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**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON**

RICHARD KENNEDY and MARGARET
HAZARD, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

EXXON MOBIL CORPORATION;
EXXONMOBIL OIL CORPORATION;
SHELL PLC; SHELL USA, INC.; EQUILON
ENTERPRISES LLC D/B/A SHELL OIL
PRODUCTS US; SHELL TRADING (US)
COMPANY; CHEVRON CORPORATION;
CHEVRON U.S.A. INC.; BP PLC; BP
AMERICA INC.; BP PRODUCTS OF
NORTH AMERICA; CONOCOPHILLIPS;
CONOCOPHILLIPS COMPANY; and
AMERICAN PETROLEUM INSTITUTE,

Defendants.

Case No. 2:25-cv-02378

Hon. John H. Chun

**STIPULATION AND ORDER
REGARDING STAY OF PROCEEDINGS**

WHEREAS, on November 25, 2025, Plaintiffs filed a complaint commencing the above-captioned action (the “Action”);

WHEREAS, on December 18, 2025, the Court approved and ordered the parties’ stipulated briefing schedule for Defendants’ motions to dismiss for lack of personal jurisdiction, motions to dismiss for failure to state a claim, and motion(s) to strike and/or motions(s) under “anti-SLAPP” laws (collectively, “Motions to Dismiss”), Dkt. 24;

1 **WHEREAS**, pursuant to the Court’s briefing schedule, Defendants’ Motions to Dismiss
2 are currently due by March 11, 2026, *see* Dkt. 24, at 3;

3 **WHEREAS**, on February 23, 2026, the U.S. Supreme Court granted a petition for
4 certiorari in a similar, climate-related case, *Suncor Energy (U.S.A.) Inc. v. County Commissioners*
5 *of Boulder County*, No. 25-170 (U.S.), to consider the question “[w]hether federal law precludes
6 state-law claims seeking relief for injuries allegedly caused by the effects of interstate and
7 international greenhouse-gas emissions on the global climate.” Petition for a Writ of Certiorari,
8 *Suncor Energy (U.S.A.) Inc. v. Cnty. Comm’rs of Boulder Cnty.*, 2025 WL 2367748, at *I (U.S.
9 Aug. 8, 2025);

10 **WHEREAS**, Plaintiffs’ Complaint alleges, *inter alia*, state-law claims that the Supreme
11 Court’s decision in *Boulder* could resolve or provide guidance on many of the issues that would
12 be the subject of briefing on Defendants’ Motions to Dismiss;

13 **WHEREAS**, the Parties respectfully submit that the interests of justice and judicial
14 economy can best be achieved by staying this Action pending the issuance of the Supreme Court’s
15 decision in *Boulder*;

16 **WHEREAS**, this stipulation does not operate as an admission of any factual allegation or
17 legal conclusion and is submitted subject to and without waiver of any right, defense, affirmative
18 defense, claim, or objection, including lack of subject-matter jurisdiction, lack of personal
19 jurisdiction, and improper venue;

20 **WHEREAS**, the Parties through their undersigned counsel have conferred and consented
21 to the entry of this Stipulation; and

22 **WHEREAS**, the Parties agree to abide by this Stipulation unless and until the Court enters
23 an order contrary to this Stipulation;

IT IS HEREBY STIPULATED AND AGREED, SUBJECT TO THE APPROVAL OF THE COURT, THAT:

1. The stipulated briefing schedule for Defendants’ Motions to Dismiss previously approved and ordered by the Court, Dkt. 24, is **VACATED**.

2. This Action and all associated deadlines are **STAYED** pending the issuance of the U.S. Supreme Court’s decision in *Suncor Energy (U.S.A.) Inc. v. County Commissioners of Boulder County*, No. 25-170 (U.S.).

Respectfully submitted this 3rd day of March, 2026.

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ORDER

It is so APPROVED and ORDERED.

Also, the Court DIRECTS the Clerk to terminate Defendants' Motion to Stay Scheduling Deadlines Pending Resolution of Defendants' Forthcoming Motions to Dismiss at Dkt. # 74. After the stay is lifted, Defendants may ask the Court to re-note that motion.

DATED this 3rd day of March, 2026.



John H. Chun
United States District Judge