

COMMONWEALTH OF MASSACHUSETTS

[SUFFOLK, ss.]

SUPERIOR COURT

Civil Action No. 2084CV01858

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GOVERNMENT ACCOUNTABILITY & OVERSIGHT,

Plaintiff,

v.

OFFICE OF THE ATTORNEY GENERAL

OF MASSACHUSETTS, and ANDREA CAMPBELL,

in her official capacity as Attorney General,

Defendant.

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PLAINTIFF'S RESPONSE TO DEFENDANT'S ANSWERS MADE PURSUANT TO THIS  
COURT'S ORDER DATED MARCH 26, 2004

INTRODUCTION

This is an action by a non-profit public advocacy organization to enforce four public records requests that were made on the Office of the Attorney General of Massachusetts ("AGO") over four years ago pursuant to M.G.L. c. 66 §10 ("PRL"). The Records pertain to a secretive<sup>1</sup> and coordinated campaign by for-profit tort lawyers, out-of-state activists and states attorney generals who share an aligned policy agenda, including the AGO, of "going after

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<sup>1</sup> "I will be showing this Monday at a secret meeting at Harvard that I'll tell you about next time we chat. very [sic] exciting!" April 22, 2016, email from Oregon State University Professor Philip Mote to unknown (redacted) party, Subject: [REDACTED], and "I'm actually also planning to show this in a secret meeting next Monday- will tell you sometime! April 20, 2016, Philip Mote email to (redacted) party, Subject: [REDACTED]. Both obtained from Oregon State University on March 29, 2018, in response to a January 9, 2018 Public Records Act Request.

climate denialism [sic] – along with a bunch of local and state prosecutors nationwide.”<sup>2</sup> This same campaign has in fact targeted more than 100 research and advocacy groups, scientists and other private parties and entities.<sup>3</sup> It has also involved shadowy arrangements which some have described as the renting of the state’s police powers for by billionaire activists who have funded, and placed directed so called Special Assistant Attorneys General within the AGO itself to pursue the donor organization’s priorities.<sup>4</sup>

This Response addresses the AGO’s continued and unlawful flouting of the PRL generally and more specifically this Court’s Order dated March 26, 2024 (“March 26 Order”) wherein, in response to acknowledged deficiencies in the AGO’s *Vaughn*-style index, this Court ordered limited discovery in the form of “Questions” to be propounded by Plaintiff. Because of the AGO’s unlawful disregard for this Court’s Order, as well as the constructive denial through delay in this now four-year-old PRL action, Plaintiff respectfully reiterates its prior request for implementation of the broader discovery heretofore referred to as the “Gordon Protocol.”<sup>5</sup>

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<sup>2</sup> “Hi Dan, Thought you would like to hear that Harvard’s enviro clinic, UCLA Emmett Institute, and the Union of Concerned Scientists are talking together today about going after climate denialism [sic]—along with a bunch of state and local prosecutors nationwide. Good discussion.” April 25, 2016 email from UCLA Law School’s Cara Horowitz to Dan Emmett, namesake and funder of the Harvard and UCLA centers, Subject: See, e.g., <https://climatelitigationwatch.org/on-the-subject-of-recruiting-law-enforcement-email-affirms-origin-of-prosecutorial-abuses/>.

<sup>3</sup> See, e.g., Valerie Richardson, “Exxon climate change dissent subpoena sweeps up more than 100 U.S. institutions”, Washington Times, May 3, 2016, <https://www.washingtontimes.com/news/2016/may/3/virgin-islands-ag-subpoenas-exxon-communications/>; Walter Olson, “Massachusetts AG to Exxon: hand over your communications with think tanks”, June 16, 2016, <https://www.overlawyered.com/2016/06/+setts-ag-exxon-hand-communications-think-tanks/>.

<sup>4</sup> See e.g., WSJ Editorial Board, “State AG’s for Rent, Privately funded litigators wield state police power”, Wall Street Journal, November 6, 2018. Reproduced electronically at, <https://www.wsj.com/articles/state-ag-for-rent-1541549567>, last accessed July, 20, 2024.

<sup>5</sup> See *See Energy Policy Advocates v. Maura Healey et al.*, Suffolk Sup. Ct., Civil Action. No. 1984CV01753, (Docket at 20) (describing a protocol involving the implementation of an order of impoundment, protective order and allowance for attorney’s eyes only viewing of the contested public records).

## PROCEDURAL HISTORY

On March 26, 2024 this Court (Deakin, D.) addressed Plaintiff, Energy Policy Advocates’ (“EPA”) Motion for Entry of Order of Impoundment and Protective Order to Obtain Sufficient Information to Brief Summary Judgment Motions and Defendant Office of the Attorney General of Massachusetts’ (“AGO”) Opposition thereto. Plaintiff’s motion sought the implementation of what has been referred to in this action as the “Gordon Protocol”. That protocol efficiently broke years of highly similar deadlock in a sister PRL action.<sup>6</sup> While this Court declined to implement the same protocol in its March 26 Order, the Court did acknowledge that the AGO’s *Vaughn*-style index in this action was insufficiently detailed to allow for summary judgment briefings to proceed. This Court therefore ordered limited discovery in the form of “Questions”<sup>7</sup> to be propounded by Plaintiff regarding the one hundred and three records that were then being withheld in full by the AGO (Docket at 20).

Pursuant to this Court’s March 26 Order, EPA was to propound its Questions by April 16, 2024. It did so on April 16, 2024. The AGO then filed Objections with this Court on April 30, 2024 (Docket at 21). EPA responded to these objections on May 6, 2024 (Docket at 22). Pursuant to the March 26 Order, the AGO was further required to request a hearing if it filed any objections, but did not. Plaintiff then sought a hearing which was initially scheduled for June 21, 2024 but which was subsequently cancelled by the Court and has yet to be rescheduled.

Per the March 26 Order the AGO was also to supply answers to EPA’s Questions by or before June 24, 2024 (“Answers”). It did not do so but instead requested EPA assent to a motion

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<sup>6</sup> See *Energy Policy Advocates v. Maura Healey et al.*, Suffolk Sup. Ct., Civil Action. No. 1984CV01753, (Docket at 20).

<sup>7</sup> During the March 26, 2024 hearing, this Court explicitly utilized the term “Questions” rather than “interrogatories” in order to avoid impliedly invoking Mass. R. Civ. P 26.

for enlargement which EPA characteristically granted (Docket at 23). It then further requested another short unofficial extension which EPA also characteristically granted. *See* Exhibit A. The AGO finally produced its Answers on July 9, 2024. Unfortunately, as has been a recurring pattern in this action and its sister action, EPA’s concessions<sup>8</sup> were met by still more obstruction in the form of improper and untimely objections that flout this Court’s Order and the mandates of the PRL itself.

## ARGUMENTS

### The AGO outright flouts this Court’s March 26 Order.

The March 26 Order required the AGO to answer all of EPA’s Questions unless it previously and formally objected to them. The AGO filed one such objection on April 30, 2024 (Docket at 21). However, rather than comply with the March 26 Order and fully answer the balance of Plaintiff’s Questions, the AGO now asserts that many of its tenaciously guarded records are either unresponsive or duplicative, and refuses to provide complete Answers. More importantly the majority of its Answers were non-answers. The AGO’s Answers which it was not required to, and unsurprisingly did not, file with this Court are attached hereto as Exhibit B.

For instance, AGO’s Answer to EPA’s Question 1.a includes a footnote which states that (“responses to Question 1.a have not been provided in instances where information about the family member has no bearing on the privileged or exempted nature.”) Also, the AGO’s Answer to EPA’s Question 2 is that “[t]he AGO states that, to the extent any exempt Records reference, discuss, or relate to any factual studies or reports, such factual studies or reports are neither the primary subject of the Record nor the basis for the AGO’s exemption claim and therefore no

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<sup>8</sup> *See* Energy Policy Advocates’ Memorandum in support of Motion for Entry of Order of Impoundment and Protective Order (Docket at 17 at p. 4) (describing the very substantial concessions to its original PRL request that Plaintiff made in a failed attempt to negotiate the production of a proper *Vaughn*-style index).

further response is required.” Also, the AGO’s Answer to Question 3 which is that “[a]s to Record No. 1, see the AGO’s forthcoming production of documents. As to Records 40 and 59, the AGO states that, considering the information that has already been provided, no further information is necessary to establish these Records are exempt under the Public Records Law on numerous grounds, including M.G.L. c. 4, § 7, 26(f).”<sup>9</sup> As already mentioned, these non-answers come on top of the AGO’s prior blanket objection to Plaintiff’s Question 1.d. (Docket at 21), which Plaintiff asserts is entirely without merit and effectively makes a mockery of the burden necessary for the assertion of attorney-client and work product privileges (Docket at 22).

The AGO’s Answers or lack thereof are especially inappropriate in the context of a PRL Action.

The AGO’s Answers would likely be unacceptable in the context of discovery ordered under Mass. R. Civ. P. 26 between private parties. *See Linardon v. Noke*, 97 Mass. App. Ct. 1112 (Mass. App. Ct. 2020) (ordering fees and costs to defendant where plaintiff “first refused to answer any interrogatories, but later amended her response to include perfunctory answers to two of the twenty interrogatory questions.”)

While Mass. R. Civ. P. 26 does not govern the discovery previously ordered by this Court it is nevertheless undoubtedly true that the government, here the chief law enforcement officer of the Commonwealth, should be held to a higher standard than private parties - “we have long emphasized that a representative of the United States Government is held to a *higher* standard of behavior...” *United States v. Young*, 470 U.S. 1, 25 (1985). This is especially true in light of the entire impetus behind the PRL and federal analog, the Freedom of Information Act - the fact that “[i]nformation is the bread and butter of democracy...” *Bos. Globe Media Partners, LLC v.*

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<sup>9</sup> The referenced AGO production comprising eleven formulaic and nearly identical emails without attachments is attached as Exhibit D *infra*.

*Dep't of Pub. Health*, 482 Mass. 427, 451 (Mass. 2019). *See also Carpenter v. Dept. of Justice*, 470 F.3d 434, 437 (1st Cir. 2006) (“[t]he basic policy of full agency disclosure within the FOIA furthers the right of citizens to know what their government is up to...”) (internal quotations omitted).

EPA has already shown, and continues to show, that the AGO is acting in bad faith by virtue of its over-expansive assertions of privileges and exemptions.

As in the sister action<sup>10</sup> the AGO has further and amply evidenced a pattern and practice of bad faith non-compliance with both the PRL and, more recently, this Court’s March 26 Order.

EPA has already shown that the AGO’s exemptions are overbroad, *see e.g.*, Exhibit C, comprising one document finally produced, after over four years, on or about January 18, 2024 and containing one line “Pls call me if you have a sec. Any number below.” The AGO’s meager and more recent production made on July 12, 2024 is yet another example of same. *See* Exhibit D comprising production made on July 12, 2024 and encompassing eleven nearly identical email records withheld as privileged for over four years – these records essentially contain nothing but a reference to an attachment. The AGO further asserts that the attachments to these emails are somehow still privileged despite the fact that they have already been acknowledged as not being privileged by Maryland Office of the Attorney General (“MD OAG”) and produced by the MD OAG in response to a PRL request there. *See* Exhibit E comprising the reports and the associated production letter from the MD OAG. These aforementioned sample reports were released for obvious reasons – namely the fact that these reports are completed studies or reports rather than

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<sup>10</sup> *See Energy Policy Advocates*, Suffolk Sup. Ct., Civil Action. No. 1984CV01753, (Docket 41, p. 2), (in ordering fees to Plaintiff, the Honorable Judge Robert B. Gordon recently referred to the AGO’s conduct in that PRL action as “aggressive resistance from the AGO at almost every turn. Such resistance took the form of expansive exemption and privilege-claiming by the AGO ...”).

privileged communications. Such completed studies and reports are neither privileged nor exempt. *See Mack v. Dist. Attorney for The Bristol District.*, No. SJC-13468, at \*27 (Mass. Apr. 26, 2024) (“fact work product must be disclosed ‘if it is a ‘reasonably completed factual stud[y] or report[] on which the development of [an agency’s] policy positions has been or may be based’”) (quoting G.L.c. 4, § 7, Twenty-sixty (d)).

In PRL and analogous FOIA litigation bad faith is a sound basis for the ordering of broad discovery.

It is well established in federal Freedom of Information Act (“FOIA”) and Massachusetts PRL litigation that “bad faith” is exactly the standard that requires discovery. *See e.g. In re Clinton*, 973 F.3d 106, 114 (D.C. Cir. 2020) (ordering discovery where the government was shown to have acted incompetently or in bad faith); *see also Goland v. Central Intelligence Agency*, 607 F.2d 339, 354-55 (D.C. Cir. 1978).

Bad faith may be shown not only by non-compliance with this Court’s March 26 Order and the events that gave rise to it but also by the unnecessary delays that have allowed the AGO to constructively deny EPA the records it seeks for over four years. *See Citizens for Responsibility WA v. U.S. Department of Justice* Civ. No. 05-2078 (EGS) (D.D.C. June 1, 2006) (finding discovery warranted where the government engaged in severe delay); *see also Miller v. United States Dept. of State*, 779 F.2d 1378, 1386 (8th Cir. 1985) (delays stemming from refusal to cooperate are indicative of bad faith).

That constructive denial through delay is a proper basis for discovery in PRL and FOIA actions is unsurprising since “stale information is of little value yet more costly than fresh information ought to be.” *Payne Enterprises, Inc. v. U.S.*, 837 F.2d 486, 494 (D.C. Cir. 1988). Certainly, the four years of pendency of this litigation satisfies this standard.

## CONCLUSION

The AGO's untimely and threadbare answers violate this Court's Order. These violations are part of a years-long pattern of constructive denial through delay and bad faith non-compliance with the PRL in both this action and its sister action. EPA therefore respectfully requests that this Court implement the Gordon Protocol to bring this matter to an expeditious and lawful conclusion.

Dated: July 22, 2024

Respectfully Submitted  
Energy Policy Advocates  
By its attorneys,

/s/ Nathaniel M. Lindzen  
Nathaniel M. Lindzen (BBO #689999)  
[nlindzen@corpfraudlaw.com](mailto:nlindzen@corpfraudlaw.com)  
Law Office of Nathaniel M. Lindzen  
57 School Street  
Wayland, MA 01778  
Phone: (212) 810-7627



**Certificate of Service**

I, Nathaniel M. Lindzen, attorney for plaintiffs Energy Policy Advocates, hereby certify that on July 22, 2024, I served the foregoing, electronically by email on:

Katherine Fahey, Esq.  
Office of Massachusetts Attorney General  
One Ashburton Place  
Boston, MA 02108

Dated: July 22, 2024

/s/ Nathaniel M. Lindzen

## **Exhibit A**



Securities Whistleblower &lt;corpfraudlaw@gmail.com&gt;

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**Energy Policy Advocates v. AGO (1858 Action) - Responses to Plaintiff's Questions**

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**Fahey, Katherine (AGO)** <Katherine.Fahey@mass.gov>  
To: NLindzen at SWI <nlindzen@corpfraudlaw.com>

Mon, Jul 8, 2024 at 4:34 PM

Nate,

I hope you had an enjoyable holiday. I am touching base regarding the AGO's responses to Plaintiff's Questions pursuant to the March 26, 2024 order. Given some delays in our internal review/approval process, I write to request a very brief additional extension to serve our Responses from today to tomorrow. I will note that the delay is in part because we anticipate providing a small production of documents with the responses or shortly thereafter.

Given the Court did not act on the last extension request, and this is only a one-day request, I did not plan to file a further extension motion but am happy to do so if you would prefer.

Thank you,

Kat

Katherine M. Fahey, she/her/hers

Assistant Attorney General

Office of the Attorney General of Massachusetts

Direct: (617) 963-2078

[Katherine.Fahey@mass.gov](mailto:Katherine.Fahey@mass.gov)



Securities Whistleblower <corpfraudlaw@gmail.com>

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## Energy Policy Advocates v. AGO (1858 Action) - Responses to Plaintiff's Questions

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**Nathaniel Lindzen** <nindzen@corpfraudlaw.com>

Mon, Jul 8, 2024 at 5:21 PM

To: "Fahey, Katherine (AGO)" <Katherine.Fahey@mass.gov>

Thanks. You've got your day.

Best,

Nate

[Quoted text hidden]

## **Exhibit B**

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK , ss.

SUPERIOR COURT  
C.A. NO. 2084CV01858

ENERGY POLICY ADVOCATES,

Plaintiff,

v.

OFFICE OF THE ATTORNEY GENERAL OF  
MASSACHUSETTS, ANDREA JOY  
CAMPBELL, IN HER OFFICIAL CAPACITY AS  
ATTORNEY GENERAL,

Defendant.

**DEFENDANT'S SPECIFIC OBJECTIONS AND RESPONSES TO  
PLAINTIFF'S QUESTIONS PERTAINING TO DEFENDANT'S  
INDEX OF EXEMPTED RECORDS**

Defendant Office of the Attorney General of Massachusetts (“AGO”) provides the following specific objections and responses to Plaintiff Energy Policy Advocates’ Questions (“Questions”) regarding the AGO’s January 30, 2024 index of documents withheld as exempt posed pursuant to the Court (Deakin, J.)’s March 26, 2024 Memorandum and Order on Plaintiff’s Motion for Entry of Order of Impoundment and Protective Order to Obtain Sufficient Information to Brief Summary Judgment Motions (Dkt. No. 20).

**RESPONSES AND OBJECTIONS**

First, as reflected in the July 9, 2024 Index of Withheld Records (attached hereto), Records previously identified on the January 30, 2024 Index have been excluded where they are non-responsive to Plaintiff’s April 28, 2020 Public Records Request Letter (hereinafter the “April 2020 PR Letter”), or otherwise duplicative. Specifically, Records No. 36, and its

associated family, and Record No. 97 have been excluded as duplicates of Records that appear elsewhere on the Index. Additionally, Record Nos. 56 and 96 have been excluded as non-responsive to the April 2020 PR Letter. In each instance, these previously logged emails are not themselves responsive to the Letter, contain no substantive discussion, and were only initially identified as responsive because of publicly available attachments, which the Letter specifically excludes. Similarly, consistent with the Letter's instruction to treat publicly available documents as non-responsive, the Index does not contain publicly available documents, even where they are the family member of a logged document. As such, three previously inadvertently logged, publicly available Records—Nos. 53, 54, and 86—each the family members of responsive documents, have been excluded as non-responsive.

Therefore, the below responses pertain to the documents listed on the July 9, 2024 Index.<sup>1</sup>

**Question No. 1.a**

*For all one hundred and three Records in the Index except as noted in (1)(b), individually and for each, please:*

*a) As to each Record, state the formal name of any and all authors of the document or, as to email, all Parties to the correspondence (e.g., email sender, recipient, cc:, bcc;; attachment-author if stated on its face, otherwise as listed in the document's Metadata, and if the two are in conflict please provide both and note both), and the title or position of all such authors or parties to the correspondence and if such title or position is with an entity that is not The Office of the Attorney General or not currently within The Office of the Attorney General, state whether or not the relevant individuals' names are shown in the Index, and provide their email address; if Respondent does not know this information regarding any particular Record, please explain the nature of the Respondent's knowledge or lack of knowledge; and for any Party or Person that is not an employee of the Office of the Attorney General, please state whether the Office has a non-disclosure, confidentiality common interest, other agreement or basis relevant to*

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<sup>1</sup> Record Numbers assigned on the July 9, 2024 Index are intentional as those numbers have been carried over from the the January 30, 2024 Index to ensure continuity in identifying Records at issue. To the extent any documents were previously inadvertently omitted, they have been given alphanumeric record numbers.

*any claim of privilege, and identify the date such agreement was executed and the parties to any such agreement.*

**Response to Question 1.a:**

First, as to the requested information concerning parties to correspondence, authors of documents, and their relevant positions, the AGO's responses as to each Record<sup>2</sup> are reflected in the July 9, 2024 Index and AGO's forthcoming production of documents, including Records No. 17, 22, 26, 27, 30, 31, 37, 51, 63, 93, and 98.

Second, regarding the nature of the privileged and/or confidential relationship with any non-AGO employees reflected on the July 9, 2024 Index that render the withheld Records exempt:

1. Communications and documents exchanged with the State Energy & Environmental Impact Center at NYU School of Law, including Elizabeth Klein, Sydney Colopy, and Hampden Macbeth, are covered by a legal services agreement between the AGO and the Center, the term of which extends through and covers the Records at issue.<sup>3</sup>
2. Communications with Professor Sharmila Murthy are covered by a retention agreement between the AGO and Professor Murthy, the term of which extends through and covers the Records at issue.

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<sup>2</sup> As reflected in response to Question 1.c in the July 9, 2024 Index, numerous non-responsive "family member[s] of responsive document[s]" were included on the January 30, 2024 Index so as to not split families, however, responses to Question 1.a have not been provided in instances where information about the family member has no bearing on the privileged or exempted nature of the responsive Records or document family.

<sup>3</sup> By disclosing the existence of this or other agreements, the AGO does not waive any claimed exemptions, protections, or privileges that may be asserted over communications between itself and the other entities that may predate, postdate, or exceed the scope, of such agreements.



3. Communications and documents exchanged with attorneys for other states' Attorneys General are covered by both the common-interest doctrine and a common-interest agreement between the AGO and those states, the term of which extends through and covers the Records at issue.

**Question 1.b**

*b) As to each non-email Record (e.g., attachments), provide the document title as stated on its face otherwise as listed in the document's Metadata; if any of the aforementioned Records in this clause have no title even in the document's Metadata, please state so affirmatively and state with specificity the Record's subject matter.*

*As to records which are emails, please provide the subject line of such email, or, if you assert that you are unable to provide the full subject line without breaching any pertinent privilege, provide the nonprivileged portions of such subject line and state whether the subject line contains a keyword which is contained within Petitioner's request in this matter.*

**Response to Question 1.b**

The AGO's responses as to each Record<sup>4</sup> are reflected in the July 9, 2024 Index.

**Question 1.c)**

*As to each Record, list which keyword(s), 3rd-party correspondent(s), etc., and which of the two EPA Requests (e.g. January or April request), make each Record responsive.*

**Response to Question 1.c)**

The AGO's responses as to each Record are reflected in the July 9, 2024 Index.

**Question 1.d)**

*As to each Record, state whether the Record was shared at any time with any other Party by The Office of the Attorney General, including pursuant to any public records request whether within Massachusetts or without.*

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<sup>4</sup> As reflected in response to Question 1.c in the July 9, 2024 Index, numerous non-responsive "family member[s] of responsive document[s]" were included on the January 30, 2024 index so as to not split families, however, responses to Question 1.b have not been provided in instances where information about the family member has no bearing on the privileged or exempted nature of the responsive Records or document family.

- i) *If it was shared, please Identify all Persons or Parties it was shared with, the time and date it was shared, by whom, and whether any further commentary and/or correspondence and/or exchange was included and/or followed that sharing or forwarding.*

**Response to Question 1.d:**

The AGO objects to the above Question in its entirety, as reflected in its April 30, 2024 submission to the Court (Dkt. No. 21). The AGO reserves the right to further responses or objections to the above Question, pending the Court's resolution of its general objection.

**Question 2**

*For all Records for which you have asserted an exemption under M.G.L. c. 4 § 7, cl. 26(d), individually and for each:*

- a) *Please describe and provide the title of any factual studies or reports that are the subject of, or related to, the purportedly exempt Record; and*
- b) *the date of their creation and the percentage of the factual studies or reports that was complete as of April 16, 2024.*

**Response to Question 2:**

The AGO states that, to the extent any exempt Records reference, discuss, or relate to any factual studies or reports, such factual studies or reports are neither the primary subject of the Record nor the basis for the AGO's exemption claim and therefore no further response is required.

**Question 3**

*For Index Record numbers 1, 40 and 59, for which you have asserted an exemption under M.G.L. c. 4 § 7, cl. 26(f): individually and for each please provide any facts which support the claim that the contents are confidential, and explain how those contents' revelation would prejudice the alleged underlying investigation.*

**Response to Question 3:**

As to Record No. 1, see the AGO's forthcoming production of documents. As to Records 40 and 59, the AGO states that, considering the information that has already been provided, no

further information is necessary to establish these Records are exempt under the Public Records Law on numerous grounds, including M.G.L. c. 4, § 7, 26(f).

For the Defendant,

ANDREA JOY CAMPBELL  
ATTORNEY GENERAL

/s/ Katherine M. Fahey  
Katherine M. Fahey, BBO #699003  
Assistant Attorney General  
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(617) 963-2078  
Katherine.Fahey@mass.gov

July 9, 2024

**CERTIFICATE OF SERVICE**

I hereby certify that I served the responses and enclosed index by sending it to counsel for Plaintiff on July 9, 2024, via email.

/s/ Katherine M. Fahey  
Katherine M. Fahey  
Assistant Attorney General

<p align="center"><b>Energy Policy Advocates v. Office of the Attorney General</b>  <b>2084-cv-01858, Suffolk Superior</b>  <b>Index of Withheld Documents in Response to April 2020 Public Records Request</b>  <b>July 9, 2024</b></p>										
Record Number	Sender(s)/Recipient(s)	1.a - any and all authors	1.b - document title/subject line	1.c - responsiveness, key word	CC	Family Date	Type of Document	Subject	Exemption(s)	Explanation
2	Email chain b/w AAsG Brian Clappier, Christophe Courchesne, Timothy Reppucci	AAG Brian Clappier	RE: Exxon Investor Team	Parent email of responsive document		2/1/20 3:48 AM	email	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
3	attachment to 2			family member of responsive document		2/1/20 3:48 AM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
4	attachment to 2			family member of responsive document		2/1/20 3:48 AM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
5	attachment to 2			family member of responsive document		2/1/20 3:48 AM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
6	attachment to 2			family member of responsive document		2/1/20 3:48 AM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
7	attachment to 2	AAG Brian Clappier	Mark_Zenner_summary_11.4.2019.docx	April 2020 PR Letter: Complaint AND GHG		2/1/20 3:48 AM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
8	attachment to 2			family member of responsive document		2/1/20 3:48 AM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
9	attachment to 2			family member of responsive document		2/1/20 3:48 AM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
10	attachment to 2			family member of responsive document		2/1/20 3:48 AM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
11	attachment to 2			family member of responsive document		2/1/20 3:48 AM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.

<p align="center"><b>Energy Policy Advocates v. Office of the Attorney General</b>  <b>2084-cv-01858, Suffolk Superior</b>  <b>Index of Withheld Documents in Response to April 2020 Public Records Request</b>  <b>July 9, 2024</b></p>										
Record Number	Sender(s)/Recipient(s)	1.a - any and all authors	1.b - document title/subject line	1.c - responsiveness, key word	CC	Family Date	Type of Document	Subject	Exemption(s)	Explanation
12	attachment to 2			family member of responsive document		2/1/20 3:48 AM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
13	attachment to 2			family member of responsive document		2/1/20 3:48 AM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
14	attachment to 2			family member of responsive document		2/1/20 3:48 AM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
15	attachment to 2			family member of responsive document		2/1/20 3:48 AM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
16	attachment to 2	AAG Brian Clappier	Copy_of_transcript_summary_1.31.2020.xlsx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		2/1/20 3:48 AM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
17	Christophe Courchesne/EPD federal litigation attorneys and staff	see document production	see document production	family member of responsive document		2/6/20 1:46 PM	email	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
18	attachment to 17	Sydney Colopy	Weekly_2-5_final.docx	April 2020 PR Letter: Complaint AND GHG, gas		2/6/20 1:46 PM	attachment	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
19	attachment to 17			family member of responsive document		2/6/20 1:46 PM	attachment	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
20	AAG Megan Herzog/Steve Novick, Oregon AGO		Updated Murthy Article	Parent email of responsive document	AAG David Frankel	2/10/20 3:12 PM	email	Email and attachment concerning article about constitutionality of certain state and local actions on climate change	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Attorney communications subject to common-interest agreement.
21	Attachment to 20	Sharmila Murthy	Constitutionality_of_state_and_local_norm_sustaining_acti on_on_global_climate_-_Murthy-Feb_8,_2020_(sent_to_journal).docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		2/10/20 3:12 PM	attachment	Email and attachment concerning article about constitutionality of certain state and local actions on climate change	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Attorney communications subject to common-interest agreement.
22	AAG Christophe Courchesne/EPD federal litigation attorneys and staff	see document production	see document production	Parent email of responsive document		2/12/20 12:26 PM	email	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
23	Attachment to 22	Sydney Colopy	Weekly_2-12_final.docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		2/12/20 12:26 PM	attachment	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.

<p align="center"><b>Energy Policy Advocates v. Office of the Attorney General</b>  <b>2084-cv-01858, Suffolk Superior</b>  <b>Index of Withheld Documents in Response to April 2020 Public Records Request</b>  <b>July 9, 2024</b></p>										
Record Number	Sender(s)/Recipient(s)	1.a - any and all authors	1.b - document title/subject line	1.c - responsiveness, key word	CC	Family Date	Type of Document	Subject	Exemption(s)	Explanation
24	attachment to 22			family member of responsive document		2/12/20 12:26 PM	attachment	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
25	Sharmila Murthy/AAG David Frankel	Sharmila Murthy	RE: Citing to article	Parent email of a responsive document (responsive attachment child excluded as a publicly filed document)	AAG Megan Herzog, AAG Christophe Courchesne	2/14/20 4:05 PM	email	Email concerning article about constitutionality of certain state and local actions on climate change	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Attorney communications subject to common-interest agreement.
26	AAG Christophe Courchesne/EPD federal litigation attorneys and staff	see document production	see document production	Parent email of responsive document		2/19/20 12:08 PM	email	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
27	Elizabeth Klein, NYU/AAG Christophe Courchesne, AAG Melissa Hoffer, AAG Rebecca Tepper	see document production	see document production	Parent email of responsive document	David Hayes & Jessica Rachel Bell, NYU	2/25/20 8:58 PM	email	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
28	Attachment to 27			family member of responsive document		2/25/20 8:58 PM	attachment	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
29	Attachment to 27	Hampden Macbeth	FERC_and_RTO_weekly_report_2020.02.25_final.docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		2/25/20 8:58 PM	attachment	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
30	AAG Christophe Courchesne/AAG David Frankel forwarding Elizabeth Klein, NYU/AAG Christophe Courchesne, Melissa Hoffer, Rebecca Tepper	see document production	see document production	Parent email of a responsive document		2/26/20 2:16 PM	email	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
31	AAG David Frankel/EPD federal litigation attorneys and staff	see document production	see document production	Parent email of responsive document	AAG Christophe Courchesne	2/26/20 3:18 PM	email	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
32	Attachment to 31	Sydney Colopy	Weekly_2-26_final.docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		2/26/20 3:18 PM	attachment	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
33	attachment to 31			family member of responsive document		2/26/20 3:18 PM	attachment	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
37	AAG Christophe Courchesne/EPD federal litigation attorneys and staff	see document production	see document production	Parent email of responsive document		3/4/20 12:31 PM	email	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
38	Attachment to 37	Sydney Colopy	Weekly_3-4_final.docx	April 2020 PR Letter: Complanat AND GHG, greenhouse gas		3/4/20 12:31 PM	attachment	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
39	Attachment to 37			family member of responsive document		3/4/20 12:31 PM	attachment	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.

<p align="center"><b>Energy Policy Advocates v. Office of the Attorney General</b>  <b>2084-cv-01858, Suffolk Superior</b>  <b>Index of Withheld Documents in Response to April 2020 Public Records Request</b>  <b>July 9, 2024</b></p>										
Record Number	Sender(s)/Recipient(s)	1.a - any and all authors	1.b - document title/subject line	1.c - responsiveness, key word	CC	Family Date	Type of Document	Subject	Exemption(s)	Explanation
40	AAG Joshua Segal (MD AGO)/MA AAsG Seth Schofield, CT AAG Daniel Salton, Del. AAsG Valerie Edge, Jameson Tweedie, Christian Wright, HI AAG Bill Cooper, ME AAG Laura Jensen, MD AAsG Andrea Baker, JB Howard, Steven Goldstein, MN AAsG Leigh Currie, Peter Surdo, NJ AAsG Aaron Love, Lauren Brick, Dianna Shinn, Daniel Resler, NY AAsG David Frankel, Gavin McCabe, Steven Wu, Monica Wagner, Michael Myers, OR AAsG Steve Novick, Patrick Garrahan, PA AAsG Aimee Thomson, Jacob Boyer, VT AAsG Benjamin Battles, Nick Persampieri, WA AAsG Bill Sherman, Kelly Wood, Laura Watson		Climate removal/remand cases -- decision from Fourth Circuit!	Parent email of responsive document	MA AAsG Christophe Courchesne, Bessie Dewar, CA AAsG Heather Leslie, Erin Ganahl, David Zonana, Josh Patashnik	3/6/20 4:05 PM	email	Emails regarding decision in climate litigation in 4th Circuit (4)	M.G.L. c. 4, § 7, cl. 26(d), (f); attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Reveals attorney mental impressions concerning effect of legal decision.
41	AAG Timothy Reppucci/AAG Christophe Courchesne		Current Draft	Parent email of responsive document		3/6/20 10:25 PM	email	AGO attorney emails regarding draft amended complaint in Exxon litigation.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy re: Com. of Mass. v. Exxon Mobil Corp. litigation.
42	attachment to 41	AAG Melissa Hoffer	Exxon_Amended_Complaint_Annotated_2020.03.06_(TJR).docx	April 2020 PR Letter: Complaint AND GHG		3/6/20 10:25 PM	attachment	AGO attorney emails regarding draft amended complaint in Exxon litigation.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy re: Com. of Mass. v. Exxon Mobil Corp. litigation.
43	Email chain b/w AAsG Timothy Reppucci & Christophe Courchesne	AAG Christophe Courchesne	RE: Current Draft	April 2020 PR Letter: Complaint AND GHG		3/9/20 12:42 PM	email	AGO attorney emails discussing draft document relating to Com. of Mass. v. Exxon Mobil litigation.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy and attorney work product re: Com. of Mass. v. Exxon Mobil litigation
44	AAG Timothy Reppucci/AAG Christophe Courchesne	AAG Timothy Reppucci	Annotation Printing Prep	Parent email of responsive document	Jessica Young, AGO	3/9/20 3:00 PM	email	AGO attorney emails regarding draft amended complaint in Exxon litigation.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy re: Com. of Mass. v. Exxon Mobil Corp. litigation.
45	attachment to 44			family member of responsive document		3/9/20 3:00 PM	attachment	AGO attorney emails regarding draft amended complaint in Exxon litigation.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy re: Com. of Mass. v. Exxon Mobil Corp. litigation.
46	attachment to 44	AAG Melissa Hoffer	Exxon_Complaint_Annotated_Final_Version_-_10-24-2019.docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		3/9/20 3:00 PM	attachment	AGO attorney emails regarding draft amended complaint in Exxon litigation.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy re: Com. of Mass. v. Exxon Mobil Corp. litigation.
47	AAG Christophe Courchesne/Jessica Young, AGO forwarding 220189.1		FW: Annotation Printing Prep	Parent email of responsive document		3/9/20 3:52 PM	email	AGO attorney emails regarding draft amended complaint in Exxon litigation.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy re: Com. of Mass. v. Exxon Mobil Corp. litigation.



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Record Number	Sender(s)/Recipient(s)	1.a - any and all authors	1.b - document title/subject line	1.c - responsiveness, key word	CC	Family Date	Type of Document	Subject	Exemption(s)	Explanation
48	attachment to 47			family member of responsive document		3/9/20 3:52 PM	attachment	AGO attorney emails regarding draft amended complaint in Exxon litigation.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy re: Com. of Mass. v. Exxon Mobil Corp. litigation.
49	attachment to 47	AAG Melissa Hoffer	Exxon_Complaint_Annotated_Final_Version_-_10-24-2019.docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		3/9/20 3:52 PM	attachment	AGO attorney emails regarding draft amended complaint in Exxon litigation.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy re: Com. of Mass. v. Exxon Mobil Corp. litigation.
50	AAG Seth Schofield/AAsG Richard Johnston, Melissa Hoffer, Shennan Kavanaugh, Matthew Berge, Andy Goldberg, Brian Clappier, Christophe Courchesne, Timothy Reppucci, Sigmund Roos, Taylor O'Hare			parent email of a responsive document (responsive attachment child excluded as a publicly filed document)		3/10/20 2:32 PM	email	AGO attorney email forwarding Rule 28(j) letter filed in a First Circuit case and agenda relating to meeting to discuss Com. of Mass. v. Exxon Mobil litigation	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy re: Com. of Mass. v. Exxon Mobil Corp. litigation.
51	AAG Christophe Courchesne/EPD federal litigation attorneys and staff	<i>see document production</i>	<i>see document production</i>	Parent email of responsive document		3/11/20 12:59 AM	email	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
52	attachment to 51	Hampden Macbeth	FERC_and_RTO_weekly_report_2020.03.10final.docx	April 2020 PR Letter: Complaint and GHG		3/11/20 12:59 PM	attachment	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
55	attachment to 51			family member of responsive document		3/11/20 12:59 PM	attachment	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
57	AAG Timothy Reppucci/AAG Christophe Courchesne	AAG Timothy Reppucci	Amended Complaint	Parent email of responsive document	AAG Brian Clappier	3/11/20 10:26 PM	email	AGO attorney emails regarding draft amended complaint in Exxon litigation.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy re: Com. of Mass. v. Exxon Mobil Corp. litigation.
58	attachment to 57	AAG Melissa Hoffer	Exxon_Amended_Complaint_Annotated_2020.03.11_(TJR).docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		3/11/20 10:26 PM	attachment	AGO attorney emails regarding draft amended complaint in Exxon litigation.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy re: Com. of Mass. v. Exxon Mobil Corp. litigation.
59	Email chain b/w AAsG Melissa Hoffer, Richard Johnston, Rebecca Tepper, Christophe Courchesne and AGO Communications Staff Chloe Gotsis, Emalie Gainey, and Jillian Fennimore		Re: FYI: Op-ed in BBJ: AG should focus on climate solutions, not lawsuits	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		3/13/20 7:30 PM	email	AGO attorney emails discussing article about Op-ed in Boston Business Journal regarding climate lawsuits	M.G.L. c. 4, § 7, cl. 26(d), (f); attorney-client privilege	Relates to development of AGO policy positions. Attorney-client communications regarding Com. of Mass. v. Exxon Mobil litigation and related investigation
60	email chain b/w AAsG Christophe Courchesne and Melissa Hoffer		RE: Muni/State Cases	Parent email of responsive document		3/16/20 11:47 PM	email	AGO attorney emails and attached attorney-prepared memorandum regarding nature and status of state and municipal climate lawsuits in various jurisdictions	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communications regarding litigation.

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Record Number	Sender(s)/Recipient(s)	1.a - any and all authors	1.b - document title/subject line	1.c - responsiveness, key word	CC	Family Date	Type of Document	Subject	Exemption(s)	Explanation
61	attachment to 60			family member of responsive document		3/16/20 11:47 PM	attachment	AGO attorney emails and attached attorney-prepared memorandum regarding nature and status of state and municipal climate lawsuits in various jurisdictions	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communications regarding litigation.
62	attachment to 60	AAG Christophe Courchesne	Juliana_Cheat_Sheet.docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		3/16/20 11:47 PM	attachment	AGO attorney emails and attached attorney-prepared memorandum regarding nature and status of state and municipal climate lawsuits in various jurisdictions	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communications regarding litigation.
63	Christophe Courchesne/EPD federal litigation attorneys and staff	see document production	see document production	Parent email of responsive document		3/18/20 12:19 PM	email	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
64	attachment to 63	Sydney Colopy	Weekly_3-18_final.docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		3/18/20 12:19 PM	attachment	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
65	attachment to 63			family member of responsive document		3/18/20 12:19 PM	attachment	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
66	AAG Jim Sweeney/AAsG Richard Johnston, Melissa Hoffer, Seth Schofield, Christophe Courchesne, Matthew Berge		Opp. to Stay of Motion to Remand	Parent email of responsive document		3/18/20 1:12 PM	email	AGO attorney email discussing and attaching draft brief in Com. of MA v. Exxon Mobil Corp.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy in Com. of Mass. v. Exxon Mobil Corp. litigation.
67	attachment to 66	AAG Jim Sweeney	First_Cir._Motion_to_Stay_Opp_memo_(1).docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		3/18/20 1:12 PM	attachment	AGO attorney email discussing and attaching draft brief in Com. of MA v. Exxon Mobil Corp.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy in Com. of Mass. v. Exxon Mobil Corp. litigation.
68	AAG Brian Clappier/AAG Christophe Courchesne and AAG Timothy Reppucci		Exxon Complaint - cite checks	Parent email of responsive document		3/20/20 5:59 PM		AGO attorney emails regarding draft amended complaint in Exxon litigation.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy re: Com. of Mass. v. Exxon Mobil Corp. litigation.
69	attachment to 68	AAG Melissa Hoffer	Exxon_Amended_Complaint_Annotated_2020.03.20_(TJR,BCJ).docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		3/20/20 5:59 PM	attachment	AGO attorney emails regarding draft amended complaint in Exxon litigation.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy re: Com. of Mass. v. Exxon Mobil Corp. litigation.
70	AAG Christophe Courchesne/Michelle Predi, AGO		FW: Muni/State Cases	Parent email of responsive document	Jessica Young, AGO	3/31/20 7:28 PM	email	AGO attorney emails and attached attorney-prepared memorandum regarding nature and status of state and municipal climate lawsuits in various jurisdictions	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communications regarding litigation.
71	attachment to 70	AAG Christophe Courchesne	Juliana_Cheat_Sheet.docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		3/31/20 7:28 PM	attachment	Memorandum prepared by AGO attorney discussing and distinguishing 9th Circuit case.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Attorney-client communication and memorandum containing attorney mental impressions and litigation strategy.

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Record Number	Sender(s)/Recipient(s)	1.a - any and all authors	1.b - document title/subject line	1.c - responsiveness, key word	CC	Family Date	Type of Document	Subject	Exemption(s)	Explanation
71.A	attachment to 70			family member of responsive document		3/31/20 7:28 PM	attachment	Memorandum prepared by AGO attorney discussing and distinguishing 9th Circuit case.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Attorney-client communication and memorandum containing attorney mental impressions and litigation strategy.
72	AAG Timothy Reppucci/AAsG Christophe Courchesne & Brian Clappier		NY Trial Transcript Summaries	Parent email of responsive document		3/31/20 10:17 PM	email	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
72.A	attachment to 72			family member of responsive document		3/31/20 10:17 PM	attachment	<b>AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.</b>	<b>M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product</b>	<b>Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.</b>
73	attachment to 72			family member of responsive document		3/31/20 10:17 PM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
74	attachment to 72	AAG Brian Clappier	Roger_Read_2019.10.28-29.docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		3/31/20 12:00 AM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
75	attachment to 72			family member of responsive document		3/31/20 10:17 PM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
76	attachment to 72			family member of responsive document		3/31/20 10:17 PM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
77	attachment to 72			family member of responsive document		3/31/20 10:17 PM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
78	attachment to 72	AAG Brian Clappier	Rex_Tillerson_2019.10.30.docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		3/31/20 10:17 PM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
79	attachment to 72			family member of responsive document		3/31/20 10:17 PM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.

<p align="center"><b>Energy Policy Advocates v. Office of the Attorney General</b>  <b>2084-cv-01858, Suffolk Superior</b>  <b>Index of Withheld Documents in Response to April 2020 Public Records Request</b>  <b>July 9, 2024</b></p>										
Record Number	Sender(s)/Recipient(s)	1.a - any and all authors	1.b - document title/subject line	1.c - responsiveness, key word	CC	Family Date	Type of Document	Subject	Exemption(s)	Explanation
80	attachment to 72			family member of responsive document		3/31/20 10:17 PM	attachment	AGO attorney emails forwarding and discussing attorney-prepared summaries of trial testimony in New York trial; AGO attorney emails discussing potential claims against Exxon.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney work product and mental impressions. Relates to potential Exxon litigation.
81	AAG Brian Clappier/AAG Christophe Courchesne and AAG Timothy Reppucci		Wellington Notes from CID documents	Parent email of responsive document		4/7/20 6:43 PM	email	AGO attorney memorandum and cover email discussing documents received from third party in response to CID relating to Exxon	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy re: Com. of Mass. v. Exxon Mobil Corp. litigation.
82	attachment to 81	AAG Brian Clappier	2020.04.07 - Wellington_CID_Notes.docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		4/7/20 6:43 PM	attachment	AGO attorney memorandum and cover email discussing documents received from third party in response to CID relating to Exxon	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy re: Com. of Mass. v. Exxon Mobil Corp. litigation.
83	AAG Shennan Kavanaugh/AAG Richard Johnston		Exxon: [Draft] First Request for Production.	Parent email of responsive document	AAsG Melissa Hoffer, Matthew Berge, Andy Goldberg, Brian Clappier, Christophe Courchesne, Timothy Reppucci, Jim Sweeney	4/10/20 5:55 PM	email	AGO attorney email plus draft redlined discovery request to defendant Exxon Mobil	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy and work product re: Com. of Mass. v. Exxon Mobil Corp. litigation.
84	attachment to 83	AAG Richard Johnston	Draft_8_of_First_Request_for_Production_of_Documents_to_ExxonMobil_4.10.20_(with_IAG_comments)_(sk).docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		4/10/20 5:55 PM	attachment	AGO attorney email plus draft redlined discovery request to defendant Exxon Mobil	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy and work product re: Com. of Mass. v. Exxon Mobil Corp. litigation.
85	AAG Tim Reppucci/AAG Christophe Courchesne		RE: Complaint additions	Parent email of responsive document	AAG Brian Clappier	4/13/20 9:45 PM	email	AGO attorney emails regarding draft amended complaint in Exxon litigation.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy re: Com. of Mass. v. Exxon Mobil Corp. litigation.
87	attachment to 85	AAG Melissa Hoffer	Exxon_Amended_Complaint_Annotated_2020.04.13_-_Wellington_amends_-_BC_(tjr)_draft_2_(tjr).docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		4/13/20 9:45 PM	attachment	AGO attorney emails regarding draft amended complaint in Exxon litigation.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy re: Com. of Mass. v. Exxon Mobil Corp. litigation.
88	Two emails from AAG Christophe Courchesne/AAG Melissa Hoffer		Draft amended complaint	Parent email of responsive document	AAsG Jim Sweeney, Lilia DuBois, Glenn Kaplan, Brian Clappier, Timothy Reppucci, Shennan Kavanaugh, Andy Goldberg	4/14/20 1:01 PM	email	AGO attorney emails regarding draft amended complaint in Exxon litigation.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy re: Com. of Mass. v. Exxon Mobil Corp. litigation.
89	attachment to 88	AAG Melissa Hoffer	2020-4-13 - Exxon_Amended_Complaint_Annotated.docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		4/14/20 1:01 PM	attachment	AGO attorney emails regarding draft amended complaint in Exxon litigation.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy re: Com. of Mass. v. Exxon Mobil Corp. litigation.
90	AAG Shennan Kavanaugh/AAG Richard Johnston		Exxon: [Draft] First Request for Production of Documents.	Parent email of responsive document	AAsG Melissa Hoffer, Matthew Berge, Andy Goldberg, Brian Clappier, Christophe Courchesne, Timothy Reppucci, Jim Sweeney, Sigmund Roos, Seth Schofield	4/14/20 6:06 PM	email	AGO attorney email plus draft redlined discovery request to defendant Exxon Mobil	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy and work product re: Com. of Mass. v. Exxon Mobil Corp. litigation.

<p align="center"><b>Energy Policy Advocates v. Office of the Attorney General</b>  <b>2084-cv-01858, Suffolk Superior</b>  <b>Index of Withheld Documents in Response to April 2020 Public Records Request</b>  <b>July 9, 2024</b></p>										
Record Number	Sender(s)/Recipient(s)	1.a - any and all authors	1.b - document title/subject line	1.c - responsiveness, key word	CC	Family Date	Type of Document	Subject	Exemption(s)	Explanation
91	attachment to 90	AAG Richard Johnston	Draft_8_of_First_Request_for_Production_of_Documents_to_ExxonMobil_4.10.20_(with_IAG_comments_(sk_(rj)).docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		4/14/20 6:06 PM	attachment	AGO attorney email plus draft redlined discovery request to defendant Exxon Mobil	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy and work product re: Com. of Mass. v. Exxon Mobil Corp. litigation.
92	attachment to 90			family member of responsive document		4/14/20 6:06 PM	attachment	AGO attorney email plus draft redlined discovery request to defendant Exxon Mobil	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy and work product re: Com. of Mass. v. Exxon Mobil Corp. litigation.
93	Christophe Courchesne/EPD federal litigation attorneys and staff	see document production	see document production	Parent email of responsive document		4/15/20 1:08 PM	email	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
94	Attachment to 93	Sydney Colopy	Weekly_4-15_final.docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		4/15/20 1:08 PM	attachment	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
95	Attachment to 93			family member of responsive document		4/15/20 1:08 PM	attachment	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
98	Christophe Courchesne/EPD federal litigation attorneys and staff	see document production	see document production	Parent email of responsive document		4/22/20 12:48 PM	email	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
99	attachment to 98	Hampden Macbeth	FERC_and_RTO_weekly_report_2020.28.21final.docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		4/22/20 12:48 PM	attachment	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
100	attachment to 98	Hampden Macbeth	MOPR_Rehearing_Request_Orders.docx	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		4/22/20 12:48 PM	attachment	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
101	attachment to 98			family member of responsive document		4/22/20 12:48 PM	attachment	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
102	attachment to 98			family member of responsive document		4/22/20 12:48 PM	attachment	Email chain discussing and attaching weekly updates from the State Energy and Environmental Impact Center at NYU	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege, attorney work product	Relates to development of AGO policy positions. Contains attorney discussion of legal issues and litigation.
103	Email chain b/w AAsG Andy Goldberg, Richard Johnston, Melissa Hoffer, Shennan Kavanaugh, Matthew Berge, Brian Clappier, Christophe Courchesne, Timothy Reppucci		RE: The Future of Exxon and the Permian's Flaring Crisis   DeSmog	April 2020 PR Letter: Complaint AND GHG, greenhouse gas		4/23/20 2:22 PM	email	AGO attorney emails regarding draft amended complaint in Exxon litigation.	M.G.L. c. 4, § 7, cl. 26(d), attorney-client privilege; attorney work product	Relates to development of AGO policy positions. Attorney-client communication concerning litigation strategy re: Com. of Mass. v. Exxon Mobil Corp. litigation.

## **Exhibit C**

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**From:** Bradley Campbell <bcampbell@clf.org>  
**Sent:** Monday, March 28, 2016 9:47 PM  
**To:** Hoffer, Melissa (AGO)  
**Cc:** Bradley Campbell  
**Subject:** ExxonMobil  
**Attachments:** image001.jpg

Pls call me if you have a sec. Any number below.

Bradley M. Campbell  
President  
Conservation Law Foundation

62 Summer Street  
Boston, MA 02110

Office: 617-850-1786  
Mobile: [REDACTED]  
Email: [bcampbell@clf.org](mailto:bcampbell@clf.org)<<mailto:bcampbell@clf.org>>  
Skype: bradcampbellus

[\[cid:image001.jpg@01D08734.BC133950\]](#)

## **Exhibit D**



**From:** "Courchesne, Christophe (AGO)" <christophe.courchesne@mass.gov>

**To:** "Chorover, Nora (AGO)" <Nora.Chorover@mass.gov>, "Iancu, Carol (AGO)" <carol.iancu@mass.gov>, "Ireland, Matthew (AGO)" <matthew.ireland@mass.gov>, "Goldberg, Andy (AGO)" <andy.goldberg@mass.gov>, "Young, Jessica (AGO)" <jessica.young@mass.gov>, "Herzog, Megan (AGO)" <Megan.Herzog@mass.gov>, "Schofield, Seth (AGO)" <seth.schofield@mass.gov>, "Paskvan, Liam (AGO)" <Liam.Paskvan@mass.gov>, "Griffiths, Benjamin (AGO)" <Benjamin.Griffiths@mass.gov>, "Reppucci, Timothy (AGO)" <Timothy.Reppucci@mass.gov>, "Belew, Christina (AGO)" <christina.belew@mass.gov>, "Sullivan, Margaret (AGO)" <Margaret.L.Sullivan@mass.gov>, "Wittenberg, David (AGO)" <David.Wittenberg@mass.gov>, "Frankel, David (AGO)" <David.Frankel@mass.gov>

**Subject:** FW: Weekly Updates

**Date:** Wed, 19 Feb 2020 12:08:46 +0000

**Importance:** Normal

**Attachments:** Weekly\_2-19\_final.docx; FERC\_and\_RTO\_weekly\_report\_2020.02.18.docx

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**From:** David J. Hayes <david.hayes@nyu.edu>

**Sent:** Tuesday, February 18, 2020 6:17 PM

**To:** Hoffer, Melissa (AGO) <melissa.hoffer@mass.gov>; Courchesne, Christophe (AGO) <christophe.courchesne@mass.gov>; Tepper, Rebecca (AGO) <rebecca.tepper@mass.gov>

**Cc:** Elizabeth Johnson Klein <Elizabeth.Klein@nyu.edu>; Jessica Rachel Bell <jessica.bell@nyu.edu>

**Subject:** Weekly Updates

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Attached please find our weekly updates.

Thanks

David

--

**David J. Hayes**

**Executive Director**

**[State Energy & Environmental Impact Center](#)**

1015 15th Street, NW, Suite 600

Washington, D.C. 20005

office: (202) 846-0247

cell: [REDACTED]

email: [david.hayes@nyu.edu](mailto:david.hayes@nyu.edu)

twitter: @djhayes01

[www.law.nyu.edu/centers/state-impact](http://www.law.nyu.edu/centers/state-impact)

*The State Impact Center is part of the NYU School of Law*

COM-GHG000023

**From:** "Courchesne, Christophe (AGO)" <christophe.courchesne@mass.gov>

**To:** "Chorover, Nora (AGO)" <Nora.Chorover@mass.gov>, "Iancu, Carol (AGO)" <carol.iancu@mass.gov>, "Ireland, Matthew (AGO)" <matthew.ireland@mass.gov>, "Goldberg, Andy (AGO)" <andy.goldberg@mass.gov>, "Young, Jessica (AGO)" <jessica.young@mass.gov>, "Herzog, Megan (AGO)" <Megan.Herzog@mass.gov>, "Schofield, Seth (AGO)" <seth.schofield@mass.gov>, "Paskvan, Liam (AGO)" <Liam.Paskvan@mass.gov>, "Griffiths, Benjamin (AGO)" <Benjamin.Griffiths@mass.gov>, "Reppucci, Timothy (AGO)" <Timothy.Reppucci@mass.gov>, "Belew, Christina (AGO)" <christina.belew@mass.gov>, "Sullivan, Margaret (AGO)" <Margaret.L.Sullivan@mass.gov>, "Wittenberg, David (AGO)" <David.Wittenberg@mass.gov>, "Frankel, David (AGO)" <David.Frankel@mass.gov>

**Subject:** FW: Weekly updates

**Date:** Wed, 12 Feb 2020 12:26:13 +0000

**Importance:** Normal

**Attachments:** Weekly\_2-12\_final.docx; FERC\_and\_RTO\_weekly\_report\_2020.02.11\_final.docx

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**From:** Elizabeth Klein <elizabeth.klein@nyu.edu>

**Sent:** Tuesday, February 11, 2020 8:15 PM

**To:** Courchesne, Christophe (AGO) <christophe.courchesne@mass.gov>; Hoffer, Melissa (AGO) <melissa.hoffer@mass.gov>; Tepper, Rebecca (AGO) <rebecca.tepper@mass.gov>

**Cc:** David J. Hayes <david.hayes@nyu.edu>; Jessica Rachel Bell <jessica.bell@nyu.edu>

**Subject:** Weekly updates

PRIVILEGED & CONFIDENTIAL

Attached please find our weekly updates.

Thanks

Liz

--

Elizabeth Klein  
Deputy Director  
State Energy & Environmental Impact Center  
NYU School of Law  


**From:** "Courchesne, Christophe (AGO)" <christophe.courchesne@mass.gov>

**To:** "Chorover, Nora (AGO)" <Nora.Chorover@mass.gov>, "Iancu, Carol (AGO)" <carol.iancu@mass.gov>, "Ireland, Matthew (AGO)" <matthew.ireland@mass.gov>, "Goldberg, Andy (AGO)" <andy.goldberg@mass.gov>, "Young, Jessica (AGO)" <jessica.young@mass.gov>, "Herzog, Megan (AGO)" <Megan.Herzog@mass.gov>, "Schofield, Seth (AGO)" <seth.schofield@mass.gov>, "Paskvan, Liam (AGO)" <Liam.Paskvan@mass.gov>, "Griffiths, Benjamin (AGO)" <Benjamin.Griffiths@mass.gov>, "Reppucci, Timothy (AGO)" <Timothy.Reppucci@mass.gov>, "Belew, Christina (AGO)" <christina.belew@mass.gov>, "Sullivan, Margaret (AGO)" <Margaret.L.Sullivan@mass.gov>, "Wittenberg, David (AGO)" <David.Wittenberg@mass.gov>, "Frankel, David (AGO)" <David.Frankel@mass.gov>, "Smith, Turner (AGO)" <turner.smith@mass.gov>, "Riley, Jillian (AGO)" <jillian.riley@mass.gov>, "Predi, Michelle (AGO)" <michelle.predi@mass.gov>, "Pusateri, Carly (AGO)" <Carly.Pusateri@mass.gov>

**Subject:** FW: Weekly updates

**Date:** Wed, 22 Apr 2020 12:48:03 +0000

**Importance:** Normal

**Attachments:** Weekly\_4-22\_final.docx; FERC\_and\_RTO\_weekly\_report\_2020.28.21final.docx; Petition\_for\_Declaratory\_Order\_on\_Net\_Metering-2.docx; MOPR\_Rehearing\_Request\_Orders.docx

---

**From:** Elizabeth Klein <elizabeth.klein@nyu.edu>

**Sent:** Tuesday, April 21, 2020 7:36 PM

**To:** Courchesne, Christophe (AGO) <christophe.courchesne@mass.gov>; Hoffer, Melissa (AGO) <melissa.hoffer@mass.gov>; Tepper, Rebecca (AGO) <rebecca.tepper@mass.gov>

**Cc:** David J. Hayes <david.hayes@nyu.edu>

**Subject:** Fwd: Weekly updates

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Attached please find our weekly updates.

Thanks

Liz

--

Elizabeth Klein

Deputy Director

State Energy & Environmental Impact Center

NYU School of Law

COM-GHG000025



**From:** "Courchesne, Christophe (AGO)" <christophe.courchesne@mass.gov>

**To:** "Chorover, Nora (AGO)" <Nora.Chorover@mass.gov>, "Iancu, Carol (AGO)" <carol.iancu@mass.gov>, "Ireland, Matthew (AGO)" <matthew.ireland@mass.gov>, "Goldberg, Andy (AGO)" <andy.goldberg@mass.gov>, "Young, Jessica (AGO)" <jessica.young@mass.gov>, "Herzog, Megan (AGO)" <Megan.Herzog@mass.gov>, "Schofield, Seth (AGO)" <seth.schofield@mass.gov>, "Paskvan, Liam (AGO)" <Liam.Paskvan@mass.gov>, "Griffiths, Benjamin (AGO)" <Benjamin.Griffiths@mass.gov>, "Reppucci, Timothy (AGO)" <Timothy.Reppucci@mass.gov>, "Belew, Christina (AGO)" <christina.belew@mass.gov>, "Sullivan, Margaret (AGO)" <Margaret.L.Sullivan@mass.gov>, "Wittenberg, David (AGO)" <David.Wittenberg@mass.gov>, "Frankel, David (AGO)" <David.Frankel@mass.gov>, "Smith, Turner (AGO)" <turner.smith@mass.gov>, "Riley, Jillian (AGO)" <jillian.riley@mass.gov>, "Predi, Michelle (AGO)" <michelle.predi@mass.gov>, "Pusateri, Carly (AGO)" <Carly.Pusateri@mass.gov>

**Subject:** FW: weekly updates

**Date:** Wed, 15 Apr 2020 13:08:28 +0000

**Importance:** Normal

**Attachments:** Weekly\_4-15\_final.docx; FERC\_and\_RTO\_weekly\_report\_2020.04.14final.docx

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Adding Michelle and Carly to this.

**From:** Elizabeth Klein <elizabeth.klein@nyu.edu>

**Sent:** Tuesday, April 14, 2020 8:29 PM

**To:** Courchesne, Christophe (AGO) <christophe.courchesne@mass.gov>; Tepper, Rebecca (AGO) <rebecca.tepper@mass.gov>; Hoffer, Melissa (AGO) <melissa.hoffer@mass.gov>

**Cc:** David J. Hayes <david.hayes@nyu.edu>

**Subject:** weekly updates

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

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Attached please find our weekly updates.

Thanks

Liz


--

Elizabeth Klein

Deputy Director

State Energy & Environmental Impact Center

NYU School of Law



COM-GHG000027

**From:** "Courchesne, Christophe (AGO)" <christophe.courchesne@mass.gov>

**To:** "Chorover, Nora (AGO)" <Nora.Chorover@mass.gov>, "Iancu, Carol (AGO)" <carol.iancu@mass.gov>, "Ireland, Matthew (AGO)" <matthew.ireland@mass.gov>, "Goldberg, Andy (AGO)" <andy.goldberg@mass.gov>, "Young, Jessica (AGO)" <jessica.young@mass.gov>, "Herzog, Megan (AGO)" <Megan.Herzog@mass.gov>, "Schofield, Seth (AGO)" <seth.schofield@mass.gov>, "Paskvan, Liam (AGO)" <Liam.Paskvan@mass.gov>, "Griffiths, Benjamin (AGO)" <Benjamin.Griffiths@mass.gov>, "Reppucci, Timothy (AGO)" <Timothy.Reppucci@mass.gov>, "Belew, Christina (AGO)" <christina.belew@mass.gov>, "Sullivan, Margaret (AGO)" <Margaret.L.Sullivan@mass.gov>, "Wittenberg, David (AGO)" <David.Wittenberg@mass.gov>, "Frankel, David (AGO)" <David.Frankel@mass.gov>, "Smith, Turner (AGO)" <turner.smith@mass.gov>, "Riley, Jillian (AGO)" <jillian.riley@mass.gov>

**Subject:** FW: Weekly updates

**Date:** Wed, 11 Mar 2020 12:59:52 +0000

**Importance:** Normal

**Attachments:** Weekly\_3-11\_final.docx; FERC\_and\_RTO\_weekly\_report\_2020.03.10final.docx

**Embedded:** Legally\_Speaking\_March\_5; You\_Are\_Invited\_—  
\_The\_Fixed\_Resource\_Requirement\_(FRR)\_Alternative\_to\_PJM's\_Capacity\_Market\_—  
\_Webinar\_March\_17th

---

**From:** Elizabeth Klein <elizabeth.klein@nyu.edu>

**Sent:** Tuesday, March 10, 2020 6:57 PM

**To:** Courchesne, Christophe (AGO) <christophe.courchesne@mass.gov>; Hoffer, Melissa (AGO) <melissa.hoffer@mass.gov>; Tepper, Rebecca (AGO) <rebecca.tepper@mass.gov>

**Cc:** David J. Hayes <david.hayes@nyu.edu>

**Subject:** Weekly updates

PRIVILEGED & CONFIDENTIAL

Attached please find our weekly updates.

Thanks

Liz

--

Elizabeth Klein

Deputy Director

State Energy & Environmental Impact Center

NYU School of Law

COM-GHG000028

**From:** "Frankel, David (AGO)" <David.Frankel@mass.gov>

**To:** "Chorover, Nora (AGO)" <Nora.Chorover@mass.gov>, "Iancu, Carol (AGO)" <carol.iancu@mass.gov>, "Ireland, Matthew (AGO)" <matthew.ireland@mass.gov>, "Goldberg, Andy (AGO)" <andy.goldberg@mass.gov>, "Young, Jessica (AGO)" <jessica.young@mass.gov>, "Herzog, Megan (AGO)" <Megan.Herzog@mass.gov>, "Schofield, Seth (AGO)" <seth.schofield@mass.gov>, "Paskvan, Liam (AGO)" <Liam.Paskvan@mass.gov>, "Griffiths, Benjamin (AGO)" <Benjamin.Griffiths@mass.gov>, "Reppucci, Timothy (AGO)" <Timothy.Reppucci@mass.gov>, "Belew, Christina (AGO)" <christina.belew@mass.gov>, "Sullivan, Margaret (AGO)" <Margaret.L.Sullivan@mass.gov>, "Wittenberg, David (AGO)" <David.Wittenberg@mass.gov>

**Cc:** "Courchesne, Christophe (AGO)" <christophe.courchesne@mass.gov>

**Subject:** Weekly updates

**Date:** Wed, 26 Feb 2020 15:18:03 +0000

**Importance:** Normal

**Attachments:** Weekly\_2-26\_final.docx; FERC\_and\_RTO\_weekly\_report\_2020.02.25\_final.docx

---

Hi all, attached are this week's updates from the State Impact Center.

**From:** "Courchesne, Christophe (AGO)" <christophe.courchesne@mass.gov>

**To:** "Chorover, Nora (AGO)" <Nora.Chorover@mass.gov>, "Iancu, Carol (AGO)" <carol.iancu@mass.gov>, "Ireland, Matthew (AGO)" <matthew.ireland@mass.gov>, "Goldberg, Andy (AGO)" <andy.goldberg@mass.gov>, "Young, Jessica (AGO)" <jessica.young@mass.gov>, "Herzog, Megan (AGO)" <Megan.Herzog@mass.gov>, "Schofield, Seth (AGO)" <seth.schofield@mass.gov>, "Paskvan, Liam (AGO)" <Liam.Paskvan@mass.gov>, "Griffiths, Benjamin (AGO)" <Benjamin.Griffiths@mass.gov>, "Reppucci, Timothy (AGO)" <Timothy.Reppucci@mass.gov>, "Belew, Christina (AGO)" <christina.belew@mass.gov>, "Sullivan, Margaret (AGO)" <Margaret.L.Sullivan@mass.gov>, "Wittenberg, David (AGO)" <David.Wittenberg@mass.gov>, "Frankel, David (AGO)" <David.Frankel@mass.gov>, "Smith, Turner (AGO)" <turner.smith@mass.gov>, "Riley, Jillian (AGO)" <jillian.riley@mass.gov>

**Subject:** FW: Weekly updates

**Date:** Wed, 04 Mar 2020 12:31:51 -0000

**Importance:** Normal

**Attachments:** Weekly\_3-4\_final.docx; FERC\_and\_RTO\_weekly\_report\_2020.03.03\_final.docx

---

**From:** Elizabeth Klein <elizabeth.klein@nyu.edu>

**Sent:** Tuesday, March 3, 2020 8:25 PM

**To:** Courchesne, Christophe (AGO) <christophe.courchesne@mass.gov>; Hoffer, Melissa (AGO) <melissa.hoffer@mass.gov>; Tepper, Rebecca (AGO) <rebecca.tepper@mass.gov>

**Cc:** David J. Hayes <david.hayes@nyu.edu>

**Subject:** Weekly updates

PRIVILEGED & CONFIDENTIAL

Attached please find our weekly updates.

Thanks

Liz

--

Elizabeth Klein

Deputy Director

State Energy & Environmental Impact Center

NYU School of Law



**From:** Elizabeth Klein <elizabeth.klein@nyu.edu>

**To:** "Courchesne, Christophe (AGO)" <christophe.courchesne@mass.gov>, "Hoffer, Melissa (AGO)" <melissa.hoffer@mass.gov>, "Tepper, Rebecca (AGO)" <rebecca.tepper@mass.gov>

**Cc:** "David J. Hayes" <david.hayes@nyu.edu>, Jessica Rachel Bell <jessica.bell@nyu.edu>

**Subject:** Weekly updates

**Date:** Tue, 25 Feb 2020 20:58:56 -0500

**Importance:** Normal

**Attachments:** Weekly\_2-19\_final.docx; FERC\_and\_RTO\_weekly\_report\_2020.02.25\_final.docx

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PRIVILEGED & CONFIDENTIAL

Attached please find our weekly updates.

Thanks

Liz


--

Elizabeth Klein

Deputy Director

State Energy & Environmental Impact Center

NYU School of Law



**From:** "Courchesne, Christophe (AGO)" <christophe.courchesne@mass.gov>

**To:** "Chorover, Nora (AGO)" <Nora.Chorover@mass.gov>, "Iancu, Carol (AGO)" <carol.iancu@mass.gov>, "Ireland, Matthew (AGO)" <matthew.ireland@mass.gov>, "Goldberg, Andy (AGO)" <andy.goldberg@mass.gov>, "Young, Jessica (AGO)" <jessica.young@mass.gov>, "Herzog, Megan (AGO)" <Megan.Herzog@mass.gov>, "Schofield, Seth (AGO)" <seth.schofield@mass.gov>, "Paskvan, Liam (AGO)" <Liam.Paskvan@mass.gov>, "Griffiths, Benjamin (AGO)" <Benjamin.Griffiths@mass.gov>, "Reppucci, Timothy (AGO)" <Timothy.Reppucci@mass.gov>, "Belew, Christina (AGO)" <christina.belew@mass.gov>, "Sullivan, Margaret (AGO)" <Margaret.L.Sullivan@mass.gov>, "Wittenberg, David (AGO)" <David.Wittenberg@mass.gov>, "Frankel, David (AGO)" <David.Frankel@mass.gov>

**Subject:** FW: Weekly updates

**Date:** Thu, 06 Feb 2020 13:46:12 -0000

**Importance:** Normal

**Attachments:** Weekly\_2-5\_final.docx; FERC\_and\_RTO\_weekly\_report\_2020.02.04final.docx

---

**From:** Elizabeth Klein <elizabeth.klein@nyu.edu>

**Sent:** Tuesday, February 4, 2020 5:49 PM

**To:** Courchesne, Christophe (AGO) <christophe.courchesne@mass.gov>; Hoffer, Melissa (AGO) <melissa.hoffer@mass.gov>; Tepper, Rebecca (AGO) <rebecca.tepper@mass.gov>

**Cc:** David J. Hayes <david.hayes@nyu.edu>; Jessica Rachel Bell <jessica.bell@nyu.edu>

**Subject:** Weekly updates

PRIVILEGED & CONFIDENTIAL

Attached please find our weekly updates.

Thanks

Liz

--

Elizabeth Klein  
Deputy Director  
State Energy & Environmental Impact Center  
NYU School of Law  


**From:** "Courchesne, Christophe (AGO)" <christophe.courchesne@mass.gov>

**To:** "Chorover, Nora (AGO)" <Nora.Chorover@mass.gov>, "Iancu, Carol (AGO)" <carol.iancu@mass.gov>, "Ireland, Matthew (AGO)" <matthew.ireland@mass.gov>, "Goldberg, Andy (AGO)" <andy.goldberg@mass.gov>, "Young, Jessica (AGO)" <jessica.young@mass.gov>, "Herzog, Megan (AGO)" <Megan.Herzog@mass.gov>, "Schofield, Seth (AGO)" <seth.schofield@mass.gov>, "Paskvan, Liam (AGO)" <Liam.Paskvan@mass.gov>, "Griffiths, Benjamin (AGO)" <Benjamin.Griffiths@mass.gov>, "Reppucci, Timothy (AGO)" <Timothy.Reppucci@mass.gov>, "Belew, Christina (AGO)" <christina.belew@mass.gov>, "Sullivan, Margaret (AGO)" <Margaret.L.Sullivan@mass.gov>, "Wittenberg, David (AGO)" <David.Wittenberg@mass.gov>, "Frankel, David (AGO)" <David.Frankel@mass.gov>, "Smith, Turner (AGO)" <turner.smith@mass.gov>, "Riley, Jillian (AGO)" <jillian.riley@mass.gov>

**Subject:** FW: Weekly update

**Date:** Wed, 18 Mar 2020 12:19:14 -0000

**Importance:** Normal

**Attachments:** Weekly\_3-18\_final.docx; FERC\_and\_RTO\_weekly\_report\_2020.03.17final.docx

---

**From:** Elizabeth Klein <elizabeth.klein@nyu.edu>

**Sent:** Tuesday, March 17, 2020 8:03 PM

**To:** Courchesne, Christophe (AGO) <christophe.courchesne@mass.gov>; Hoffer, Melissa (AGO) <melissa.hoffer@mass.gov>; Tepper, Rebecca (AGO) <rebecca.tepper@mass.gov>

**Cc:** David J. Hayes <david.hayes@nyu.edu>

**Subject:** Weekly update

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

PRIVILEGED & CONFIDENTIAL

Attached please find our weekly update.

Thanks

Liz

--

Elizabeth Klein

Deputy Director

State Energy & Environmental Impact Center

NYU School of Law

COM-GHG000033

**From:** "Courchesne, Christophe (AGO)" <christophe.courchesne@mass.gov>

**To:** "Frankel, David (AGO)" <David.Frankel@mass.gov>

**Subject:** Fwd: Weekly updates

**Date:** Wed, 26 Feb 2020 14:16:52 -0000

**Importance:** Normal

**Attachments:** Weekly\_2-26\_final.docx

---

Part 2

Christophe Courchesne  
Assistant Attorney General  
Chief, Environmental Protection Division  
Office of Attorney General Maura Healey  
One Ashburton Place  
Boston, MA 02108  
Christophe.Courchesne@mass.gov  
(617) 963-2423

---

**From:** Elizabeth Klein <elizabeth.klein@nyu.edu>

**Sent:** Wednesday, February 26, 2020 9:07:53 AM

**To:** Courchesne, Christophe (AGO) <christophe.courchesne@mass.gov>; Hoffer, Melissa (AGO) <melissa.hoffer@mass.gov>; Tepper, Rebecca (AGO) <rebecca.tepper@mass.gov>

**Subject:** Re: Weekly updates

With apologies, I sent last week's update last night. Attached is this week's!

On Tue, Feb 25, 2020 at 8:58 PM Elizabeth Klein <[elizabeth.klein@nyu.edu](mailto:elizabeth.klein@nyu.edu)> wrote:

PRIVILEGED & CONFIDENTIAL

Attached please find our weekly updates.

Thanks

Liz

--

Elizabeth Klein  
Deputy Director  
State Energy & Environmental Impact Center  
NYU School of Law  


--

Elizabeth Klein  
Deputy Director  
State Energy & Environmental Impact Center  
NYU School of Law

COM-GHG000034



## **Exhibit E**



FACSIMILE NO.  
(410) 576-7036

STATE OF MARYLAND  
OFFICE OF THE ATTORNEY GENERAL

WRITER'S DIRECT DIAL NO.  
(410) 576-6327  
phughes@oag.state.md.us

April 25, 2019

*Via Electronic Mail*

Christopher C. Horner  
Government Accountability & Oversight  
724 Bielenberg Drive PMB #14  
Woodbury, MN 55125  
[chris@govoversight.org](mailto:chris@govoversight.org)

Dear Mr. Horner:

This letter supplements the response that my colleague, Ann MacNeille, sent to you on March 25, 2019, regarding your request under the Public Information Act ("PIA"), *see* Md. Code Ann., Gen. Prov. ("GP") §§ 4-101, et. seq., for "all correspondence sent to, from, or copying (whether as cc: or bcc:) Brian Frosh, Grace O'Malley and/or Carolyn Quattrocki, that includes, anywhere, 'NYU', be it in an email address (e.g., @nyu.edu), or otherwise" from August 1, 2017 to January 31, 2018. As Ms. MacNeille noted in her letter of March 25, she was still trying to tie up some loose ends regarding that request. One of those loose ends was to make sure that we had provided any responsive documents involving the transaction of public business from the Attorney General's personal email account.<sup>1</sup>

Attached to this letter are those public records from the Attorney General's personal email account that are both responsive to your request and disclosable under the PIA. In

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<sup>1</sup> I am aware that, since that time, you have submitted new PIA requests that specifically ask for certain emails from the Attorney General's personal email account. We will respond to those requests separately and provide—or withhold, as permissible under Maryland law—any additional public records responsive to that request which were not already covered by this earlier request. This supplemental response also fully responds to your PIA request of April 1, 2019 for communications from the AG's personal email account that was "sent to or from or copies . . . i) djh466@nyu.edu, ii) davidjhayes01@gmail.com, iii) david.hayes@nyu.edu, iv) ek3041@nyu.edu, and/or v) elizabeth.klein@nyu.edu, and c) is dated between August 1, 2017 and September 30, 2017, inclusive." There are no additional emails responsive to that request that are not already covered by this response.



some cases you will see my name or the name of my assistant, Deborah Spence, at the top of the email. That is merely a function of how your request was processed; it does not mean that either of us participated in the underlying communication. We have redacted from these documents certain communications between our Office and the State Energy & Environmental Impact Center ("Impact Center") that are protected by the attorney-client privilege, the attorney work product doctrine, the deliberative process privilege, and the executive privilege. See GP § 4-301(1) (incorporating common-law privileges into the PIA); GP § 4-344 (providing that a custodian may "deny inspection of any part of an interagency or intra-agency letter or memorandum that would not be available by law to a private party in litigation"); see also *Gallagher v. Office of Attorney Gen.*, 141 Md. App. 664, 674-76 (2001). As noted in a prior response to one of your earlier requests, the deliberative process privilege extends to deliberations with private outside experts that, like the Impact Center here, are consulting with a government agency. See, e.g., *National Inst. of Military Justice v. Department of Defense*, 512 F.3d 677, 681 (D.C. Cir. 2008); *Hanson v. Agency for Int'l Dev.*, 372 F.3d 286, 292 (4th Cir. 2004). Finally, we have redacted the Attorney General's email address.

In addition, we have also withheld a few categories of documents in their entirety. First, we have withheld the applications of several candidates for employment, as well as discussions about the qualifications and merits of those candidates, and references concerning those candidates. We have withheld those records under the exemptions for personnel records in GP § 4-311 and letters of reference in GP § 4-310. Second, we have withheld, on the grounds of attorney-client privilege, two email chains involving discussions about a draft retainer agreement between our Office and the Impact Center. Third, we have withheld a handful of emails involving legal advice given to our Office by the Impact Center, as well as related discussions with the Impact Center about potential legal action and strategy. We have withheld those records on the grounds of the attorney-client privilege, the attorney work product doctrine, the deliberative process privilege, and the executive privilege. See GP § 4-301(1); GP § 4-344; see also *Gallagher*, 141 Md. App. at 674-76 (explaining the common-interest work product privilege).

As for those records redacted or withheld, disclosure would not be in the public interest because it would threaten to discourage the free exchange of ideas among government decision-makers, their lawyers, and their consultants. In addition, for those records that we have withheld in their entirety, they are either privileged in their entirety or we are not able to provide any non-privileged information that is severable from the protected material.



Christopher Horner  
April 25, 2019  
Page 3

As Ms. MacNeille stated in her letter of March 25, 2019, in providing you with earlier documents responsive to this same request, we already more than exhausted the \$100 that you had pre-paid. It then took 3 additional hours of chargeable time to search, review, and prepare this supplemental response. Based on the pro-rated hourly rates of the employees who spent time on that search and review process, the remainder of the fee is \$164.18. Although we would have the right to ask that you pay that fee before providing these additional documents, we will go ahead and provide the documents in question with the understanding that you will provide prompt payment. Please submit, to my attention at the address on this letterhead, a check for \$164.18 payable to the "Office of Attorney General" with a notation that it is payment for this April 25, 2019 PIA response.

As always, please let me know if you have any questions or concerns. Alternatively, you may refer any concerns about this response to the Public Access Ombudsman under Subtitle 4-1B of the General Provisions Article. The Ombudsman's procedures are posted at <http://news.maryland.gov/mpiaombuds/>. You also have the right to seek judicial review of our Office's decision under GP § 4-362.

Sincerely,



Patrick B. Hughes  
Assistant Attorney General

cc: Ann MacNeille  
Barbara Bond

**Spence, Deborah**

---

**From:** brian frosh [REDACTED]  
**Sent:** Tuesday, April 2, 2019 1:13 PM  
**To:** Hughes, Patrick  
**Subject:** Fwd: Close Hold  
**Attachments:** 1Dec17\_StateImpactCenter\_Report --final.docx

----- Forwarded message -----

**From:** David J. Hayes <david.hayes@nyu.edu>  
**Date:** Sun, Dec 17, 2017 at 9:34 PM  
**Subject:** Fwd: Close Hold  
**To:** Brian Frosh <[REDACTED]>

Brian: here's the earlier biweekly report, as an fyi.

David

----- Forwarded message -----

**From:** David J. Hayes <david.hayes@nyu.edu>  
**Date:** Fri, Dec 1, 2017 at 5:09 PM  
**Subject:** Close Hold  
**To:** Anne M Milgram <anne.milgram@nyu.edu>, Bruce Babbitt <bruce.babbitt@raintreeventures.com>, Daniel Firger <daniel@bloomberg.org>, "David J. Hayes" <david.hayes@nyu.edu>, Richard Revesz <Revesz@exchange.law.nyu.edu>  
**Cc:** Christopher Moyer <chris.moyer@nyu.edu>, Elizabeth Johnson Klein <Elizabeth.Klein@nyu.edu>

Advisory Council colleagues:

Attached is the latest version of a bi-weekly report that the State Impact Center has begun preparing to provide updates regarding our major activities.

Please keep these reports on a close hold basis; they are not appropriate for public circulation. We will not include any privileged information in the reports, and will avoid discussing potentially sensitive matters as well.

If you any questions regarding matters referenced in these internal reports, please do not hesitate to call Liz Klein or me directly.

Thanks, and have a great weekend!

David

--

David J. Hayes  
Executive Director  
State Energy & Environmental Impact Center  
NYU School of Law  
c/o Resources for the Future  
1616 P Street, NW  
Washington, DC 20036  
Office phone: 202-328-5052  
Cell phone: 202-258-3909  
Email: david.hayes@nyu.edu; davidjhayes01@gmail.com  
Twitter: @djhayes01

--

David J. Hayes  
Executive Director  
State Energy & Environmental Impact Center  
NYU School of Law  
c/o Resources for the Future  
1616 P Street, NW  
Washington, DC 20036  
Office phone: 202-328-5052  
Cell phone: 202-258-3909  
Email: david.hayes@nyu.edu; davidjhayes01@gmail.com  
Twitter: @djhayes01



# State Energy & Environmental Impact Center

NYU School of Law

## Bi-Weekly Report

*November 18-December 1, 2017*

### HIGHLIGHTS

- **Opposing Proposed Fee Hikes at National Parks.** The State Impact Center worked on comments that a coalition of state attorneys general filed last week opposing a proposed hike in National Park entrance fees. The comments documented a number of serious legal, factual, and policy issues in the poorly constructed proposal.

The AG coalition opposing the proposed fee hike was bipartisan; the Republican AG from Arizona joined with 10 Democratic AGs in the comments. The filing generated a significant amount of press, as noted below.

- **Evaluating EPA Directive Regarding Science Advisors.** Per the request of state AGs, we have been reviewing the recent directive from EPA Administrator Scott Pruitt that prohibits academics and other scientists whose institutions receive EPA funding from serving on EPA advisory committees. Meanwhile, the directive allows industry scientists to serve on panels, even though their employers may have a direct interest in issues addressed by advisory panels. The State Impact Center is exploring potential legal vulnerabilities in the policy.
- **Hiring of Special Assistant Attorneys General.**
  - The seven jurisdictions that have been selected to receive NYU Law Fellows are at varying stages of negotiating secondment agreements with the State Impact Center and recruiting Law Fellows. We have a signed secondment agreement with MA; we hope to finalize NY's agreement this week; and both MD and DC will likely be finalized soon thereafter. WA, NM, and IL are continuing their internal reviews, and we are communicating closely with them as questions arise.
  - We expect that MD will be the first state to bring on an NYU Law Fellow. AG Brian Frosh has selected a highly skilled, experienced attorney who has a distinguished academic pedigree and top flight experience in both government and private practice. We will be providing personal information in future newsletters about the NYU Law Fellows/SAAGs as they come on board.

- We are looking to provide three additional state AG offices the opportunity to hire NYU Law Fellows as SAAGs. If we go forward with this plan, we will have a total of 13 NYU Law Fellows/SAAGs in 10 jurisdictions. More information will be forthcoming on this subject under separate cover.
- **Establishing Confidential Relationships with State AG Offices.** One of the State Impact Center's top goals in our early months has been establishing good relationships with progressive AG offices and their top staffs, and putting in place agreements that will enable confidential consultations with AGs on pending and prospective matters.

We now have signed retainer agreements that establish confidential attorney/client relationships with both NY and MA, and we expect to finalize an agreement with MD shortly. We are discussing entering into retainer agreements with several additional jurisdictions.

We also have had early success in pairing our confidential attorney/client relationship with select AG offices with common interest agreements that enable the State Impact Center to engage in confidential, pre-filing discussions with a broader universe of AG offices.

- **Filling Available Center Staff Positions.** As we indicated in the last bi-weekly report, we have been interviewing candidates for two positions at the Center – Program Assistant and Staff Attorney.
  - We are excited to report that Brittany Whited has accepted our Program Assistant offer. Brittany comes to us from the World Health Organization where she has been consulting on the impacts of climate change on public health and health systems in the Americas. She has a Masters of Public Health from GW, a BS in Environmental Health Science from the University of Wisconsin at Eau Claire, and has spent time working at both GW and EPA on climate change issues, including a project at GW that involved a review of over 600 climate change-related court cases. We expect Brittany to join us on December 11. Among other tasks, she will be helping the Center set up a monitoring project that state AG partners have asked us to implement.
  - We are continuing to interview candidates for the Staff Attorney position and have received a number of promising applications. The position is geared toward attorneys with one to five years of legal experience.
- **Recent Media Coverage.**
  - **State Impact Center Press Release: 11 Attorneys General Oppose National Parks Fee Increase in New Comments Filed Today** "State attorneys general are once again defending the people of their states against a reckless and misguided Trump Administration proposal. As they lay out in comments filed today, Secretary Zinke's proposal does not follow the letter, or the spirit, of our National Parks laws."

▪ **COVERAGE:**

- Associated Press
- Los Angeles Times
- Sacramento Bee
- Sacramento Bee (LTE by David Hayes)
- San Francisco Chronicle
- San Francisco Chronicle (editorial)
- Maine Free Press
- NPR Phoenix
- International Business Times
- Washington Examiner
- Cape Code Times

- **State Impact Center Press Release: State Attorneys General Ready to Sue EPA Over Clean Power Plan Repeal** "EPA is shutting out the voices of citizens, business owners and other critical stakeholders who have legitimate concerns about repealing the Clean Power Plan... Thankfully, New York Attorney General Eric Schneiderman is leading a coalition of state attorneys general who will fight tooth and nail to defend the landmark Clean Power Plan."

▪ **COVERAGE:**

- New York Times: "In similar fashion, a number of Democratic state attorneys general, including Maura Healey of Massachusetts and Eric T. Schneiderman of New York, have pledged to fight the repeal in court."
- Washington Examiner: "'EPA is shutting out the voices of citizens, business owners and other critical stakeholders who have legitimate concerns about repealing the Clean Power Plan,' David J. Hayes, executive director of the State Energy and Environmental Impact Center at the New York University School of Law, which is representing the state attorneys general, said Tuesday morning."
- VICE: "Democratic attorneys general in several states, however, have already vowed to fight a repeal and sue if necessary."
- West Virginia Metro News: "New York's Attorney General A.G. Schneiderman was among those from states in support of the plan. Schneiderman has said his office will sue to prevent repeal."
- Bangor Daily News: "Maine Attorney General Janet Mills has asked the EPA to hold a hearing in Maine. Attorneys general in Maryland, Massachusetts, New York, Oregon and Virginia have

also asked for hearings in their states. The EPA has not responded to their requests.”

- Maine Public News Service: “The Maine Attorney General's Office and officials from seven other states wrote to EPA Administrator Scott Pruitt requesting additional hearings, but none has been granted.”
- ClimateWire: 5 ways to pick a fight on climate change (11/28/17): State AGs fight Washington: ‘The state AG category is a whole bunch of things,’ said Richard Revesz, a professor at New York University School of Law. Indeed, it is. ‘I’m worried and yet determined,’ Maryland Attorney General Brian Frosh (D) said in September, speaking in New York City at an event organized by NYU Law’s State Energy & Environmental Impact Center. ‘We’ll continue to sue the bastards.’”
- **Flagging Communications Opportunities for AGs.** Chris Moyer has been working closely with AG communications directors to identify prime opportunities to highlight AG activity around major news events. During this reporting period, Chris spearheaded State Impact Center outreach to reporters in connection with the Bonn climate meetings, the Clean Power Plan hearing and EPA’s anniversary.

## **OUTREACH MEETINGS**

We have had a number of productive outreach meetings with allies in the environmental community working on similar issues, including AG offices, NGOs and other interested parties.

## **LOOKING AHEAD**

- Chris Moyer is organizing a year-end press call that will highlight for reporters the important role of AGs as they write stories looking back on 2017.
- InsideClimate is writing a story on AG actions in 2017. Chris Moyer provided a detailed list of AG actions that provides the foundation for this story, and the reporter interviewed David earlier this week for the piece. It will be published in the last week of December.
- Chris Moyer is setting up meetings with communications directors for the AGs of Massachusetts, New York and Virginia to discuss further ways in which we can collaborate.



**Spence, Deborah**

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**From:** brian frosh [REDACTED]  
**Sent:** Tuesday, April 2, 2019 1:14 PM  
**To:** Hughes, Patrick  
**Subject:** Fwd: Bi-Weekly Report  
**Attachments:** 15Dec17\_StateImpactCenter\_Report (1).docx

----- Forwarded message -----

**From:** David J. Hayes <david.hayes@nyu.edu>  
**Date:** Sun, Dec 17, 2017 at 9:33 PM  
**Subject:** Fwd: Bi-Weekly Report  
**To:** Brian Frosh [REDACTED]

Brian:

Per our conversation on Friday, attached is our latest biweekly report, which we prepare for Dan Firger at Bloomberg. I don't know if he shares these with Kevin Sheeky. My next email will attach the preceding biweekly report.

Please give Kevin my best. I hope that he'll meet with Chris Moyer, our communications director, and me when we come up to NY to visit with AG Schneiderman's top comms person during the second week of January. (We are having the meeting with Schneiderman's comms director at Eric's suggestion.) I will reach out to him directly, copying Dan.

Thanks!

David

----- Forwarded message -----

**From:** David J. Hayes <david.hayes@nyu.edu>  
**Date:** Fri, Dec 15, 2017 at 10:26 AM  
**Subject:** Bi-Weekly Report  
**To:** Anne M Milgram <anne.milgram@nyu.edu>, Bruce Babbitt <bruce.babbitt@raintreeventures.com>, Daniel Firger <daniel@bloomberg.org>, "David J. Hayes" <david.hayes@nyu.edu>, Richard Revesz <Revesz@exchange.law.nyu.edu>  
**Cc:** Elizabeth Johnson Klein <Elizabeth.Klein@nyu.edu>, Christopher Moyer <chris.moyer@nyu.edu>

Advisory Council colleagues:

Attached is our latest bi-weekly report.

Have a great weekend!

David



--  
**David J. Hayes**  
Executive Director  
State Energy & Environmental Impact Center  
NYU School of Law  
c/o Resources for the Future  
1616 P Street, NW  
Washington, DC 20036  
Office phone: 202-328-5052  
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Email: [david.hayes@nyu.edu](mailto:david.hayes@nyu.edu); [davidjhayes01@gmail.com](mailto:davidjhayes01@gmail.com)  
Twitter: @djhayes01

--  
**David J. Hayes**  
Executive Director  
State Energy & Environmental Impact Center  
NYU School of Law  
c/o Resources for the Future  
1616 P Street, NW  
Washington, DC 20036  
Office phone: 202-328-5052  
Cell phone: 202-258-3909  
Email: [david.hayes@nyu.edu](mailto:david.hayes@nyu.edu); [davidjhayes01@gmail.com](mailto:davidjhayes01@gmail.com)  
Twitter: @djhayes01



# State Energy & Environmental Impact Center

NYU School of Law

## Bi-Weekly Report

*December 2-December 15, 2017*

### HIGHLIGHTS

- **Three Additional States Awarded Special Assistant Attorneys General.** This week, the State Impact Center announced SAAG/Law Fellow awards to three additional states – Oregon, Pennsylvania and Virginia. David Hayes was able to deliver the news in person to Oregon AG Ellen Rosenblum and Virginia AG Mark Herring at a Democratic Attorneys General Association reception in Washington, D.C. All of the offices are excited to participate, and we have had productive conversations with their staff to discuss logistics and next steps. (Chris Moyer also attended the reception and connected with the AGs and their key staff who attended.)
- **Evaluating EPA Directive Regarding Science Advisors.** In response to a request from the NY AG's office, Liz Klein has taken the lead in evaluating potential legal challenges to a recent directive from EPA Administrator Scott Pruitt that prohibits academics and other scientists whose institutions receive EPA funding from serving on EPA advisory committees. Several NGOs as well as advisory committee members affected by the policy are also exploring potential challenges.
- **Evaluating Tax Reform Impacts to Renewable Energy.** In response to a request from one of our AG partners, we assisted the office in analyzing the potential impacts that House and Senate versions of tax reform legislation may have on the clean energy industry. David Hayes and Liz Klein contacted leaders in the solar and wind industry to obtain the latest intelligence on proposed solutions to maintain current tax incentives for the renewable energy industry.
- **State Impact Center Staff.** Our new Program Assistant, Brittany Whited, started in our office this week. As we noted in our last report, Brittany comes to us from the World Health Organization where she has been consulting on the impacts of climate change on public health and health systems in the Americas. She has a Masters of Public Health from GW, a BS in Environmental Health Science from the University of Wisconsin at Eau Claire, and has spent time working at both GW and EPA on climate change issues, including a project at GW that involved a review of over 600 climate change-related court cases. Brittany has already hit the ground running, helping out with several research

projects and taking on some of the operational tasks associated with running the Center. We continue to interview candidates for Staff Attorney at the Center. We have conducted several second-round interviews and hope to make an offer soon.

- David Hayes met with New Mexico AG Hector Balderas and top staff in Albuquerque to discuss priorities. AG Balderas is particularly excited about the prospect of working with the State Impact Center to promote clean energy policies that AGs are championing in New Mexico, and across the nation. He is deeply appreciative of Bloomberg Philanthropies' generosity in supporting two SAAG slots in his office. He expects to devote one of the slots to clean energy issues. Public lands issues also are a top priority for AG Balderas.
- **Recent Media Coverage.**

As we had hoped, state AG offices are beginning to recognize that the State Impact Center can provide effective amplification of their activities, as illustrated by press coverage of the AGs' role in resisting monument rollbacks.

- **State Impact Center Press Release: 3 More Attorneys General Selected to Boost Legal Work on Energy, Environment & Climate**

"Pennsylvania Attorney General Josh Shapiro, Oregon Attorney General Ellen Rosenblum and Virginia Attorney General Mark Herring were chosen after submitting applications this fall."

- **COVERAGE:**

- *Politico* (12/14/17): "MORE REINFORCEMENTS: Pennsylvania Attorney General Josh Shapiro, Oregon Attorney General Ellen Rosenblum and Virginia Attorney General Mark Herring will receive backing from the State Energy & Environmental Impact Center at NYU School of Law to hire staff focused on clean energy, climate and environmental matters. They join the AGs of seven other states who already received fellows through the program."

- *Pittsburgh Tribune-Review*: **NYU funds new environmental prosecutor in Pennsylvania Attorney General's office** (12/13/17) "A New York University School of Law program will pay for Pennsylvania Attorney General Josh Shapiro to hire a new prosecutor for regional and national environmental issues, the school announced Wednesday."

- **State Impact Center Press Release: State AGs Challenge Trump's Legal Power to Shrink National Monuments (12/4/17)**

"Several state attorneys general have been closely tracking actions by the Trump Administration to roll back protections for monuments."

▪ **COVERAGE:**

- *Washington Post*: “More litigation could be coming. **Oregon Attorney General Ellen Rosenblum** said to Zinke in a letter in July that the state was “ready to take appropriate legal action” if Trump rescinds or reduces the size of Cascade-Siskiyou.”
- *E&E News*: “Numerous state attorneys general — from California, Washington and New Mexico — also pledged legal challenges to the Trump administration, although it remains to be seen whether a case will emerge unless Trump targets monuments in those states. ‘Progressive state attorneys general are on record: The president does not have the authority under the Antiquities Act to override previous presidents’ decisions to protect special public lands for the benefit of future generations through national monument designations. Only the Congress can do that,” said former Obama administration Interior official David Hayes, now executive director of the **State Energy & Environmental Impact Center at New York University’s School of Law**.”
- *Washington Examiner*: “Environmental groups and tribes, including the Navajo Nation, have already said they will sue the Trump administration for shrinking national monuments, and several Democratic **attorneys general**, most in the West, have vowed to challenge the actions.”
- *Think Progress*: “‘President Trump’s attempt to dismember two of America’s most remarkable National Monuments is a blatant attack on the integrity of one of our nation’s oldest and most important conservation laws,’” **David J. Hayes, executive director of the State Energy & Environmental Impact Center at NYU School of Law** and former Interior deputy secretary during both the Obama and Clinton administrations, said in a press statement. “‘**Progressive state attorneys general** are on record: the President does not have the authority under the Antiquities Act to override previous Presidents’ decisions to protect special public lands for the benefit of future generations through national monument designations. Only the Congress can do that.’”
- *NY Daily News LTE: NY Daily News: Keep the parks affordable* (12/7/17) “As the deputy secretary of the interior from 2009 to 2013, I’m encouraged to see a bipartisan group of 11 state attorneys general fighting Interior Secretary Ryan Zinke’s reckless and misguided proposal to double or triple entrance fees at our most popular national parks...This bipartisan coalition of attorneys general,

including New York AG Eric Schneiderman, should be commended for defending access to our awe-inspiring parks.”

- Law360: The Biggest Energy Rulings Of 2017 (12/14/17): “The courts could not have spoken more clearly that the APA needs to be followed,” said David Hayes, a former deputy interior secretary during the Clinton and Obama administrations who now directs New York University Law School's State Energy & Environmental Impact Center. “The real winner [this] year was the rule of law.”

## ATTORNEY GENERAL ACTIONS

- **RELEASE: AG Balderas: Trump Lacks Legal Authority to Shrink National Monuments** (12/5/17) “President Trump simply has no legal authority to alter monument designations under the Antiquities Act. His drastic reduction of the Utah monuments is a direct attack on the proud natural, historical and cultural heritage of the Southwest, and it ignores critical voices of tribal leaders and local stakeholders on these lands. If the President chooses to continue these attacks and comes after either Organ Mountains - Desert Peaks or Rio Grande del Norte, I will fight him every step of the way.”  
*Note: The State Impact Center suggested and drafted a statement on this topic, leading to significant positive media coverage for AG Balderas.*

- *Coverage:*

- Los Alamos Monitor: “On Tuesday, responding to Trump’s announcement Monday that he would scale back the size of two national monuments in Utah – Grand Staircase-Escalante and Bears Ears – Balderas took aim again. ‘President Trump simply has no legal authority to alter monument designations under the *Antiquities Act*,’ he said in a prepared statement. Balderas’ office wrote a letter to Interior Department Secretary Ryan Zinke earlier this year, asking him to drop his planned review of national monuments, including New Mexico’s. He went on to note that if Trump goes after New Mexico’s newest national monuments, Organ Mountains-Desert Peaks or Rio Grande del Norte: ‘I will fight him every step of the way,’ according to a press release issued by his office on Tuesday.”
- Las Cruces Sun-News EDITORIAL: “...state Attorney General Hector Balderas made clear he was ready. ‘President Trump simply has no legal authority to alter monument designations under the *Antiquities Act*,’ Balderas said in a press release Tuesday. From the start of this process, we have had the same opinion.”
- Santa Fe New Mexican: “‘President Trump simply has no legal authority to alter monument designations under the *Antiquities Act*,’ Attorney General Hector Balderas said in a statement Tuesday.”

- **RELEASE: A.G. Schneiderman Leads 15 AGs In New Lawsuit Against Trump EPA For Flouting Clean Air Requirements (12/5/17)** "New York Attorney General Eric T. Schneiderman, leading a coalition of 15 state Attorneys General, today filed a lawsuit against the Environmental Protection Agency (EPA) and EPA Administrator Scott Pruitt for failing to meet the Clean Air Act's statutory deadline for designating areas of the country impacted by unhealthy levels of ground-level ozone (commonly referred to as smog)."
- **RELEASE: Attorney General Shapiro Calls on Army Corps of Engineers to Protect Great Lakes, including Lake Erie, from Asian Carp (12/12/17)** "Pennsylvania Attorney General Josh Shapiro and the Attorneys General of Michigan and Minnesota today called on the U.S. Army Corps of Engineers to change plans for an expensive lock redesign and instead close a major lock now to keep the invasive Asian carp species from entering the Great Lakes, including Lake Erie, potentially causing widespread harm to its ecosystem and economy."
- **E&E News: DOJ strikes cleanup project from Harley-Davidson settlement (12/12/17)** "The attorneys general of New York, Massachusetts, Delaware, Illinois, Iowa, Maine, Maryland, Oregon, Rhode Island, Vermont, Washington and the District of Columbia and the Puget Sound Clean Air Agency asked DOJ to restore the mitigation project or require an equivalent project to counter excess emissions."

## **OUTREACH MEETINGS**

We have had a number of productive outreach meetings with allies in the environmental community working on similar issues, including AG offices, NGOs and other interested parties.