United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

CITY OF OAKLAND, a Municipal Corporation, and THE PEOPLE OF THE STATE OF CALIFORNIA, acting by and through Oakland City Attorney BARBARA J. PARKER,

Plaintiffs,

v.

BP P.L.C., a public limited company of England and Wales, CHEVRON CORPORATION, a Delaware corporation, CONOCOPHILLIPS COMPANY, a Delaware corporation, EXXON MOBIL CORPORATION, a New Jersey corporation, ROYAL DUTCH SHELL PLC, a public limited company of England and Wales, and DOES 1 through 10,

Defendants.
_____/

AND RELATED CASE.
_____/

No. C 17-06011 WHA

and

No. C 17-06012 WHA

ORDER FOLLOWING HEARING ON MOTIONS TO DISMISS

For the reasons stated on the record at yesterday's hearing, plaintiffs' request to take jurisdictional discovery as to defendant Exxon Mobil Corporation is **DENIED**. Plaintiffs' request to take jurisdictional discovery as to defendants BP p.l.c., ConocoPhillips Company, and Royal Dutch Shell plc is **GRANTED**. Plaintiffs may also take discovery concerning the nature of the relationship between Shell Oil Company and Royal Dutch Shell for purposes of determining whether Shell Oil Company is Royal Dutch Shell's "general manager."

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By **AUGUST 9 AT NOON**, plaintiffs shall file supplemental briefs in opposition to BP, ConocoPhillips, and Royal Dutch Shell's motions to dismiss pursuant to FRCP 12(b)(2) and 12(b)(5). BP, ConocoPhillips, and Royal Dutch Shell may file any replies by **AUGUST 16 AT NOON**. These supplemental submissions shall not exceed 15 pages.

In addition, counsel for Royal Dutch Shell stated at yesterday's hearing that plaintiffs had not requested a waiver of service of summons pursuant to FRCP 4(d). By **MAY 28 AT NOON**, Royal Dutch Shell shall submit a statement clarifying whether it is now willing to accept service if plaintiffs request that it do so.

Finally, by **MAY 31 AT NOON**, the parties shall submit 10-page supplemental briefs on the extent to which adjudication of plaintiffs' federal common law nuisance claims would require the undersigned judge to consider the utility of defendants' alleged conduct. There will be no replies.

IT IS SO ORDERED.

Dated: May 25, 2018.

WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE