



Chris Chrisman

Partner
303.295.8013
Denver, Phoenix
cachrisman@hollandhart.com

NYC Climate Change Suit Defeated

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Another day, another loss for governments suing oil and gas producers based on the effects of climate change.

Yesterday, the Southern District of New York dismissed a nuisance action filed by New York City against five of the world's largest oil and gas producers, holding that both the Clean Air Act and judicial deference to policymakers barred the City's claims. As the court succinctly explained, "the immense and complicated problem of global warming requires a comprehensive solution that weighs the global benefits of fossil fuel use with the gravity of the impending harms."

Last month, a California federal court dismissed a similar lawsuit filed by the City of Oakland. While both Oakland and New York City likely will appeal these rulings, the dismissals increase the chances that other climate change actions, such as the City of Boulder's recent suit, will suffer a similar fate.

For more information about New York City's climate change lawsuit and similar suits in other jurisdictions, please contact Chris Chrisman.

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