

Message

From: Duhan, Matthew [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/[REDACTED]]
Sent: 22/04/2021 18:18:45
To: Woods, Rachel [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/[REDACTED]]; Streett, Mary [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/[REDACTED]]; Bickerton, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/[REDACTED]]
Subject: RE: New York City suit alleges oil majors, API violated consumer protection law

Yes I will circulate now.

And don't worry on the links - I can sort an offline clean copy for Bernard later.

From: Woods, Rachel [REDACTED]@uk.bp.com>
Sent: 22 April 2021 18:35
To: Duhan, Matthew [REDACTED]@bp.com>; Streett, Mary [REDACTED]@bp.com>; Bickerton, David [REDACTED]@uk.bp.com>
Subject: Re: New York City suit alleges oil majors, API violated consumer protection law

Thanks - can you send latest you the group and ask Geoff for final thoughts before you go. I don't mind sending to BL Later but I am not sure on this while sharing links thing! Need an explanation!!!

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From: Duhan, Matthew [REDACTED]@bp.com>
Sent: Thursday, April 22, 2021 6:24:20 PM
To: Woods, Rachel [REDACTED]@uk.bp.com>; Streett, Mary [REDACTED]@bp.com>; Bickerton, David [REDACTED]@uk.bp.com>
Subject: RE: New York City suit alleges oil majors, API violated consumer protection law

Redacted - Privilege

As a heads up at 7.30pm I have a table at a pub for the second 'evening out' with my wife in 18months. I will be going and not looking at my phone. But happy to pick up any additional from ~9pm and send to BL as required.

Matt

From: Woods, Rachel <[REDACTED]@uk.bp.com>
Sent: 22 April 2021 18:16
To: Streett, Mary <[REDACTED]@bp.com>; Bickerton, David <[REDACTED]@uk.bp.com>; Duhan, Matthew <[REDACTED]@bp.com>
Subject: Re: New York City suit alleges oil majors, API violated consumer protection law

Yes we should add. Matt - how are you getting on? We need to work out how to get this to BL alongside media narrative which GSM has now approved - but think Geoff needs one more look at Q&A first....

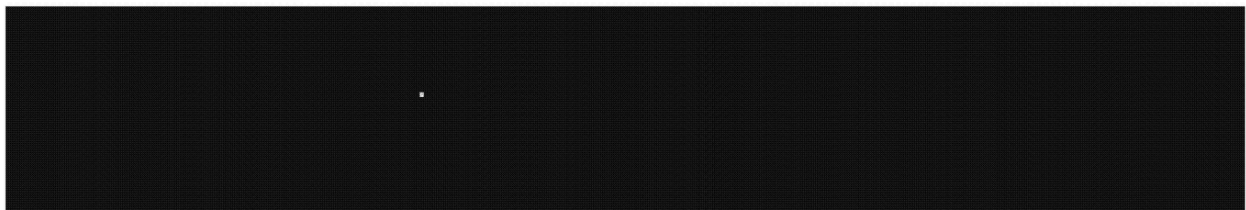
R

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From: Streett, Mary <[REDACTED]@bp.com>
Sent: Thursday, April 22, 2021 5:29 pm
To: Bickerton, David; Woods, Rachel
Subject: FW: New York City suit alleges oil majors, API violated consumer protection law

For BL Q&A – assume you saw this?

From: POLITICO Pro <[REDACTED]@email.politicopro.com>
Sent: Thursday, April 22, 2021 11:55 AM
To: Streett, Mary <[REDACTED]@bp.com>
Subject: New York City suit alleges oil majors, API violated consumer protection law



New York City suit alleges oil majors, API violated consumer protection law

BY ALEX GUILLÉN | 04/22/2021 11:53 AM EDT

New York City on Thursday filed a [lawsuit](#) alleging Exxon Mobil, Shell, BP and the American Petroleum Institute violated a municipal consumer protection law, the latest in a string of litigation against fossil fuel companies related to climate change.

The details: The lawsuit — filed in the Supreme Court of the State of New York, the state's trial court — alleges that the companies and API engaged in false advertising and deceptive trade practices in violation of the city's Consumer Protection Law.

The complaint alleges that the three companies misrepresented the climate impacts of gasoline sold at stations in the city, advertising their fuel as "cleaner" or "emissions-reducing" without disclosing its full climate impacts. The companies also "falsely present themselves as corporate leaders in the fight against climate change" via ads and social media posts, the city argued.

Meanwhile, API, the oil and gas industry's top trade group, "misleads NYC consumers by promoting fossil fuels as integral to 'climate solutions' without disclosing that fossil fuels are the primary *cause* of climate change," the suit alleges.

In addition to city lawyers, New York is represented by the San Francisco law firm Sher Edling, which is involved in many of [the climate tort lawsuits around the U.S.](#), including the [Baltimore case currently under consideration](#) by the U.S. Supreme Court.

The context: The new suit comes on the heels of the U.S. 2nd Circuit Court of Appeals dismissing [New York City's 2018 lawsuit](#) that raised common law claims of nuisance and trespass against Exxon, BP, Shell, Chevron and ConocoPhillips. The key difference between the city's suit and others around the nation that have been allowed to advance was that New York filed its tort claims directly in federal court, where the 2nd Circuit said the claims were barred, whereas the other cases were filed first in state courts.

Separately, [Exxon in 2019 defeated a lawsuit](#) brought by New York Attorney General Tish James that alleged Exxon had misled investors about the corporate risks of climate regulation.

The reaction: "In response to a significant loss in the 2nd Circuit, New York City is now attempting to litigate other meritless issues with this lawsuit," API chief legal officer Paul G. Afonso said in a statement. "The record of the past two decades demonstrates that the industry has achieved its goal of providing affordable, reliable American energy to U.S. consumers while substantially reducing emissions and our environmental footprint. Any suggestion to the contrary is false."

Exxon, Shell and BP did not immediately return requests for comment.

What's next: The Supreme Court is expected to rule by this summer on whether such climate tort lawsuits belong in federal or state courts. It's not yet clear if that ruling will affect New York's new lawsuit, which is based on a city consumer protection law.

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