

Exxon launches counterattack against California-based climate 'conspiracy' lawsuits

by [John Siciliano](#) |

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Exxon Mobil launched a legal counterattack Monday against seven cities in California that want state courts to force the oil company to pay for infrastructure improvements to help them adapt to climate change.

The oil giant argued that it and other Texas-based energy firms have become the target of a "conspiracy" among liberal state attorneys general and other officials seeking to blame it for driving up emissions that are causing the earth's temperature to rise.

"ExxonMobil finds itself directly in that conspiracy's crosshairs," the company's attorneys explained in legal documents filed in a Texas state district court Monday night.

"Even though it has long acknowledged the risks presented by climate change, supported the Paris climate accords, and backed a revenue-neutral carbon tax, ExxonMobil has nevertheless been targeted by state and local governments for pretextual investigations and litigation intended to cleanse the public square of alternative viewpoints," Exxon argued.

Exxon is one of several companies caught up in the lawsuit filed last fall in California state courts to get companies to pay for infrastructure upgrades to contend with changes from climate change. Many scientists blame the burning of fossil fuels for causing the Earth's temperature to rise, leading to sea-level rise, more drought, coastal erosion, and flooding.

The oil company is asking the Texas district court to order officials from the seven cities to disclose documents and provide depositions that Exxon argues will show how they failed to provide evidence of the true risks of climate change.

Exxon hopes to show that the arguments the seven cities are making were never justified in previous discussions the municipalities had with bond investors.

"Notwithstanding their claims of imminent, allegedly near-certain harm, none of the municipalities disclosed to investors such risks in their respective bond offerings, which

collectively netted over \$8 billion for these local governments over the last 27 years," Exxon argued.

"To the contrary, some of the disclosures affirmatively denied any ability to measure those risks; the others virtually ignored them," the company said.

Exxon wants the court to order a number of California local government officials to answer questions under oath that it claims will expose the basis of the argument the cities are attempting to make as erroneous and moot.

"It is reasonable to infer that the municipalities brought these lawsuits not because of a bona fide belief in any tortious conduct by the defendants or actual damage to their jurisdictions, but instead to coerce ExxonMobil and others operating in the Texas energy sector to adopt policies aligned with those favored by local politicians in California," Exxon argued.

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Exxon continues to fight against Schneiderman and his group of a dozen other attorneys general in courts from Massachusetts to Texas.

The California lawsuits represented a new front in the push by state officials to pursue energy companies for damages brought by global warming and climate change, according to Exxon.

"This conspiracy emerged out of frustration in New York, Massachusetts, and California with voters in other parts of the country and with the federal government for failing to adopt their preferred policies on climate change," Exxon argued on Monday.

"But rather than focusing their efforts in the marketplace of ideas and adopting a strategy of persuasion, the members of this conspiracy chose to advance their political objectives by imposing unlawful burdens on perceived political opponents," it added.