by the tobacco industry to sow uncertainty by discrediting the scientific link between exposure to second-hand cigarette smoke and increased rates of cancer and heart disease. Philip Morris launched TASSC on the advice of its public relations firm, which advised Philip Morris that the tobacco company itself would not be a credible voice on the issue of smoking and public health. TASSC, through API and with the approval of Defendants, also became a front group for the fossil fuel industry, using the same tactics it had honed while operating on behalf of tobacco companies to spread doubt about climate science. Although TASSC posed as a grassroots group of concerned citizens, it was funded by Defendants.

63. The GCSCT represented a continuation of Defendants’ use of and participation with API to sow doubt and confusion about climate change in order to further Defendants’ business interests.

64. Starting in 1998, the GCSCT continued Defendants’ efforts to deceive the public about the dangers of fossil fuel use by launching a campaign to convince the public that the scientific basis for climate change was in doubt. The multi-million-dollar, multi-year plan included, among other elements, plans to: (a) “[d]evelop and implement a national media relations program to inform the media about uncertainties in climate science to generate national, regional, and local media coverage on the scientific uncertainties”; (b) “[d]evelop a global climate science information kit for media including peer-reviewed papers that undercut the ‘conventional wisdom’ on climate science”; (c) “[p]roduce . . . a steady stream of op-ed columns”; and (d) “[d]evelop and implement a direct outreach program to inform and educate members of Congress . . . and school teachers/students about uncertainties in climate science” to “begin to erect a barrier against further

efforts to impose Kyoto-like measures in the future”—a blatant attempt to disrupt international efforts to negotiate any treaty curbing greenhouse gas emissions to ensure a continued and unimpeded market for their fossil fuel products.

65. Exxon, Chevron, and API contributed to the development of the plan, which plainly set forth the criteria by which the contributors would know when their efforts to manufacture doubt had been successful. “Victory,” they wrote, “will be achieved when . . . average citizens ‘understand’ (recognize) uncertainties in climate science” and “recognition of uncertainties becomes part of the ‘conventional wisdom.’” In other words, the plan was part of Defendants’ goal to use disinformation to plant doubt about the reality of climate change in an effort to maintain consumer demand for their fossil fuel products and their large profits.

**C. Defendants Funded and Controlled Scientists to Sow Confusion and Doubt About the Realities of Climate Science.**

66. A key part of Defendants’ long-term campaign to discredit the scientific consensus on climate change was to bankroll scientists who were willing to cast doubt on climate science in the public sphere. These scientists obtained part or all of their research budget directly or indirectly from Defendants through Defendant-funded organizations like API. However, the scientists frequently failed to disclose that they were financed by the fossil fuel industry.

67. For example, in the 1990s, both Exxon and API funded and promoted the work of Fred Seitz, Fred Singer, and Singer’s Science and Environmental Policy Project (“SEPP”). Neither Seitz nor Singer was trained in climate science. Both had previously been hired by tobacco companies to create doubt in the public mind by questioning mainstream scientific conclusions.

68. In 1998, Seitz helped to organize and distribute a sham petition “refuting” global warming. The petition was formatted to look like it was sanctioned by the National Academy of Sciences and sent to thousands of American scientists. The petition claimed to find “no convincing

scientific evidence that human release of . . . greenhouse gases is causing or will, in the foreseeable future, cause catastrophic heating of the Earth’s atmosphere and disruption of the Earth’s climate.” Although supposedly signed by 17,000 “scientists,” the list of signatories was filled with fictitious names, deceased persons, and celebrities. The petition was so misleading that the National Academy of Sciences issued a news release stating that: “The petition project was a deliberate attempt to mislead scientists and to rally them in an attempt to undermine support for the Kyoto Protocol. The petition was not based on a review of the science of global climate change, nor were its signers experts in the field of climate science.”

69. Defendants’ disinformation campaign regarding the existence and dangers of climate change was successful. In particular, their work to create a false sense of disagreement among the scientific community (despite the clear consensus previously acknowledged by Defendants’ own scientists, experts, and managers) has had an evident impact on public opinion and consumers. For example, a 2007 Yale University-Gallup poll found that while 71% of Americans personally believed global warming was happening, only 48% believed that there was a consensus among the scientific community (while 52% believed that there was no such consensus), and 40% believed the falsehood that there was a lot of disagreement among scientists over whether global warming was occurring.

70. The poll was conducted the same year the IPCC concluded in its Fourth Assessment Report that “there is *very high confidence* that the net effect of human activities since 1750 has been one of warming.” The IPCC defined “very high confidence” as at least a 9 out of 10 chance.

#### **D. Exxon’s Misleading Advertising Campaign of Climate Denial and Doubt**

71. For decades, Defendants have deceived—and they continue to deceive—DC consumers by failing to disclose in advertisements and promotional materials, including at the point of sale at their branded gas stations in the District, that the development, production, refining,

and consumer use of their fossil fuel products—including gasoline and motor oil—emit large volumes of greenhouse gases, which cause global climate change. Defendants knew this omitted and concealed information would influence consumers’ decision-making on whether to reduce their reliance on and purchase of gas and oil.

72. Consistent with the misleading messaging coordinated by Defendants through their industry front groups, Exxon (including its predecessor Mobil) embarked on its own long-term advertising and communications campaign designed to obscure the scientific reality of global warming in the minds of consumers in the District and nationwide. Exxon’s individual campaign was a key part of Defendants’ larger scheme to influence consumer demand for fossil fuel products through disinformation about climate change.

73. In a memo dated August 3, 1988, Joseph Carlson, an Exxon public affairs manager, described the “Exxon Position,” which included two important public messaging tenets: (1) “[e]mphasize the uncertainty in scientific conclusions regarding the potential enhanced Greenhouse Effect”; and (2) “[r]esist the overstatement and sensationalization [sic] of potential greenhouse effect which could lead to noneconomic development of non-fossil fuel resources.”

74. Consistent with the “Exxon Position,” starting in the 1970s and continuing through at least 2004, Exxon placed at least 36 paid advertisements designed to appear to consumers as if they were actual editorials, known as advertorials, in major national newspapers with wide circulation to DC consumers, including the *New York Times* and the *Washington Post*. These advertorials included false statements and material omissions, and they were intended to—and did—mislead DC consumers.

75. Exxon’s series of advertorials questioned the known scientific consensus about climate change and misleadingly dismissed concerns about the known catastrophic risks associated

with it. For example, an 1984 advertorial titled “Lies they tell our children” described as a “lie” and among “the myths of the 1960s and 1970s” still being perpetuated by schools the coming “horror[.]” that “a greenhouse effect . . . would melt polar ice caps and devastate U.S. coastal cities.”

76. In 1993—the same year Mobil announced it was closing its solar energy program—Mobil published an advertorial in the *New York Times* titled “Apocalypse no,” casting doubt both on the scientific underpinnings of climate change and the need for action to limit CO<sub>2</sub> emissions. The advertorial stated that, although “[f]or the first half of 1992, America was inundated by the media with dire predictions of global warming catastrophes . . . the media hype proclaiming the sky was falling did not properly portray the consensus of the scientific community.” The advertorial further criticized “[t]he lack of solid scientific data,” stating that “the jury’s still out on whether drastic steps to curb CO<sub>2</sub> emissions are needed,” as “the phenomenon—and its impact on the economy—are important enough to warrant considerably more research before proposing actions we may later regret.” “Perhaps,” posited the advertorial, “the sky isn’t falling, after all.”

77. Mobil advertorials published in the *New York Times* in 1997 repeatedly emphasized a narrative of scientific uncertainty that was belied by their own scientists’ knowledge and internal calls for action, for example:

- a. “Scientists cannot predict with certainty if temperatures will increase, by how much and where changes will occur. We still don’t know what role man-made greenhouse gases might play in warming the planet.” (“Reset the Alarm.”)
- b. “We don’t know enough about the factors that affect global warming and the degree to which—if any—that man-made emissions (namely, carbon dioxide)

contribute to increases in Earth's temperature." ("Climate change: a prudent approach.")

c. "[C]limatologists are still uncertain how—or even if—the buildup of man-made greenhouse gases is linked to global warming." ("Climate change: where we come out.")

d. "[T]here is a high degree of uncertainty over the timing and magnitude of potential impacts that man-made emissions of greenhouse gas emissions have on climate." ("Climate change: a degree of uncertainty").

78. One 1997 Mobil advertorial, "Science: what we know and don't know," published in the *New York Times* and reproduced below, misled customers by emphasizing in the pie chart and in the text that "most of the CO<sub>2</sub> emitted by far is the result of natural phenomena," and that human activities only account for 3 to 4% of carbon dioxide emissions. Such representations misled consumers by downplaying the fossil fuel contribution to climate change, in direct contravention of Defendants' own knowledge. The advertorial further misled by repeatedly emphasizing uncertainties in climate science as a justification for inaction.

# Science: what we know and don't know



As the debate over climate change heats up, science is being upstaged by the call for solutions. At stake is a complex issue with many questions. Some things we know for certain. Others are far from certain.

First, we know greenhouse gases account for less than one percent of Earth's atmosphere. The ability of these gases to trap heat and warm Earth is an important part of the climate system because it makes our planet habitable. Greenhouse gases consist largely of water vapor, with smaller amounts of carbon dioxide (CO<sub>2</sub>), methane and nitrous oxide and traces of chlorofluorocarbons (CFCs).

The focus of concern is CO<sub>2</sub>. While most of the CO<sub>2</sub> emitted by far is the result of natural phenomena—namely respiration and decomposition, most attention has centered on the three to four percent related to human activities—burning of fossil fuels, deforestation. The amount of carbon dioxide in the atmosphere has risen in the last 100 years, leading scientists to conclude that the increase is a result of man-made activities.

Although the linkage between the greenhouse gases and global warming is one factor, other variables could be much more important in the climate system than emissions produced by man.

The UN-sponsored Intergovernmental Panel on Climate Change (IPCC) thought it had found the magic bullet when it concluded that the one-degree Fahrenheit rise in global temperatures over

the past century may bear a "fingerprint" of human activity. The fingerprint soon blurred when an IPCC lead author conceded to the "uncertainty inherent in computer climate modeling."

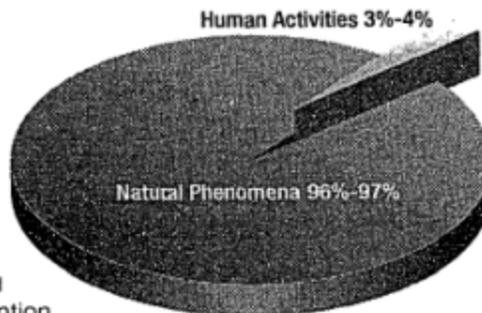
Nonetheless, nations at Kyoto are being asked to embrace proposals that could have potentially huge impacts on economies and lifestyles. Nations are being urged to cut emissions without knowing either the severity of the problem—that is, will Earth's temperature increase over the next 50–100 years?—or the efficacy of the solution—will cutting CO<sub>2</sub> emissions reduce the problem?

Within a decade, science is likely to provide more answers on what factors affect global warming, thereby improving our decision-making. We just don't have this information today.

Answers to questions on climate change will require more reliable measurements of temperature at many places on Earth, better understanding of clouds and ocean currents along with greater computer power.

This process shouldn't be short-circuited to satisfy an artificial deadline, like the conference in Kyoto. Whatever effect increased concentrations of man-made gases may have, it will develop slowly over decades. Thus, there is time for scientists to refine their understanding of the climate system, while governments, industry and the public work to find practical means to control greenhouse gases, if such measures are called for. Adopting quick-fix measures at this point could pose grave economic risks for the world.

Carbon Dioxide Emissions



**Mobil** The energy  
to make a difference.

<http://www.mobil.com/climatechange>

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Figure 1: 1997 Mobil Editorial: "Science: what we know and don't know"

79. A 2000 ExxonMobil advertorial, “Unsettled Science,” published in the *New York Times* and reproduced below, misrepresents the facts and deceives customers in several regards, including:

- a. First, it states that “fundamental gaps in knowledge leave scientists unable to make reliable predictions about future changes” and that scientists are “unable to confirm” their findings.
- b. Second, the Sargasso Sea Temperature graph appears to show natural temperature variability over a period of 3,000 years and to support the idea in the text that “[a]gainst this backdrop of large, poorly understood natural variability, it is impossible for scientists to attribute the recent small surface temperature increase to human causes.” The graph, however, was taken out of context from an article in *Science* by Lloyd Keigwin, a senior scientist at the Woods Hole Oceanographic Institution. Keigwin called the use of his data “very misleading.” The historical reconstruction of sea surface temperatures in the Sargasso Sea were, in the scientist’s words, “not representative of the planet as a whole,” and he emphasized “[t]here’s really no way those results bear on the question of human-induced climate warming.” The use of the graph in the advertorial misrepresents information about natural temperature variability and misleads consumers about the nature of climate change and the role of ExxonMobil’s fossil fuel products in causing it.

# Unsettled Science

Knowing that weather forecasts are reliable for a few days at best, we should recognize the enormous challenge facing scientists seeking to predict climate change and its impact over the next century. In spite of everyone's desire for clear answers, it is not surprising that fundamental gaps in knowledge leave scientists unable to make reliable predictions about future changes.

A recent report from the National Research Council (NRC) raises important issues, including these still-unanswered questions: (1) Has human activity already begun to change temperature and the climate, and (2) How significant will future change be?

The NRC report confirms that Earth's surface temperature has risen by about 1 degree Fahrenheit over the past 150 years. Some use this result to claim that humans are causing global warming, and they point to storms or floods to say that dangerous impacts are already under way. Yet scientists remain unable to confirm either contention.

Geological evidence indicates that climate and greenhouse gas levels experience significant natural variability for reasons having nothing to do with human activity. Historical records and current scientific evidence show that Europe and North America experienced a *medieval warm period* one thousand years ago, followed centuries later by a *little ice age*. The geological record shows even larger changes throughout Earth's history. Against this backdrop of large, poorly understood natural variability, it is impossible for scientists to attribute the recent small surface temperature increase to human causes.

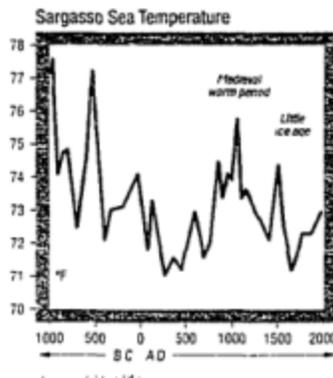
Moreover, computer models relied upon by climate scientists predict that lower atmospheric temperatures will rise as fast as or faster than temperatures at the surface. However, only within the last 20 years have reliable global measurements of temperatures in the lower atmosphere been available through the use of satellite technology. These measurements show little if any warming.

Even less is known about the potential positive or negative impacts of climate change. In fact, many academic studies and field experiments have demonstrated that increased levels of carbon dioxide can promote crop and forest growth.

So, while some argue that the science debate is settled and governments should focus only on near-term policies—that is empty rhetoric. Inevitably, future scientific research will help us understand how human actions and natural climate change may affect the world and will help determine what actions may be desirable to address the long-term.

Science has given us enough information to know that climate changes may pose long-term risks. Natural variability and human activity may lead to climate change that could be significant and perhaps both positive and negative. Consequently, people, companies and governments should take responsible actions now to address the issue.

One essential step is to encourage development of lower-emission technologies to meet our future needs for energy. We'll next look at the promise of technology and what is being done today.



**ExxonMobil**

www.exxonmobil.com

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Figure 2: 2000 ExxonMobil Advertorial: "Unsettled Science"

80. In a similar advertorial published in the *Washington Post* in 2000, Exxon falsely claimed that a U.S. National Assessment report on climate change put the “political cart before a scientific horse” and was based “on unreliable models.”

81. As late as 2004, an Exxon advertorial, “Weather and climate,” stated that “scientific uncertainties continue to limit our ability to make objective, quantitative determinations regarding the human role in recent climate change or the degree and consequences of future change.”

82. Professor Martin Hoffert, a former New York University physicist who researched climate change as an Exxon consultant in the 1980s, stated the following in sworn testimony before Congress:

[O]ur research [at Exxon] was consistent with findings of the United Nations Intergovernmental Panel on Climate Change on human impacts of fossil fuel burning, which is that they are increasingly having a perceptible influence on Earth’s climate. . . . If anything, adverse climate change from elevated CO<sub>2</sub> is proceeding faster than the average of the prior IPCC mild projections and fully consistent with what we knew back in the early 1980’s at Exxon. . . .

I was greatly distressed by the climate science denial program campaign that Exxon’s front office launched around the time I stopped working as a consultant—but not collaborator—for Exxon. The advertisements that Exxon ran in major newspapers raising doubt about climate change were contradicted by the scientific work we had done and continue to do. Exxon was publicly promoting views that its own scientists knew were wrong, and we knew that because we were the major group working on this.

83. Each of the advertorials described above claimed an uncertainty about climate change that was contrary to Exxon’s internal understanding and the business decisions the company took to account for symptoms of global warming. The advertorials also falsely misrepresented the scientific consensus on climate change and omitted material information about the impact of fossil fuel products on climate change. These misrepresentations and omissions were designed to, and did, further Exxon’s and all Defendants’ business goals of influencing consumer

demand for their fossil fuel products. Each advertorial was intended to reach consumers, including DC consumers, and influence their decision to continue purchasing fossil fuel products. Each advertorial not only failed to disclose the truth about how consumption of fossil fuel products contributed to climate change, but contained affirmative misrepresentations that would lead consumers to believe that consumption of these products do not contribute to climate change. These representations to consumers stand in stark contrast to Exxon's own internal and precise predictions of global warming that would occur as a consequence of fossil fuel use, as well as the IPCC reports and consensus of the global scientific community.

**E. Shell's Misleading "Profits and Principles" Advertising Campaign**

83. Shell, like Exxon, engaged in its own advertising campaign that disseminated similar misleading messaging as that provided by Exxon and Defendants' industry front groups.

84. In 1998, Shell launched an advertising campaign called "Profits & Principles" to reposition the company's image as open and forward looking, with the goal of influencing consumer demand for Shell's fossil fuel products. The advertisements were published in major magazines with national distribution to DC consumers, including, for example, *The New Yorker* and *Discover*, and typically depicted two contrasting full-page images set side by side in a magazine spread.

85. The first page focused on sowing doubt about global warming, saying:

The issue of global warming has given rise to heated debate. Is the burning of fossil fuels and increased concentration of carbon dioxide in the air a serious threat or just a lot of hot air?

86. Shell's claim about the "heated" debate surrounding the issue of global warming was false. There was no serious debate among scientists or even within Shell itself as to the reality of climate change and the contribution of fossil fuel products to the warming of the planet. And Shell already knew the answer to the question of whether global warming was "a serious threat or

just a lot of hot air”—internal Shell documents showed that the company had no doubt global warming posed a serious threat.

87. The next page of the advertisement turned to falsely portraying Shell’s commitment to sustainability:

Shell believes that action needs to be taken now, both by companies and their customers. So last year, we renewed our commitment not only to meet the agreed Kyoto targets to reduce greenhouse gas emissions, but to exceed them. We’re working to increase the provision of cleaner burning natural gas and encourage the use of lower-carbon fuels for homes and transport. It’s all part of our commitment to sustainable development, balancing economic progress with environmental care and social responsibility.

88. But, among other things, Shell’s expansion of fossil fuel production belies the advertisement’s claims.

**VII. The Climate Crisis, as Defendants Presciently Anticipated, Is Here and Is an Existential Threat to Humankind and the Planet.**

89. Because of the increased burning of fossil fuel products, concentrations of greenhouse gases in the atmosphere are now at a level unprecedented in at least 3 million years. The pre-industrial concentration of carbon dioxide in the atmosphere was about 280 ppm; levels reached 415 ppm in 2019.

90. Meanwhile, the last five years have been the five hottest on record; the ten warmest have occurred since 1998; and the twenty warmest since 1995. Thousands of people have died as a result of extreme weather patterns during these years—events that, in the past, would have been relatively rare, but now occur on a yearly basis.

91. The rate of greenhouse gas emissions has also sped up dramatically: more than half of all industrial CO<sub>2</sub> emissions have been released into the atmosphere since approximately 1988—well *after* Defendants knew about the harm their products were causing to the climate.

92. The IPCC has concluded that emissions of carbon dioxide from fossil fuel

combustion and industrial processes contributed about 78% of the total increase in atmospheric greenhouse gas emissions from 1970 to 2010. As a result, the atmosphere and oceans are warming, sea levels are rising, snow and ice cover are diminishing, and hydrologic systems have been altered.

93. On November 23, 2018, the thirteen federal agencies that comprise the U.S. Global Change Research Program (“USGCRP”) issued Volume II of the Fourth National Climate Assessment (“Assessment”) and concluded that “[t]he impacts of climate change are already being felt in communities across the country” and would intensify in the future:

More frequent and intense extreme weather and climate-related events, as well as changes in average climate conditions, are expected to continue to damage infrastructure, ecosystems, and social systems that provide essential benefits to communities. Future climate change is expected to further disrupt many areas of life, exacerbating existing challenges to prosperity posed by aging and deteriorating infrastructure, stressed ecosystems, and economic inequality. Impacts within and across regions will not be distributed equally. People who are already vulnerable, including lower-income and other marginalized communities, have lower capacity to prepare for and cope with extreme weather and climate-related events and are expected to experience greater impacts.

It emphasized that “[r]isks are often highest for those that are already vulnerable, including low-income communities, some communities of color, children, and the elderly.” Such populations are “disproportionately affected by extreme weather and climate events.”

94. With respect to economic impacts in the United States, the Assessment warned that “rising temperatures, sea level rise, and changes in extreme events are expected to increasingly disrupt and damage critical infrastructure and property, labor productivity, and the vitality of our communities.”

95. In DC, as climate change causes average temperatures to rise, the number of extreme heat days will increase and heatwaves will last longer and occur more frequently.

Compared to 1950, there are now an average of nine more days per year with a maximum temperature greater than 95 degrees Fahrenheit, and that number will likely increase. In response to record-breaking temperatures, the District has had to develop and activate a heat emergency plan that offers cooling stations for its residents to protect against heat-related illnesses and death.

96. Sea levels have also been rising as a result of climate change. Oceans have warmed, causing their volumes to expand, and glaciers and land-based ice have melted, contributing additional fresh water to the oceans' volumes and resulting in global sea level rise. Relative sea level rise in the District has been higher than global sea level rise because the local landmass in the region also has been sinking as the result of long-term land subsidence. Sea level rise is expected to continue, and even accelerate, in the future due to climate change.

97. Located at the confluence of the Anacostia and the Potomac, two tidally influenced rivers, the District is vulnerable to inland drainage and riverine and coastal flooding. Because of global warming, the District is experiencing more frequent and extreme precipitation events and associated flooding. The District will continue to experience flooding, extreme weather, and heat waves exacerbated by climate change, with particularly severe impacts in low-income communities and communities of color.

#### **VIII. Defendants Continue to Mislead DC Consumers About the Impact of Their Fossil Fuel Products on Climate Change Through Greenwashing Campaigns and Other Misleading Advertisements.**

98. As public awareness has caught up to Defendants' internal predictions and longstanding knowledge of their products' contribution to a growing climate crisis, Defendants have turned their attention to misleading consumers about their level of investment in cleaner energy sources and the impacts of their products in causing climate change. Such "greenwashing" advertising is aimed at spreading misleading information to create a false impression that a

company and/or its products are environmentally friendly.

99. In Defendants' greenwashing advertisements, they falsely promote themselves as sustainable, environmentally conscious companies committed to finding solutions to climate change, including by supposedly making material investments in alternative energy sources. These misleading greenwashing campaigns are intended to capitalize on consumers' concerns about climate change and lead them to believe that consuming Defendants' products is consistent with their environmental values.

100. For example, Defendants portray themselves as working to reduce reliance on fossil fuels through investment in alternative energy sources, but Defendants' investments in low-carbon energy are negligible. According to a recent analysis, between 2010 and 2018, BP spent only 2.3% of its total capital expenditures on low-carbon energy sources. Shell spent even less, 1.2%, and Chevron and Exxon each spent just 0.2% of their capital spending on "greener" energy.

101. Meanwhile, Defendants continued to ramp up fossil fuel production globally and invest in new fossil fuel development—including in tar sands crude and shale gas fracking, some of the most carbon-intensive extraction projects—and to plan for unabated oil and gas exploitation indefinitely into the future. Defendants typically do not even include non-fossil energy systems in their key performance indicators or reported annual production statistics.

102. In 2019, Exxon and Shell were projected to increase oil production by more than 35% between 2018 and 2030—a sharper rise than over the previous 12 years. BP recently projected that its production of oil and gas is expected to increase more than 20%. Chevron set an oil production record in 2018 of 2.93 million barrels per day, predicting further significant growth in oil production. A 2019 investor report touted Chevron's "significant reserve additions in 2018," as well as significant capital projects involving construction of refineries worldwide.

103. Defendants are likewise continuing to expand natural gas production. As a fossil fuel, natural gas emits greenhouse gases at all phases of its lifecycle, including significant methane releases from extraction and transportation, CO<sub>2</sub> releases when gas is flared at the well, and CO<sub>2</sub> releases at the point of combustion. Methane is a short-lived but potent greenhouse gas with a global warming potential many times higher than carbon dioxide. Methane traps more heat in the atmosphere and accelerates climate disruption at a faster rate than carbon dioxide.

104. Yet, in Defendants' greenwashing advertisements, they misleadingly portray natural gas as "sustainable" in an effort to paint themselves as working to solve climate change by making energy "cleaner," when in reality they are doing the exact opposite as the main drivers of greenhouse gas emissions and climate impacts.

105. In 2017, Shell and Exxon were censured for such misleading advertising by the Dutch Advertising Code Authority for describing natural gas as "the cleanest fossil fuel." The agency's ruling stated that this description was misleading because it "suggested that fossil fuels can be clean in that they do not cause environmental damage. It is firm . . . that that suggestion is not correct."

106. Defendants' greenwashing campaigns further minimize their role in causing climate change, including by suggesting that small changes in consumer choice and behavior can adequately address climate change. These campaigns misleadingly portray Defendants as part of the solution to climate change and distract from the fact that Defendants' fossil fuel products are the primary driver of global warming.

107. In January 2020, the British daily newspaper *The Guardian* banned advertisements from fossil fuel companies because of their "decades-long efforts by many in that industry to prevent meaningful climate action by governments around the world."

108. Earlier this year, BP caved to growing awareness and pressure by ceasing corporate reputation advertising, including a significant campaign that portrayed the company as environmentally responsible.

109. Below are representative excerpts from Defendants' greenwashing campaigns, which present a false image of Defendants as clean energy innovators taking meaningful action to address climate change. Defendants' actions to further entrench fossil fuel production and consumption squarely contradict their public affirmations of corporate responsibility and support for reducing global greenhouse gas emissions. Functionally, Defendants have cut fossil fuels from their brand but not their business. Their greenwashing advertisements to the contrary are deceptive to DC consumers.

**A. Exxon's Misleading and Deceptive Greenwashing Campaigns**

110. Exxon is currently running a series of full-page advertisements in print editions and posts in the electronic edition of the *New York Times*, and in other publications with wide circulation to DC consumers, such as *The Economist*, as well as on Exxon's YouTube channel, in which Exxon misleadingly promotes its efforts to develop energy from alternative sources such as algae and plant waste—efforts that are vanishingly small in relation to the investments Exxon continues to make in fossil fuel production.

111. For example, an online advertisement in the *New York Times* promotes the company's development of algae biofuels but omits that it is extremely resource extensive to produce algae for biofuel on a large scale due to the massive amounts of land and fertilizer needed. The advertisement also misleadingly tells consumers that Exxon is "working to decrease [its] overall carbon footprint," and that the company's "sustainable and environmentally friendly" biodiesel fuel could reduce "carbon emissions from transportation" by greater than 50%.

112. Exxon’s advertisements promoting its investments in “sustainable and environmentally friendly” energy sources further fail to mention that the company’s investment in alternative energy is miniscule compared to its ongoing “business as usual” ramp up in global fossil fuel exploration, development, and production activities. From 2010 to 2018, Exxon spent only 0.2% of its capital expenditures on low-carbon energy systems, with nearly the totality of its spending (99.8%) focused on maintaining and expanding fossil fuel production. The company has simultaneously invested billions of dollars into development of Canadian tar sands projects, some of the most carbon intensive oil extraction projects in the world.

113. In 2016, for example, Exxon earned \$198 billion in revenue but invested less than 1% of that in alternative energy research, including algae.

114. Exxon’s investment is not nearly enough to produce alternative energy on the scale falsely implied and touted by Exxon in its advertisements. A 2019 report by InfluenceMap documents that Exxon’s advertised goal of producing 10,000 barrels of biofuel per day by 2025 would equate to only 0.2% of its current refinery capacity—an amount the report referred to as “a rounding error.”

115. Exxon’s claim that its biodiesel fuel could reduce carbon emissions from transportation by greater than 50% is also highly misleading. For example, biodiesel fuel is typically a blend of only 5 to 20% biofuel, with the remainder coming from fossil fuel. Because biodiesel is produced predominantly from fossil fuel, it is not “sustainable” nor “environmentally friendly” as claimed in Exxon’s advertisement.

116. Supplementing these misleading campaigns, Exxon has promoted dozens of multimedia advertisements on platforms such as Instagram, Twitter, Facebook, and LinkedIn, where Exxon has millions of social media followers and its content has received hundreds of

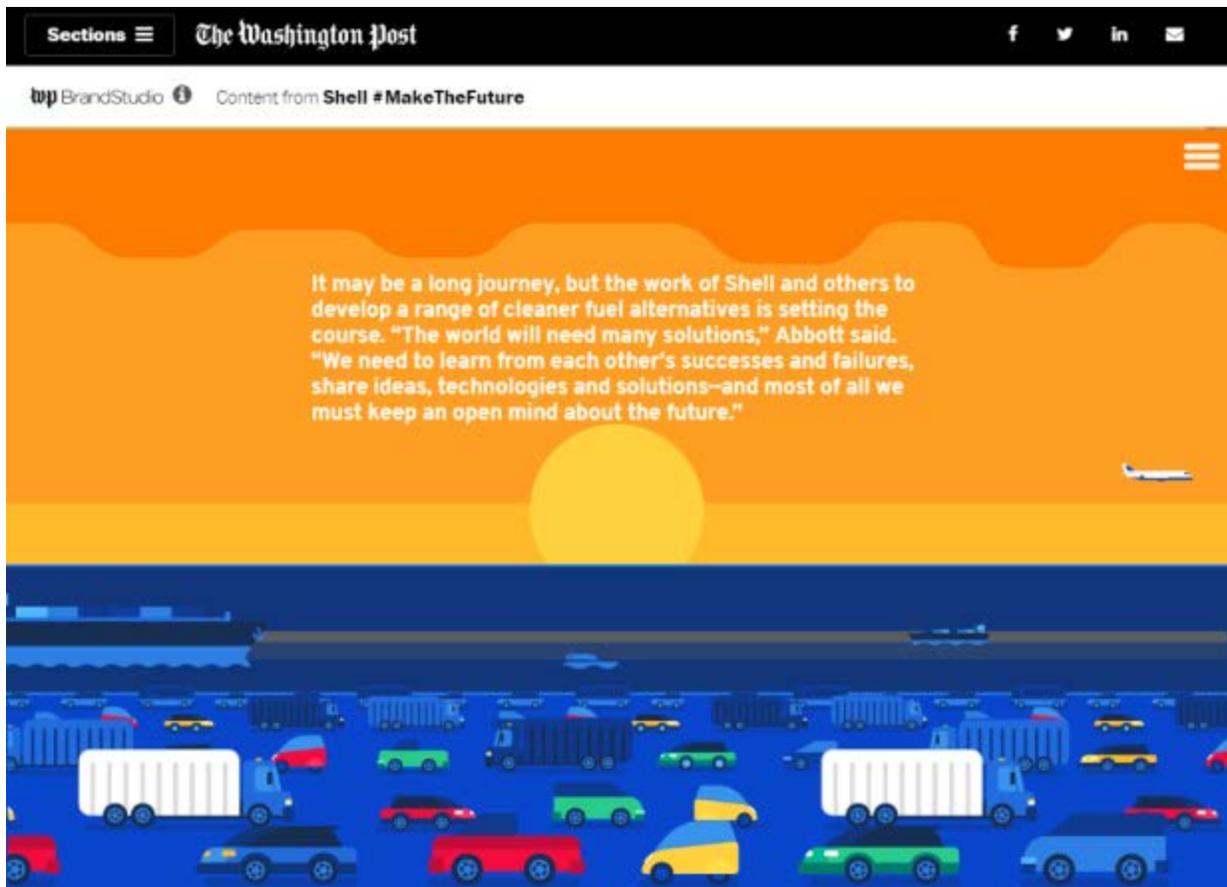
thousands of “likes” and “views.” These advertisements overwhelmingly emphasize its claimed leadership in research on lowering emissions, algae biofuel, climate change solutions, and clean energy research.

**B. Shell’s Misleading and Deceptive Greenwashing Campaigns**

117. Like Exxon, Shell has misleadingly promoted itself to DC consumers as environmentally conscientious through advertisements in publications such as the *Washington Post* and the *New York Times*. The advertisements are targeted to and read by DC consumers and intended to influence consumer demand for Shell’s products.

118. As part of Shell’s “Make the Future” campaign, the company has published numerous advertisements currently viewable on the *Washington Post* and *New York Times* websites, in which the company touts its investment in “alternative energy sources,” including liquefied natural gas (“LNG”), natural gas, hydrogen fuel cells, and biofuel, which Shell repeatedly refers to as “cleaner sources.”

119. One Shell advertisement in the *Washington Post*, “The Making of Sustainable Mobility,” refers to LNG as “sustainable” and a “lower-carbon fuel” that could “help decrease” CO<sub>2</sub> emissions and states that the company is “taking steps toward developing the infrastructure to support growth in hydrogen-fuel-cell vehicles.” The advertisement emphasizes Shell’s leadership in “setting the course” for a “lower-carbon mobility future.” Similarly, another Shell advertisement in the *Washington Post*, “The Mobility Quandary,” emphasizes Shell’s role in working to counteract climate change through investments in alternative energy: “Shell is a bigger player than you might expect in this budding movement to realize a cleaner and more efficient transportation future.”



*Figure 3: Excerpt from Shell “The Making of Sustainable Mobility” advertisement*

120. Shell’s statements emphasizing its involvement in these many areas of energy-related research, development, and deployment are misleading; the company’s investments and activities are substantially smaller than its advertisements lead consumers to believe. In reality, only 1.2% of Shell’s capital spending from 2010 to 2018 was in low-carbon energy sources, and that number continues to be heavily outweighed by Shell’s continued expansion of its fossil fuel business.

121. Shell’s “Make the Future” advertisements also mislead consumers about the environmental impact of the advertised alternative energy sources. For example, “The Mobility Quandary” falsely promotes hydrogen fuel cells as “sustainable in the long-term” and “[o]ne of the cleaner sources” that power electric vehicles, stating that “[h]ydrogen fuel cell vehicles . . . emit nothing from their tailpipes but water vapor.” Shell’s “In for the Long Haul”

advertisement in the *New York Times* similarly promotes hydrogen fuel cells, as well as biofuels, as solutions to global warming.

122. Contrary to Shell’s claims, almost all of the hydrogen fuel in the United States is produced by reforming natural gas, which releases significant amounts of greenhouse gases. Moreover, producing and transporting the natural gas for hydrogen fuel production leads to methane emissions that make the total greenhouse gas emissions associated with hydrogen fuel similar to those from petroleum—certainly emitting more than just water vapor, as Shell states. Shell’s focus on tailpipe emissions is misleading because it gives consumers the false impression that hydrogen fuel is not associated with greenhouse gas emissions.

123. Further, Shell’s promotion of natural gas as a “critical” component of sustainable energy for transportation because it is “cleaner-burning” omits critical information about additional emissions from the extraction and transportation of natural gas, which include significant amounts of the potent greenhouse gas methane.

124. Similarly, Shell’s “In for the Long Haul” advertisement misleadingly states that expanding LNG would “help prevent climate change from advancing,” including by fueling ships “with low to no emissions.” But LNG is a fossil fuel that produces significant greenhouse gas emissions at all stages of its lifecycle: in addition to the underlying natural gas production, processing, and transportation, liquefaction of the natural gas to produce LNG requires cooling it to approximately -260 degrees Fahrenheit, regasification, and combustion at the ultimate end use. The greenhouse gas impacts of LNG are thus significant, such that, contrary to its messaging, Shell’s promotion of LNG to consumers is incompatible with “prevent[ing] climate change from advancing.” Shell also implies that LNG is a “renewable source,” which is factually incorrect.

### **C. BP’s Misleading and Deceptive Greenwashing Campaigns**

125. BP also has misleadingly portrayed itself as diversifying its energy portfolio and

reducing its reliance on fossil fuel sales when its alternative energy portfolio is negligible compared to the company's ever-expanding fossil fuel portfolio. To this end, BP has employed a series of misleading greenwashing advertisements, which are intended to influence consumer demand for its products, including consumers in the District.

126. BP ran its extensive "Beyond Petroleum" advertising and rebranding campaign from 2000 to 2008 and even changed its logo to a sunburst, evoking the renewable resource of the sun. BP uses the sunburst logo to advertise at its District gas stations, where consumers purchase BP's gas. The "Beyond Petroleum" advertising campaign falsely portrayed the company as heavily engaged in low-carbon energy sources and no longer investing in but rather moving "beyond" petroleum and other fossil fuels. In truth, BP invested a small percentage of its total capital expenditure during this period on alternative energy research. The vast majority of its capital expenditure was focused on fossil fuel exploration, production, refining, and marketing.

127. In 2019, BP launched an advertising campaign called "Possibilities Everywhere." These advertisements were misleading both in their portrayal of BP as heavily involved in non-fossil energy systems, including wind, solar, and electric vehicles, as well as in their portrayal of natural gas as environmentally friendly. The advertisements were targeted at DC consumers, appearing, for example, on billboards in District metropolitan area airports, as well as in media targeting and circulated to DC consumers, including on Twitter, on CNN, in Politico, and in *The Economist*.

128. One Possibilities Everywhere advertisement, called "Better fuels to power your busy life," stated:

We [] want—and need—[ ] energy to be kinder to the planet. At BP, we're working to make our energy cleaner and better. [...] At BP, we're leaving no stone unturned to provide [the] extra energy the world needs while finding new ways to produce and deliver it with

fewer emissions. [...] We're bringing solar and wind energy to homes from the US to India. We're boosting supplies of cleaner-burning natural gas. [...] More energy with fewer emissions? We see possibilities everywhere to help the world keep advancing.

The accompanying video showed a busy household while a voiceover said, "We all want more energy, but with less carbon footprint. That's why at BP we're working to make energy that's cleaner and better."

129. But BP's claim that non-fossil energy systems constitute a substantial portion of BP's business was materially false and misleading. For example, BP owns only approximately 1 gigawatt ("GW") of wind capacity, which is dwarfed by other companies including GE, Siemens, and Vestas (with about 39 GW, 26 GW, and 23 GW capacities, respectively). Overall, installed wind capacity in the United States is approximately 100 GW, meaning BP's installed capacity is a mere 1% of the market. Yet, "Blade runners," another advertisement in BP's "Possibilities Everywhere" campaign, described the company as "one of the major wind energy businesses in the US." In short, BP's relatively small wind power portfolio is materially smaller than that conveyed in the company's advertisements.

130. The same is true for BP's activities in solar energy, which consist predominantly of its purchase of a minority interest in the solar company Lightsource (rebranded Lightsource BP). The purchase price for this interest represents only 0.4% of BP's annual capital expenditure of approximately \$16 billion, nearly all of which focuses on fossil fuels. This is a far cry from BP's claim that it was "leaving no stone unturned" to find "new" ways to produce lower-emissions energy and playing a "leading role" in "advancing a low carbon future."

131. In BP's web advertisement "Rise and shine," the company nevertheless specifically touted its Lightsource partnership. "Our economics gurus believe [solar power] could account for 10% of the world's power by 2040," the ad stated, and "to help make that a reality, we've teamed

up with Europe’s largest solar company, [Lightsource BP].” The ad highlighted Lightsource BP’s 6.3 MW floating solar power station near London and Lightsource BP’s deal with Budweiser to supply renewable energy to its U.K. breweries. “Projects like these are advancing the possibilities of solar,” BP claimed, “and even rainy days can’t dampen the excitement for this fast-growing energy source. That’s because, whatever the weather, our cleaner-burning natural gas can play a supporting role to still keep your kettle ready for action.”

132. This portrayal of BP’s primary interest as solar power, with natural gas used only as a backup, is also false. BP’s investments in natural gas outstrip its solar investments by a factor of approximately one hundred or more, and only a small fraction of its natural gas products, an estimated 5% or less, are used to backup renewables. Thus, the overall impression given by the advertisements—that BP is primarily active in solar energy, with its natural gas used only for backup—is materially misleading to consumers.

133. BP likewise misleadingly described the role played by its natural gas in its “Blade runners” advertisement, in which it portrayed BP’s natural gas as both necessary to compensate for wind power’s intermittency and only used for that purpose. Both messages were false. The ad promoted natural gas as “a simple answer” to “keep the lights on when the wind stops blowing” and intones that wind without natural gas would be like “fish without chips, peanut butter without jelly, and bread without butter.” It further described how natural gas is used only on “rare still days” when the wind doesn’t blow. But natural gas is not necessary for wind power to be viable, as BP claims. In fact, battery storage could fulfill the role that BP assigns solely to natural gas. And the vast majority—more than 95%—of BP’s natural gas products are not used to back up renewables, in stark contrast to the impression given to consumers in the company’s advertisement.

134. BP's greenwashing campaign also minimized the climate impacts of natural gas. In the company's "Better fuels to power your busy life" advertisement, for example, BP promoted natural gas as "cleaner-burning," "burn[ing] 50% cleaner than coal in power generation," and providing "more energy with fewer emissions." But like Shell, BP's exclusive focus on combustion emissions was misleading because it presented only one part of the picture. By concealing important information about natural gas production and transportation emissions, BP omitted a critical aspect of natural gas's impact on the climate that DC consumers would find important. When considering a fuel's contribution to climate change, it is the total emissions over the full lifecycle that contribute to climate change, not just from one point in the supply chain.

**D. Chevron's Misleading and Deceptive Greenwashing Campaigns**

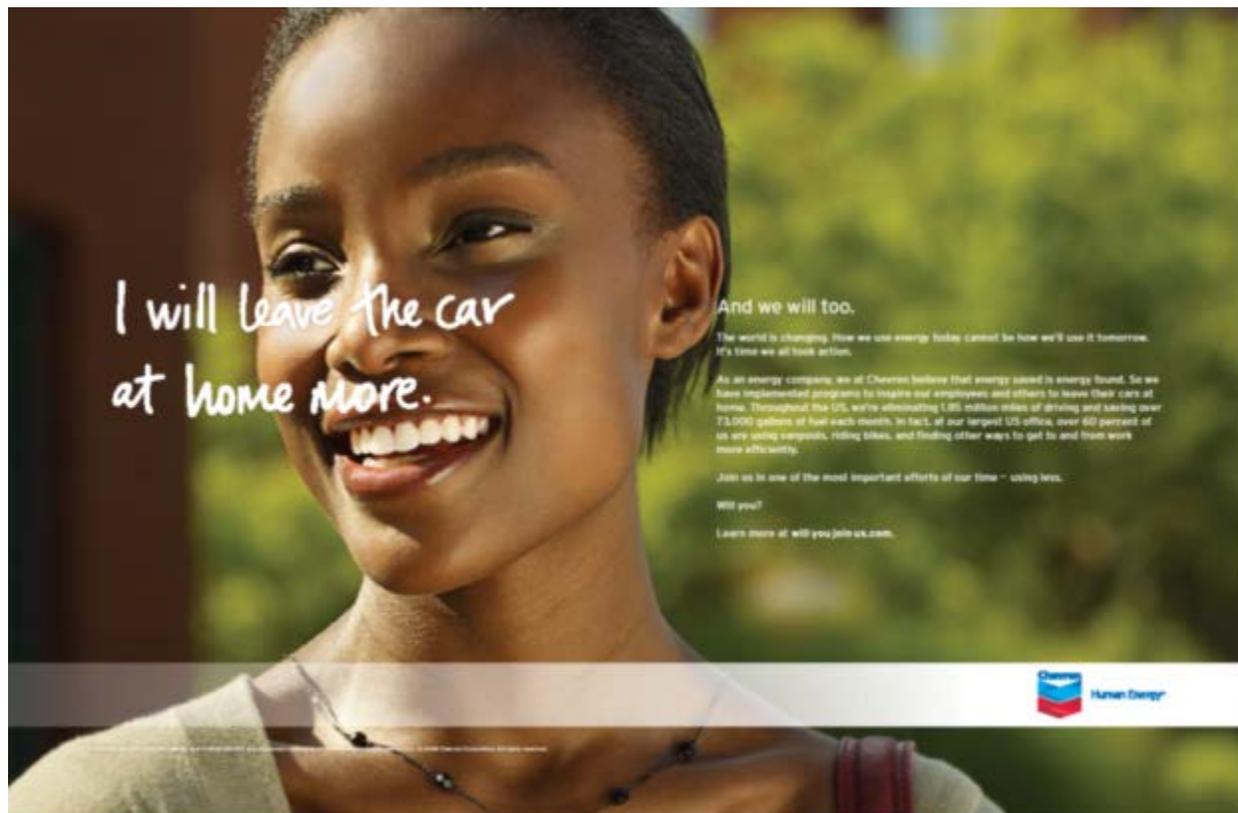
135. Chevron also engaged in greenwashing campaigns designed to deceive consumers about Chevron's products and its commitment to address climate change.

136. Chevron's 2007 "Will You Join Us?" campaign and its 2008 "I Will" campaign both misleadingly portrayed the company as a leader in renewable energy. The campaigns' advertisements, which were posted online and in public places including District Metro stations and buses, portrayed minor changes in consumer choices (e.g., changing light bulbs) as sufficient to address environmental problems such as climate change.

137. The overall thrust of the campaigns was to shift the perception of fault and responsibility for global warming to consumers and make Chevron's role and that of the broader fossil fuel industry appear small. The misleading solution promoted to consumers was not to switch away from fossil fuels, but instead to implement small changes in consumer behavior with continued reliance on fossil fuel products. By portraying greenhouse gas emissions as deriving from numerous sources in addition to fossil fuels, Chevron's ads obfuscated the fact that fossil

fuels are the primary cause of increased greenhouse gas emissions and the primary driver of climate change.

138. Misleading messages were emblazoned over images of everyday Americans, as in the example highlighted below:



*Figure 4: “Will You Join Us?” Chevron advertisement*

139. In 2010, Chevron launched an advertising campaign titled “We Agree.” The print, internet, and television ad campaign initially targeted the District and San Francisco, but ultimately expanded across the United States and internationally. For example, the ad below highlighted Chevron’s supposed commitment to the development of renewable energy, stating in large letters next to a photo of a young girl, “It’s time oil companies get behind the development of renewable energy. We agree.” The ad emphasized: “We’re not just behind renewables. We’re tackling the challenge of making them affordable and reliable on a large scale.”



Figure 5: “We Agree” Chevron advertisement

140. Chevron’s portrayal of itself as a renewable energy leader was false and misleading. In reality, only 0.2% of Chevron’s capital spending from 2010 to 2018 was in low-carbon energy sources and 99.8% was in continued fossil fuel exploration and development—a stark contrast to the message communicated to consumers through the company’s advertisements.

141. Chevron’s “We Agree” campaign also featured misleading television advertisements. In one focused on renewable energy, a teacher says, “Ok, listen. Somebody has got to get serious. We need renewable energy.” To which a Chevron environmental operations



employee responds, “At Chevron we’re investing millions in solar and biofuel technologies to make it work.”

*Figure 6: Screenshot from a Chevron television advertisement, circa 2014*

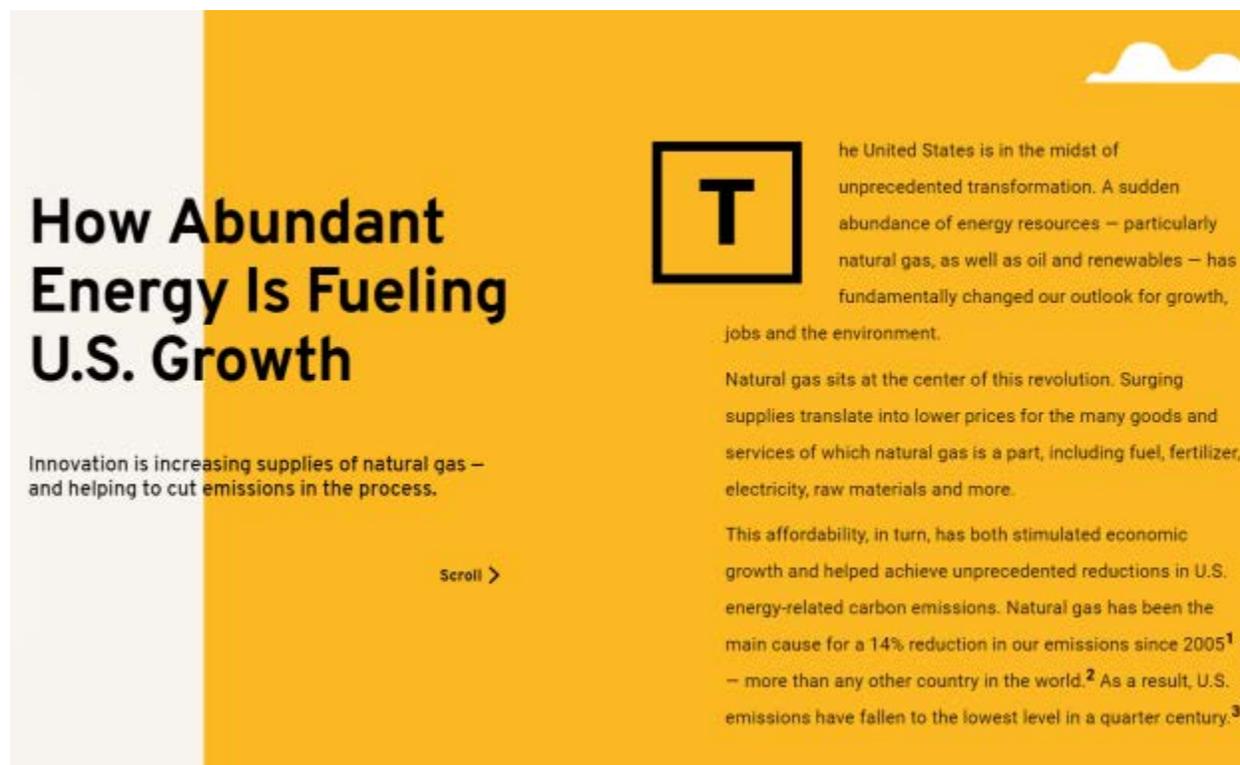
142. In reality, Chevron has continued to overwhelmingly focus on fossil fuel extraction and development, and its investment of “millions” in renewables is miniscule in comparison to its investment of billions in fossil fuels.

143. In another television ad, a farmer and Chevron employee tout the benefits of shale gas, and the employee says, “At Chevron, if we can’t do it right, we won’t do it at all.” Both close by saying in unison, “We’ve got to think long term.”

144. As an initial matter, the ad misleadingly calls shale gas “cleaner [...] energy” even though it is often not cleaner than oil or coal in terms of greenhouse gas emissions when both carbon dioxide and methane are taken into account. Additionally, the ad implies that Chevron will forego shale gas projects that it cannot do “right” (presumably, meaning in a sustainable and environmentally friendly way), even though there is no evidence that Chevron voluntarily forewent or shut down gas production projects that, for example, had high methane leakage rates. The ad further misrepresented to consumers that expanding shale gas production was the “right thing” and represented “long term” thinking, even though shale gas has damaging long-term effects on global warming.

145. A 2019 Chevron advertisement currently available on the *New York Times* website similarly touts the supposed benefits of expanded natural gas production for “unprecedented reductions in U.S. energy-related carbon emissions.” But this statement is misleading because the reference to “emissions” relies on studies that measure only CO<sub>2</sub> and ignore other important

greenhouse gases, including methane, thereby painting an inaccurate and incomplete picture of natural gas's climate impacts.



*Figure 7: Excerpt from Chevron advertisement in the New York Times.*

**IX. Defendants Also Made Misleading Claims About Specific “Green” or “Greener” Fossil Fuel Products.**

146. Defendants also have engaged in extensive and highly misleading marketing efforts aimed at promoting certain of their fossil fuel products as “green” and environmentally beneficial.

147. Defendants’ advertising and promotional materials fail to disclose the extreme safety risk associated with the use of fossil fuel products, which are causing “catastrophic” climate change, as understood by Defendants for decades. Defendants continue to omit that important information to this day, consistent with their goal of maintaining consumer demand for their fossil fuel products despite the risks they pose for the planet and its people.

148. Defendants misleadingly represent that consumer use of certain fossil fuel products actually helps customers reduce emissions and gain increased fuel economy. But hyping relative

climate and “green” benefits while concealing the dangerous effects of continued high rates of fossil fuel use creates an overall misleading picture that hides the dire climate impacts resulting from normal consumer use of Defendants’ fossil fuel products. Contrary to Defendants’ green claims, the development, production, refining, and consumer use of Defendants’ fossil fuel products (even products that may yield relatively more efficient engine performance) *increase* greenhouse gas emissions to the detriment of public health and consumer welfare.

149. In the promotion of these and other fossil fuel products, including at their branded gas stations in the District, Defendants fail to disclose the fact that fossil fuels are a leading cause of climate change and that current levels of fossil fuel use—even purportedly “cleaner” or more efficient products—represent a direct threat to District residents and the environment. Defendants’ omissions in this regard are consistent with their goal of influencing consumer demand for their fossil fuel products through greenwashing. Defendants also fail to require their vendors and third-party retail outlets to disclose facts pertaining to the impact the consumption of fossil fuels and their “cleaner” alternatives have on climate change when selling Defendants’ products.

150. Defendants’ marketing of these fossil fuel products to DC consumers as “safe,” “clean,” emissions-reducing,” and impliedly beneficial to the climate—when production and use of such products is the leading cause of climate change—is reminiscent of the tobacco industry’s effort to promote “low-tar” and “light” cigarettes as an alternative to quitting smoking after the public became aware of the life-threatening health harms associated with smoking.

151. Defendants’ product promotions are positioned to reassure consumers that purchase and use of their products is beneficial in addressing climate change, when in truth, continued use of such fossil fuels is extremely harmful, just as the tobacco companies’ misleadingly promoted

“low tar” and “light” cigarettes as a healthier, less harmful choice, when the tobacco companies knew any use of cigarettes was harmful.

152. As with tobacco companies’ misleading use of scientific and engineering terms in advertising to enhance the credibility of their representations, Defendants’ promotional materials for their fossil fuel products also misleadingly invoke similar terminology to falsely convey to DC consumers that the use of these products benefits the environment. For example, Exxon’s advertisements of its Synergy™ and “green” Mobil 1™ products similarly reference “meticulous[] engineer[ing],” “breakthrough technology,” “rigorously tested in the lab,” “proprietary formulation,” “test data,” “engineers,” “innovat[ion],” and the claim that “Scientists Deliver [] Unexpected Solution[s].”

153. As with the tobacco companies’ use of scientific terms to promote “light” cigarettes, Defendants’ claim that its purportedly high-tech new fossil fuel products help consumers reduce emissions renders their promotional materials misleading, because they seek to convey—with the imprimatur of scientific credibility—an overall message that is false, and contradicted by Defendants’ own decades-old internal knowledge regarding the dangers of fossil fuel use.

154. In addition, at the same time Defendants have been actively promoting their “greener” gasoline products at District gas stations and on their company websites, Defendants have been massively expanding fossil fuel production and increasing emissions. If consumers understood the full degree to which Defendants’ products contributed to climate change and that Defendants had not in fact materially invested in alternative energy sources or were otherwise environmentally cautious, they likely would have acted differently, e.g., by not purchasing Defendants’ products or purchasing less of them.

155. Below are a selection of Defendants' fossil fuel products that they currently advertise to DC consumers as environmentally beneficial, while simultaneously omitting any mention of the products' role in causing catastrophic climate change. These advertisements are representative of other advertisements and public communications, all of which are consistent with Defendants' greenwashing strategy to influence consumer demand for their products by misleading consumers to believe Defendants invest materially in and support the development of alternative energy sources and that Defendants' fossil fuel products will help consumers reduce emissions.

156. **Exxon Synergy™ Fuels**

a. In July 2016, ExxonMobil began to supply and market its Synergy™ fuel, including at the Exxon-branded gas stations in the District.

b. All gasoline sold at Exxon-branded stations in the District has received the Exxon Synergy additive, and therefore constitutes Exxon Synergy™ fuel.

c. In its advertisements for its Synergy fuel, including in labelling on gasoline pumps at Exxon-branded gas stations in the District, which Exxon controls, Exxon claims that the fuel will “take you further,” and contains more detergents than required by the Environmental Protection Agency, earning it the so-called “Top Tier” certification.

d. Similarly, Exxon advertises its Synergy Diesel Efficient fuel as the “latest breakthrough technology” and the “first diesel fuel widely available in the US” that helps “increase fuel economy” and “[r]educe emissions and burn cleaner,” and “was created to let you drive cleaner, smarter and longer.”

e. Exxon recently began offering a new Synergy product, “Synergy Supreme+,” targeted to purchasers of so-called “premium” gasoline, including DC consumers. The messaging

for this product represents that Synergy Supreme+ is “Our Best Fuel Ever,” and “2X cleaner for better gas mileage.” According to Exxon, Synergy Supreme+ will enhance vehicle fuel economy in newer engines designed to meet tougher vehicle emissions standards.

f. In its advertising to consumers, Exxon emphasizes the “cleanness” and fuel efficiency benefits of its Synergy fossil fuel products, which are misleading without mention of the key role fossil fuels play in causing climate change.

**157. Exxon “Green” Mobil 1™ Motor Oil**

a. In addition to Synergy™ fuels, Exxon misleadingly promotes “green” Mobil 1™ motor oil to DC consumers as an environmentally friendly product with low environmental impact.

b. ExxonMobil “green” Mobil 1™ is a synthetic oil used for engine lubrication. Synthetic oils are typically extracted from petroleum, including crude oil and its byproducts.

c. Exxon also publishes online content under the banner “Energy Factor,” wherein Exxon claims that it is “develop[ing] safe and reliable energy sources for the future.” The Energy Factor webpage includes posts such as “Green Motor Oil? ExxonMobil Scientists Deliver an Unexpected Solution,” in which Exxon promotes its green-colored motor oil, with a heading in bold typeface advertising that it can “contribute to . . . carbon dioxide emission-reduction efforts.”

d. Exxon also produced a commercial that aired nationally, including to DC consumers, promoting its “green” Mobil 1 oil, which touts Mobil 1 as the “technology of tomorrow,” and “so advanced it can help advance engine performance and improve fuel economy,” all the while showing the flowing green motor oil.

e. These representations are misleading because they emphasize the fossil fuel product’s supposed environmentally beneficial qualities without disclosing the key role fossil fuels play in causing climate change.

158. **Shell Nitrogen Enriched Cleaning System and Shell V-Power NITRO+**

**Premium**

a. All grades of Shell gasoline sold in the District have the Shell Nitrogen Enriched Cleaning System, and Shell introduced a line for its premium-grade gasoline called V-Power Nitro+ Premium.

b. Shell advertises on its website that these fuels “produce[] fewer emissions” and that not using them can lead to “higher emissions.”

c. This representation is misleading because it emphasizes the fuels’ supposedly environmentally beneficial qualities without disclosing the key role fossil fuels play in causing climate change.

159. **BP Invigorate Fuels**

a. All grades of BP gasoline sold in the District have Invigorate, an additive that BP describes on its website as better than “ordinary fuels” that have problems like “increased emissions.”

b. BP’s website advertises its fuel selection as “including a growing number of lower-carbon and carbon-neutral products.”

c. These representations are misleading because they omit any mention of the products’ role in causing catastrophic climate change. Additionally, they seek to influence consumer demand for their products by misleading DC consumers to believe BP invests materially in low-carbon energy products and that BP’s fossil fuel products will help consumers reduce emissions.

160. **Chevron With Techron**

a. All grades of Chevron and/or Texaco gasoline sold in the District since at least 1995 have contained the additive Techron.

b. Chevron advertises its Techron fuel with claims that emphasize its supposed positive environmental qualities, such as: “less is more,” “minimizing emissions,” and “up to 50% cleaner.”

c. In a Q and A on Chevron’s website, one question says, “I care for the environment. Does Techron impact my car’s emissions?” Chevron answers that “[g]asolines with Techron” clean up carburetors, fuel injectors, and intake valves, “giving you reduced emissions.”

d. These representations are misleading because they emphasize the products’ supposed environmentally beneficial qualities without disclosing the key role fossil fuels play in causing climate change.

**X. Information Regarding the Role of Defendants’ Fossil Fuel Products in Causing the Climate Crisis Is Material to Consumers’ Purchasing Decisions.**

161. Consumer use of fossil fuel products, particularly by driving gasoline-powered cars and other vehicles, is a significant contributor to climate change.

162. However, as a result of Defendants’ sustained and widespread campaign of disinformation, many DC consumers have been unaware of the magnitude of the threat posed by their use of fossil fuels, or of the relationship between their purchasing behavior and climate change.

163. By misleading DC consumers about the climate impacts of using fossil fuel products, even to the point of claiming that certain of their products may benefit the environment, and by failing to disclose to consumers the climate risks associated with their purchase and use of those products, Defendants have deprived and are continuing to deprive consumers of information

about the consequences of their purchasing decisions—information Defendants know influences both public perception of their products and consumer purchasing behavior.

164. In addition to Defendants misleading DC consumers by affirmatively misrepresenting the state of their and the scientific community's knowledge of climate change and by failing to disclose the dangerous effects of using their products, Defendants have sought to mislead consumers, and induce purchases and brand affinity, with greenwashing advertisements designed to represent Defendants as environmentally responsible companies developing innovative green technologies and products. In reality, Defendants' investment in renewable energy sources is miniscule and their business models continue to center on developing, producing, and selling more of the very same fossil fuel products driving climate change.

165. Knowledge of the risks associated with the routine use of fossil fuel products is material to consumers' decisions to purchase and use those products.

166. As in the case of cigarettes, history demonstrates that when consumers are made aware of the harmful effects or qualities of the products they purchase, they often choose not to purchase them, to reduce their purchases, or to make different purchasing decisions. This phenomenon holds especially true when products have been shown to harm public health or the environment. For example, increased consumer awareness of the role of pesticides in harming human health, worker health, and the environment has spurred a growing market for food grown organically and without the use of pesticides. With access to information about how their food is grown, consumers have demanded healthier choices, and the market has responded.

167. There are now various local government initiatives to require climate change warning labels on gasoline pumps based on the principle that consumers will change their purchasing decisions when they have direct access to accurate information about the connection

between their consumption of fossil fuels and climate change. Similar to health warnings on tobacco products, which aim to educate consumers and thereby reduce public health risks, governments recognize that fossil fuel warning labels that accurately relay risk can educate consumers and thereby reduce the risks and costs associated with climate change.

168. For example, a consumer who received accurate information that fossil fuel use was a primary driver of climate change and the resultant dangers to the environment and people might purchase less fossil fuel products, or decide to buy none at all. Consumers might opt to avoid or combine car travel trips; carpool; switch to more fuel-efficient vehicles, hybrid vehicles, or electric vehicles; use a car-sharing service; seek transportation alternatives all or some of the time, if available (e.g., public transportation, biking, or walking); or adopt any combination of these choices. In addition, informed consumers contribute toward solving environmental problems by supporting companies that they perceive to be developing “green” or more environmentally friendly products.

**COUNT 1**  
**VIOLATIONS OF THE**  
**D.C. CONSUMER PROTECTION PROCEDURES ACT**  
**D.C. Code §§ 28-3901 et seq.**  
**(Against Exxon Mobil Corporation and ExxonMobil Oil Corporation)**

169. The District realleges each and every allegation contained above, as though set forth herein in full.

170. The D.C. Consumer Protection Procedures Act (“CPPA”) is a remedial statute that is to be broadly construed. It establishes an enforceable right to truthful information from merchants about consumer goods and services that are or would be purchased, leased, or received in the District of Columbia.

171. Defendant Exxon is a “merchant” within the meaning of the CPPA because it sells, directly and indirectly, consumer goods and services in the ordinary course of business. D.C. Code § 28-3901(a)(3). In addition, Exxon is a merchant because it is connected with the supply side of consumer transactions.

172. Exxon markets and sells consumer goods and services in the form of fuel, motor oil, and other fossil fuel-related services. *Id.* § 28-3901(a)(2)(A). Exxon markets and sells these products to DC consumers for personal, household, or family purposes, making Exxon’s products consumer goods. *Id.* § 28-3901(a)(2)(B).

173. The CPPA prohibits unfair and deceptive trade practices in connection with the offer, sale, and supply of consumer goods and services. *Id.* § 28-3904.

174. Exxon has violated D.C. Code § 28-3904 by engaging in a number of deceptive acts and practices in its marketing, promotion, and sale of fossil fuel products, including:

- a. Exxon deceptively worked to influence consumer demand for its fossil fuel products through a long-term advertising and communications campaign centered on climate change denialism. In connection with this campaign, Exxon affirmatively misrepresented, and made material omissions about, the scientific understanding of the dangerous consequences of burning fossil fuels and increasing atmospheric concentrations of greenhouse gases, by claiming scientific uncertainty despite the scientific consensus on anthropogenic global warming. Exxon did this despite its knowledge of the scientific consensus and despite knowing that burning fossil fuels would have significant negative consequences for the environment. Exxon made these misstatements and omissions directly through its decades-long campaign of advertorial advertisements in major national newspapers circulated to

District customers and in other media, as well as through coordinated messaging by industry front groups, which Exxon funded, controlled, and directly participated in. By concealing and misrepresenting the scientific understanding of the consequences of burning fossil fuels and increasing atmospheric concentrations of greenhouse gases, Exxon failed to state and/or misrepresented material facts, which had a tendency to mislead consumers. *Id.* § 28-3904(e) & (f).

b. As public concern over global warming mounted, Exxon deceitfully represented itself as a leader in renewable energy and made misleading or incomplete claims about the steps it has taken to reduce its overall carbon footprint as well as misrepresented or made incomplete claims about its investment practices and expansion in fossil fuel production. In so doing, Exxon failed to state and/or misrepresented material facts that tended to mislead consumers regarding its commitment to environmental sustainability. *Id.* § 28-3904(e) & (f). By falsely representing that it operated a diversified energy portfolio with meaningful renewable and low-carbon fuel components, Exxon falsely represented that its goods had characteristics and benefits that they do not in fact possess. *Id.* § 28-3904(a).

c. Exxon has aggressively marketed its consumer fossil fuel products, including at the point of sale at Exxon-branded gasoline stations in the District, with misleading representations about the products' environmental benefits, and also has failed to adequately disclose the known risks of burning fossil fuels, in a manner that tended to mislead consumers. *Id.* § 28-3904(e) & (f).

175. Exxon's false and misleading misrepresentations and omissions are material because they are capable of influencing a consumer's decision to purchase Exxon's fossil fuel products, have the capacity to affect consumer energy, transportation, and consumption choices, and deter consumers from adopting cleaner, safer alternatives to Exxon's fossil fuel products.

**COUNT 2**  
**VIOLATIONS OF THE**  
**D.C. CONSUMER PROTECTION PROCEDURES ACT**  
**D.C. Code §§ 28-3901 *et seq.***  
**(Against Royal Dutch Shell PLC and Shell Oil Company)**

176. The District realleges each and every allegation contained above, as though set forth herein in full.

177. The D.C. Consumer Protection Procedures Act ("CPPA") is a remedial statute that is to be broadly construed. It establishes an enforceable right to truthful information from merchants about consumer goods and services that are or would be purchased, leased, or received in the District of Columbia.

178. Defendant Shell is a "merchant" within the meaning of the CPPA because it sells, directly and indirectly, consumer goods and services in the ordinary course of business. D.C. Code § 28-3901(a)(3). In addition, Shell is a merchant because it is connected with the supply side of consumer transactions.

179. Shell markets and sells consumer goods and services in the form of fuel, motor oil, and other fossil fuel-related services. *Id.* § 28-3901(a)(2)(A). Shell markets and sells these products to DC consumers for personal, household, or family purposes, making Shell's products consumer goods. *Id.* § 28-3901(a)(2)(B).

180. The CPPA prohibits unfair and deceptive trade practices in connection with the offer, sale, and supply of consumer goods and services. *Id.* § 28-3904.

181. Shell has violated D.C. Code § 28-3904 by engaging in a number of deceptive acts and practices in its marketing, promotion, and sale of fossil fuel products, including:

- a. Shell deceptively worked to influence consumer demand for its fossil fuel products through a long-term advertising and communications campaign centered on climate change denialism. In connection with this campaign, Shell affirmatively misrepresented, and made material omissions about, the scientific understanding of the dangerous consequences of burning fossil fuels and increasing atmospheric concentrations of greenhouse gases, including by claiming scientific uncertainty despite the scientific consensus on anthropogenic global warming. Shell made these misstatements and omissions both directly in media circulated to District customers, as well as through coordinated messaging by industry front groups, which Shell funded, controlled, and directly participated in. By concealing and misrepresenting the scientific understanding of the consequences of burning fossil fuels and increasing atmospheric concentrations of greenhouse gases, Shell failed to state and/or misrepresented material facts, which had a tendency to mislead consumers. *Id.* § 28-3904(e) & (f).
- b. As public concern over global warming mounted, Shell deceitfully represented itself as a leader in renewable energy and made misleading or incomplete claims about the steps it has taken to reduce its overall carbon footprint as well as misrepresented or made incomplete claims about its investment practices and expansion in fossil fuel production. In so doing, Shell failed to state and/or misrepresented material facts that tended to mislead consumers regarding its commitment to environmental sustainability. *Id.* § 28-3904(e) & (f). By falsely

representing that it operated a diversified energy portfolio with meaningful renewable and low-carbon fuel components, Shell falsely represented that its goods had characteristics and benefits that they do not in fact possess. *Id.* § 28-3904(a).

- c. Shell has aggressively marketed its consumer fossil fuel products, including at the point of sale at Shell-branded gasoline stations in the District, with misleading representations about the products' environmental benefits, and also has failed to adequately disclose the known risks of burning fossil fuels, in a manner that tended to mislead consumers. *Id.* § 28-3904(e) & (f).

182. Shell's false and misleading misrepresentations and omissions are material because they are capable of influencing a consumer's decision to purchase Shell's fossil fuel products, have the capacity to affect consumer energy, transportation, and consumption choices, and deter consumers from adopting cleaner, safer alternatives to Shell's fossil fuel products.

**COUNT 3**  
**VIOLATIONS OF THE**  
**D.C. CONSUMER PROTECTION PROCEDURES ACT**  
**D.C. Code §§ 28-3901 *et seq.***  
**(Against BP P.L.C. and BP America Inc.)**

183. The District realleges each and every allegation contained above, as though set forth herein in full.

184. The D.C. Consumer Protection Procedures Act ("CPPA") is a remedial statute that is to be broadly construed. It establishes an enforceable right to truthful information from merchants about consumer goods and services that are or would be purchased, leased, or received in the District of Columbia.

185. Defendant BP is a "merchant" within the meaning of the CPPA because it sells, directly and indirectly, consumer goods and services in the ordinary course of business. D.C. Code

§ 28-3901(a)(3). In addition, BP is a merchant because it is connected with the supply side of consumer transactions.

186. BP markets and sells consumer goods and services in the form of fuel, motor oil, and other fossil fuel-related services. *Id.* § 28-3901(a)(2)(A). BP markets and sells these products to DC consumers for personal, household, or family purposes, making BP's products consumer goods. *Id.* § 28-3901(a)(2)(B).

187. The CPPA prohibits unfair and deceptive trade practices in connection with the offer, sale, and supply of consumer goods and services. *Id.* § 28-3904.

188. BP has violated D.C. Code § 28-3904 by engaging in a number of deceptive acts and practices in its marketing, promotion, and sale of fossil fuel products, including:

- a. BP deceptively worked to influence consumer demand for its fossil fuel products through a long-term advertising and communications campaign centered on climate change denialism. In connection with this campaign, BP affirmatively misrepresented, and made material omissions about, the scientific understanding of the dangerous consequences of burning fossil fuels and increasing atmospheric concentrations of greenhouse gases, by claiming scientific uncertainty despite the scientific consensus on anthropogenic global warming. BP did this despite its knowledge of the scientific consensus and despite knowing that burning fossil fuels would have significant negative consequences for the environment. BP made these misstatements and omissions through coordinated messaging by industry front groups, which BP funded, controlled, and directly participated in. By concealing and misrepresenting the scientific understanding of the consequences of burning fossil fuels and increasing atmospheric concentrations of greenhouse gases, BP

failed to state and/or misrepresented material facts, which had a tendency to mislead consumers. *Id.* § 28-3904(e) & (f).

- b. As public concern over global warming mounted, BP deceitfully represented itself as a leader in renewable energy and made misleading or incomplete claims about the steps it has taken to reduce its overall carbon footprint as well as misrepresented or made incomplete claims about its investment practices and expansion in fossil fuel production. In so doing, BP failed to state and/or misrepresented material facts that tended to mislead consumers regarding its commitment to environmental sustainability. *Id.* § 28-3904(e) & (f). By falsely representing that it operated a diversified energy portfolio with meaningful renewable and low-carbon fuel components, BP falsely represented that its goods had characteristics and benefits that they do not in fact possess. *Id.* § 28-3904(a).
- c. BP has aggressively marketed its consumer fossil fuel products, including at the point of sale at BP-branded gasoline stations in the District, with misleading representations about the products' environmental benefits, and also has failed to adequately disclose the known risks of burning fossil fuels, in a manner that tended to mislead consumers. *Id.* § 28-3904(e) & (f).

189. BP's false and misleading misrepresentations and omissions are material because they are capable of influencing a consumer's decision to purchase BP's fossil fuel products, have the capacity to affect consumer energy, transportation, and consumption choices, and deter consumers from adopting cleaner, safer alternatives to BP's fossil fuel products.

**COUNT 4**  
**VIOLATIONS OF THE**  
**D.C. CONSUMER PROTECTION PROCEDURES ACT**  
**D.C. Code §§ 28-3901 *et seq.***  
**(Against Chevron Corporation and Chevron USA, Inc.)**

190. The District realleges each and every allegation contained above, as though set forth herein in full.

191. The D.C. Consumer Protection Procedures Act (“CPPA”) is a remedial statute that is to be broadly construed. It establishes an enforceable right to truthful information from merchants about consumer goods and services that are or would be purchased, leased, or received in the District of Columbia.

192. Defendant Chevron is a “merchant” within the meaning of the CPPA because it sells, directly and indirectly, consumer goods and services in the ordinary course of business. D.C. Code § 28-3901(a)(3). In addition, Chevron is a merchant because it is connected with the supply side of consumer transactions.

193. Chevron markets and sells consumer goods and services in the form of fuel, motor oil, and other fossil fuel-related services. *Id.* § 28-3901(a)(2)(A). Chevron markets and sells these products to DC consumers for personal, household, or family purposes, making Chevron’s products consumer goods. *Id.* § 28-3901(a)(2)(B).

194. The CPPA prohibits unfair and deceptive trade practices in connection with the offer, sale, and supply of consumer goods and services. *Id.* § 28-3904.

195. Chevron has violated D.C. Code § 28-3904 by engaging in a number of deceptive acts and practices in its marketing, promotion, and sale of fossil fuel products, including:

- a. Chevron deceptively worked to influence consumer demand for its fossil fuel products through a long-term advertising and communications campaign centered

on climate change denialism. In connection with this campaign, Chevron affirmatively misrepresented, and made material omissions about, the scientific understanding of the dangerous consequences of burning fossil fuels and increasing atmospheric concentrations of greenhouse gases, by claiming scientific uncertainty despite the scientific consensus on anthropogenic global warming. Chevron did this despite its knowledge of the scientific consensus and despite knowing that burning fossil fuels would have significant negative consequences for the environment. Chevron made these misstatements and omissions through coordinated messaging by industry front groups, which Chevron funded, controlled, and directly participated in. By concealing and misrepresenting the scientific understanding of the consequences of burning fossil fuels and increasing atmospheric concentrations of greenhouse gases, Chevron failed to state and/or misrepresented material facts, which had a tendency to mislead consumers. *Id.* § 28-3904(e) & (f).

b. As public concern over global warming mounted, Chevron deceitfully represented itself as a leader in renewable energy and made misleading or incomplete claims about the steps it has taken to reduce its overall carbon footprint as well as misrepresented or made incomplete claims about its investment practices and expansion in fossil fuel production. In so doing, Chevron failed to state and/or misrepresented material facts that tended to mislead consumers regarding its commitment to environmental sustainability. *Id.* § 28-3904(e) & (f). By falsely representing that it operated a diversified energy portfolio with meaningful renewable and low-carbon fuel components, Chevron falsely represented that its

goods had characteristics and benefits that they do not in fact possess. *Id.* § 28-3904(a).

c. Chevron has aggressively marketed its consumer fossil fuel products, including at the point of sale at Chevron-branded gasoline stations in the District, with misleading representations about the products' environmental benefits, and also has failed to adequately disclose the known risks of burning fossil fuels, in a manner that tended to mislead consumers. *Id.* § 28-3904(e) & (f).

196. Chevron's false and misleading misrepresentations and omissions are material because they are capable of influencing a consumer's decision to purchase Chevron's fossil fuel products, have the capacity to affect consumer energy, transportation, and consumption choices, and deter consumers from adopting cleaner, safer alternatives to Chevron's fossil fuel products.

## **XI. Jury Demand**

197. The District of Columbia demands a trial by jury by the maximum number of jurors permitted by law.

## **XII. Prayer For Relief**

WHEREFORE, the District of Columbia respectfully requests this Court enter a judgment in its favor and grant relief against Defendants as follows:

- a. Permanently enjoin Defendants, pursuant to D.C. Code § 28-3909(a), from violating the CPPA;
- b. Order Defendants to pay restitution or damages pursuant to D.C. Code § 28-3909(a);
- c. Award civil penalties in an amount to be proven at trial and as authorized per violation of the CPPA pursuant to D.C. Code § 28-3909(b); and

- d. Award the District the costs of this action and reasonable attorney's fees pursuant to D.C. Code § 28-3909(b); and grant such further relief as the Court deems just and proper.

Respectfully Submitted,

Dated: June 25, 2020

**KARL A. RACINE**  
**Attorney General for the District of Columbia**

*/s/ Kathleen Konopka*

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District of Columbia

\_\_\_\_\_  
 Plaintiff

vs.

Case Number \_\_\_\_\_

Exxon Mobil Corp.

\_\_\_\_\_  
 Defendant

**SUMMONS**

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty one (21) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Suite 5000 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within seven (7) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

Hassan A. Zavareei

*Clerk of the Court*

\_\_\_\_\_  
 Name of Plaintiff's Attorney

Tycko & Zavareei LLP

By \_\_\_\_\_

Address

Deputy Clerk

1828 L St. NW, Suite 1000, Washington, DC 20036

(202) 973-0900

Date \_\_\_\_\_

Telephone

如需翻译,请打电话 (202) 879-4828

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**TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA**  
**DIVISIÓN CIVIL**  
**Sección de Acciones Civiles**  
**500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001**  
**Teléfono: (202) 879-1133 Sitio web: www.dccourts.gov**

District of Columbia

Demandante

contra

Número de Caso: \_\_\_\_\_

Exxon Mobil Corp.

Demandado

**CITATORIO**

Al susodicho Demandado:

Por la presente se le cita a comparecer y se le requiere entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veintiún (21) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días, contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.

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Hassan A. Zavareei

*SECRETARIO DEL TRIBUNAL*

Nombre del abogado del Demandante

Tycko & Zavareei LLP

Por: \_\_\_\_\_

Dirección

Subsecretario

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**500 Indiana Avenue, N.W., Suite 5000 Washington, D.C. 20001**  
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District of Columbia

\_\_\_\_\_  
 Plaintiff

vs.

Case Number \_\_\_\_\_

\_\_\_\_\_  
 ExxonMobil Oil Corporation

\_\_\_\_\_  
 Defendant

**SUMMONS**

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Hassan A. Zavareei

*Clerk of the Court*

\_\_\_\_\_  
 Name of Plaintiff's Attorney

Tycko & Zavareei LLP

By \_\_\_\_\_

Address

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District of Columbia

Demandante

contra

Número de Caso: \_\_\_\_\_

ExxonMobil Oil Corporation

Demandado

**CITATORIO**

Al susodicho Demandado:

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Hassan A. Zavareei

*SECRETARIO DEL TRIBUNAL*

Nombre del abogado del Demandante

Tycko & Zavareei LLP

Por: \_\_\_\_\_

Dirección

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District of Columbia

\_\_\_\_\_  
 Plaintiff

vs.

Case Number \_\_\_\_\_

Royal Dutch Shell PLC

\_\_\_\_\_  
 Defendant

**SUMMONS**

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Hassan A. Zavareei

*Clerk of the Court*

\_\_\_\_\_  
 Name of Plaintiff's Attorney

Tycko & Zavareei LLP

By \_\_\_\_\_

Address

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District of Columbia

Demandante

contra

Número de Caso: \_\_\_\_\_

Royal Dutch Shell PLC

Demandado

**CITATORIO**

Al susodicho Demandado:

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Hassan A. Zavareei

*SECRETARIO DEL TRIBUNAL*

Nombre del abogado del Demandante

Tycko & Zavareei LLP

Por: \_\_\_\_\_

Dirección

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**Telephone: (202) 879-1133 Website: www.dccourts.gov**

District of Columbia

\_\_\_\_\_  
 Plaintiff

vs.

Case Number \_\_\_\_\_

Shell Oil Company

\_\_\_\_\_  
 Defendant

**SUMMONS**

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty one (21) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

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Hassan A. Zavareei

*Clerk of the Court*

\_\_\_\_\_  
 Name of Plaintiff's Attorney

Tycko & Zavareei LLP

By \_\_\_\_\_

Address

Deputy Clerk

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District of Columbia

Demandante

contra

Número de Caso: \_\_\_\_\_

Shell Oil Company

Demandado

**CITATORIO**

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Hassan A. Zavareei

*SECRETARIO DEL TRIBUNAL*

Nombre del abogado del Demandante

Tycko & Zavareei LLP

Por: \_\_\_\_\_

Dirección

Subsecretario

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Fecha \_\_\_\_\_

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**Superior Court of the District of Columbia**  
**CIVIL DIVISION**  
**Civil Actions Branch**  
**500 Indiana Avenue, N.W., Suite 5000 Washington, D.C. 20001**  
**Telephone: (202) 879-1133 Website: www.dccourts.gov**

District of Columbia

\_\_\_\_\_  
 Plaintiff

vs.

Case Number \_\_\_\_\_

BP P.L.C.

\_\_\_\_\_  
 Defendant

**SUMMONS**

To the above named Defendant:

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Hassan A. Zavareei

*Clerk of the Court*

\_\_\_\_\_  
 Name of Plaintiff's Attorney

Tycko & Zavareei LLP

By \_\_\_\_\_

Address

Deputy Clerk

1828 L St. NW, Suite 1000, Washington, DC 20036

(202) 973-0900

Date \_\_\_\_\_

Telephone

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**DIVISIÓN CIVIL**  
**Sección de Acciones Civiles**  
**500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001**  
**Teléfono: (202) 879-1133 Sitio web: www.dccourts.gov**

District of Columbia

Demandante

contra

Número de Caso: \_\_\_\_\_

BP P.L.C.

Demandado

**CITATORIO**

Al susodicho Demandado:

Por la presente se le cita a comparecer y se le requiere entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veintiún (21) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días, contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.

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Hassan A. Zavareei

*SECRETARIO DEL TRIBUNAL*

Nombre del abogado del Demandante

Tycko & Zavareei LLP

Por: \_\_\_\_\_

Dirección

Subsecretario

1828 L St. NW, Suite 1000, Washington, DC 20036

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District of Columbia

\_\_\_\_\_  
 Plaintiff

vs.

Case Number \_\_\_\_\_

BP America Inc.

\_\_\_\_\_  
 Defendant

**SUMMONS**

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty one (21) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

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Hassan A. Zavareei

*Clerk of the Court*

\_\_\_\_\_  
 Name of Plaintiff's Attorney

Tycko & Zavareei LLP

By \_\_\_\_\_

Address

Deputy Clerk

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(202) 973-0900

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District of Columbia

Demandante

contra

Número de Caso: \_\_\_\_\_

BP America, Inc.

Demandado

**CITATORIO**

Al susodicho Demandado:

Por la presente se le cita a comparecer y se le requiere entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veintiún (21) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días, contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.

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Hassan A. Zavareei

*SECRETARIO DEL TRIBUNAL*

Nombre del abogado del Demandante

Tycko & Zavareei LLP

Por: \_\_\_\_\_

Dirección

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District of Columbia

\_\_\_\_\_  
 Plaintiff

vs.

Case Number \_\_\_\_\_

Chevron Corp.

\_\_\_\_\_  
 Defendant

**SUMMONS**

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Hassan A. Zavareei

*Clerk of the Court*

\_\_\_\_\_  
 Name of Plaintiff's Attorney

Tycko & Zavareei LLP

By \_\_\_\_\_

Address

Deputy Clerk

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District of Columbia

Demandante

contra

Número de Caso: \_\_\_\_\_

Chevron Corp.

Demandado

**CITATORIO**

Al susodicho Demandado:

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Hassan A. Zavareei

*SECRETARIO DEL TRIBUNAL*

Nombre del abogado del Demandante

Tycko & Zavareei LLP

Por: \_\_\_\_\_

Dirección

Subsecretario

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District of Columbia

\_\_\_\_\_  
 Plaintiff

vs.

Case Number \_\_\_\_\_

Chevron U.S.A., Inc.

\_\_\_\_\_  
 Defendant

**SUMMONS**

To the above named Defendant:

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Hassan A. Zavareei

*Clerk of the Court*

\_\_\_\_\_  
 Name of Plaintiff's Attorney

Tycko & Zavareei LLP

By \_\_\_\_\_

Address

Deputy Clerk

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Đề có một bản dịch, hãy gọi (202) 879-4828

번역을 원하시면, (202) 879-4828로 전화주세요. የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

**IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT. IF THIS OCCURS, YOUR WAGES MAY BE ATTACHED OR WITHHELD OR PERSONAL PROPERTY OR REAL ESTATE YOU OWN MAY BE TAKEN AND SOLD TO PAY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS ACTION, DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.**

If you wish to talk to a lawyer and feel that you cannot afford to pay a fee to a lawyer, promptly contact one of the offices of the Legal Aid Society (202-628-1161) or the Neighborhood Legal Services (202-279-5100) for help or come to Suite 5000 at 500 Indiana Avenue, N.W., for more information concerning places where you may ask for such help.

See reverse side for Spanish translation  
 Veá al dorso la traducción al español



**TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA**  
**DIVISIÓN CIVIL**  
**Sección de Acciones Civiles**  
**500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001**  
**Teléfono: (202) 879-1133 Sitio web: www.dccourts.gov**

District of Columbia

Demandante

contra

Número de Caso: \_\_\_\_\_

Chevron U.S.A., Inc.

Demandado

**CITATORIO**

Al susodicho Demandado:

Por la presente se le cita a comparecer y se le requiere entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veintiún (21) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días, contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.

A usted también se le requiere presentar la Contestación original al Tribunal en la Oficina 5000, sito en 500 Indiana Avenue, N.W., entre las 8:30 a.m. y 5:00 p.m., de lunes a viernes o entre las 9:00 a.m. y las 12:00 del mediodía los sábados. Usted puede presentar la Contestación original ante el Juez ya sea antes que usted le entregue al demandante una copia de la Contestación o en el plazo de siete (7) días de haberle hecho la entrega al demandante. Si usted incumple con presentar una Contestación, podría dictarse un fallo en rebeldía contra usted para que se haga efectivo el desagravio que se busca en la demanda.

Hassan A. Zavareei

*SECRETARIO DEL TRIBUNAL*

Nombre del abogado del Demandante

Tycko & Zavareei LLP

Por: \_\_\_\_\_

Dirección

Subsecretario

1828 L St. NW, Suite 1000, Washington, DC 20036

(202) 973-0900

Fecha \_\_\_\_\_

Teléfono

如需翻译,请打电话 (202) 879-4828

Veillez appeler au (202) 879-4828 pour une traduction

Đề có một bản dịch, hãy gọi (202) 879-4828

반영을 위해 전화 (202) 879-4828 로 연락하십시오

የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

**IMPORTANTE: SI USTED INCUMPLE CON PRESENTAR UNA CONTESTACIÓN EN EL PLAZO ANTES MENCIONADO O, SI LUEGO DE CONTESTAR, USTED NO COMPARECE CUANDO LE AVISE EL JUZGADO, PODRÍA DICTARSE UN FALLO EN REBELDÍA CONTRA USTED PARA QUE SE LE COBRE LOS DAÑOS Y PERJUICIOS U OTRO DESAGRAVIO QUE SE BUSQUE EN LA DEMANDA. SI ESTO OCURRE, PODRÍA RETENÉRSELE SUS INGRESOS, O PODRÍA TOMÁRSELE SUS BIENES PERSONALES O BIENES RAÍCES Y SER VENDIDOS PARA PAGAR EL FALLO. SI USTED PRETENDE OPONERSE A ESTA ACCIÓN, NO DEJE DE CONTESTAR LA DEMANDA DENTRO DEL PLAZO EXIGIDO.**

Si desea conversar con un abogado y le parece que no puede pagarle a uno, llame pronto a una de nuestras oficinas del Legal Aid Society (202-628-1161) o el Neighborhood Legal Services (202-279-5100) para pedir ayuda o venga a la Oficina 5000 del 500 Indiana Avenue, N.W., para informarse sobre otros lugares donde puede pedirayuda al respecto.

Vea al dorso el original en inglés  
 See reverse side for English original

# Superior Court of the District of Columbia

## CIVIL DIVISION- CIVIL ACTIONS BRANCH INFORMATION SHEET

District of Columbia

Case Number: \_\_\_\_\_

vs

Date: June 25, 2020

Exxon Mobil Corp., et al.

One of the defendants is being sued  
in their official capacity.

Name: <i>(Please Print)</i> Hassan A. Zavareei	Relationship to Lawsuit <input checked="" type="checkbox"/> Attorney for Plaintiff
Firm Name: Tycko & Zavareei, LLP	<input type="checkbox"/> Self (Pro Se)
Telephone No.: Six digit Unified Bar No.: (202) 973-0900 456161	<input type="checkbox"/> Other: _____

TYPE OF CASE:  Non-Jury  6 Person Jury  12 Person Jury  
 Demand: \$ In excess of \$1 million Other: Injunctive relief

**PENDING CASE(S) RELATED TO THE ACTION BEING FILED**

Case No.: \_\_\_\_\_ Judge: \_\_\_\_\_ Calendar #: \_\_\_\_\_

Case No.: \_\_\_\_\_ Judge: \_\_\_\_\_ Calendar#: \_\_\_\_\_

**NATURE OF SUIT: (Check One Box Only)**

**A. CONTRACTS**

**COLLECTION CASES**

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> 01 Breach of Contract        | <input type="checkbox"/> 14 Under \$25,000 Pltf. Grants Consent | <input type="checkbox"/> 16 Under \$25,000 Consent Denied |
| <input type="checkbox"/> 02 Breach of Warranty        | <input type="checkbox"/> 17 OVER \$25,000 Pltf. Grants Consent  | <input type="checkbox"/> 18 OVER \$25,000 Consent Denied  |
| <input type="checkbox"/> 06 Negotiable Instrument     | <input type="checkbox"/> 27 Insurance/Subrogation               | <input type="checkbox"/> 26 Insurance/Subrogation         |
| <input type="checkbox"/> 07 Personal Property         | Over \$25,000 Pltf. Grants Consent                              | Over \$25,000 Consent Denied                              |
| <input type="checkbox"/> 13 Employment Discrimination | <input type="checkbox"/> 07 Insurance/Subrogation               | <input type="checkbox"/> 34 Insurance/Subrogation         |
| <input type="checkbox"/> 15 Special Education Fees    | Under \$25,000 Pltf. Grants Consent                             | Under \$25,000 Consent Denied                             |
|   | <input type="checkbox"/> 28 Motion to Confirm Arbitration       |   |
|   | Award (Collection Cases Only)                                   |   |

**B. PROPERTY TORTS**

- |   |   |                                      |
|---|---|--------------------------------------|
| <input type="checkbox"/> 01 Automobile                          | <input type="checkbox"/> 03 Destruction of Private Property | <input type="checkbox"/> 05 Trespass |
| <input type="checkbox"/> 02 Conversion                          | <input type="checkbox"/> 04 Property Damage                 |                                      |
| <input type="checkbox"/> 07 Shoplifting, D.C. Code § 27-102 (a) |   |                                      |

**C. PERSONAL TORTS**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> 01 Abuse of Process                      | <input type="checkbox"/> 10 Invasion of Privacy                            | <input type="checkbox"/> 17 Personal Injury- (Not Automobile, Not Malpractice) |
| <input type="checkbox"/> 02 Alienation of Affection               | <input type="checkbox"/> 11 Libel and Slander                              | <input type="checkbox"/> 18 Wrongful Death (Not Malpractice)                   |
| <input type="checkbox"/> 03 Assault and Battery                   | <input type="checkbox"/> 12 Malicious Interference                         | <input type="checkbox"/> 19 Wrongful Eviction                                  |
| <input type="checkbox"/> 04 Automobile- Personal Injury           | <input type="checkbox"/> 13 Malicious Prosecution                          | <input type="checkbox"/> 20 Friendly Suit                                      |
| <input checked="" type="checkbox"/> 05 Deceit (Misrepresentation) | <input type="checkbox"/> 14 Malpractice Legal                              | <input type="checkbox"/> 21 Asbestos   |
| <input type="checkbox"/> 06 False Accusation                      | <input type="checkbox"/> 15 Malpractice Medical (Including Wrongful Death) | <input type="checkbox"/> 22 Toxic/Mass Torts                                   |
| <input type="checkbox"/> 07 False Arrest                          | <input type="checkbox"/> 16 Negligence- (Not Automobile, Not Malpractice)  | <input type="checkbox"/> 23 Tobacco  |
| <input type="checkbox"/> 08 Fraud                                 |  | <input type="checkbox"/> 24 Lead Paint   |

SEE REVERSE SIDE AND CHECK HERE IF USED

# Information Sheet, Continued

## C. OTHERS

- |   |   |
|---|---|
| <input type="checkbox"/> 01 Accounting                                  | <input type="checkbox"/> 17 Merit Personnel Act (OEA)   |
| <input type="checkbox"/> 02 Att. Before Judgment                        | (D.C. Code Title 1, Chapter 6)  |
| <input type="checkbox"/> 05 Ejectment                                   | <input type="checkbox"/> 18 Product Liability   |
| <input type="checkbox"/> 09 Special Writ/Warrants<br>(DC Code § 11-941) | <input type="checkbox"/> 24 Application to Confirm, Modify,<br>Vacate Arbitration Award (DC Code § 16-4401) |
| <input type="checkbox"/> 10 Traffic Adjudication                        | <input type="checkbox"/> 29 Merit Personnel Act (OHR)   |
| <input type="checkbox"/> 11 Writ of Replevin                            | <input type="checkbox"/> 31 Housing Code Regulations  |
| <input type="checkbox"/> 12 Enforce Mechanics Lien                      | <input type="checkbox"/> 32 Qui Tam   |
| <input type="checkbox"/> 16 Declaratory Judgment                        | <input type="checkbox"/> 33 Whistleblower   |

## II.

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> 03 Change of Name                                 | <input type="checkbox"/> 15 Libel of Information                                    | <input type="checkbox"/> 21 Petition for Subpoena<br>[Rule 28-I (b)] |
| <input type="checkbox"/> 06 Foreign Judgment/Domestic                      | <input type="checkbox"/> 19 Enter Administrative Order as<br>Judgment [ D.C. Code § | <input type="checkbox"/> 22 Release Mechanics Lien                   |
| <input type="checkbox"/> 08 Foreign Judgment/International                 | 2-1802.03 (h) or 32-151 9 (a)]  | <input type="checkbox"/> 23 Rule 27(a)(1)<br>(Perpetuate Testimony)  |
| <input type="checkbox"/> 13 Correction of Birth Certificate                | <input type="checkbox"/> 20 Master Meter (D.C. Code §                               | <input type="checkbox"/> 24 Petition for Structured Settlement       |
| <input type="checkbox"/> 14 Correction of Marriage<br>Certificate          | 42-3301, et seq.)   | <input type="checkbox"/> 25 Petition for Liquidation                 |
| <input type="checkbox"/> 26 Petition for Civil Asset Forfeiture (Vehicle)  |   |  |
| <input type="checkbox"/> 27 Petition for Civil Asset Forfeiture (Currency) |   |  |
| <input type="checkbox"/> 28 Petition for Civil Asset Forfeiture (Other)    |   |  |

## D. REAL PROPERTY

- |  |  |
|--|--|
| <input type="checkbox"/> 09 Real Property-Real Estate                | <input type="checkbox"/> 08 Quiet Title                                  |
| <input type="checkbox"/> 12 Specific Performance                     | <input type="checkbox"/> 25 Liens: Tax / Water Consent Granted           |
| <input type="checkbox"/> 04 Condemnation (Eminent Domain)            | <input type="checkbox"/> 30 Liens: Tax / Water Consent Denied            |
| <input type="checkbox"/> 10 Mortgage Foreclosure/Judicial Sale       | <input type="checkbox"/> 31 Tax Lien Bid Off Certificate Consent Granted |
| <input type="checkbox"/> 11 Petition for Civil Asset Forfeiture (RP) |  |



Attorney's Signature

June 25, 2020

Date