



For Immediate Release:

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## **JULIANA V. US CLIMATE TRIAL SET FOR FEBRUARY 5, 2018**

*Industry groups believe Trump Administration will act in their best interest*

Today, U.S. Magistrate Judge Thomas Coffin [issued an order](#) in the climate lawsuit brought by 21 youth, *Juliana v. United States*, setting a trial date for February 5, 2018 before U.S. District Court Judge Ann Aiken in Eugene, Oregon.

From Judge Coffin's order:

“...after consultation with the District Court regarding its calendar, the court sets the trial of this matter beginning February 5, 2018 before the Honorable Ann Aiken, United States District Judge.”

**Jayden Foytlin**, 14, of Rayne, Louisiana and one of 21 youth plaintiffs said:

“I'm excited that we have a date now. I think we are all looking forward to our day in court. I feel like we are that much closer to justice.”

**Levi Draheim**, 9, of Indialantic, Florida and one of the 21 youth plaintiffs said:

“The interveners wimped out on us. I guess they knew they couldn't win. I'm glad the judge set a trial date, that makes it more official right? Boom yeah!”

**Tia Hatton**, 20, of Bend, Oregon and one of the 21 youth plaintiffs said:

“After nearly half a century of the U.S. Federal government willingly creating a system that favors and encourages fossil fuel dependencies - despite scientists dire warnings, and along with numerous motions to dismiss throughout this case, our trial date has finally been set! It will be a trial of expert opinion on climate science. The health and safety of the twenty other youth plaintiffs and I, and future generations on this planet depend on the outcome of this trial.”

**Alex Loznak**, 20, of Roseburg, Oregon and one of 21 youth plaintiffs said:

“Despite incessant efforts by government and industry to prevent our case from moving forward, the date is set for trial. Having seen some of the most damning evidence to be presented at trial, I am confident that our claims will prevail.”

**Nathan Baring**, 17, of Fairbanks, Alaska and one of the 21 youth plaintiffs said:

“The Trump Administration plays directly into the hands of fossil fuel industries while ignoring the impending dangers of climate change and his responsibility as a leader to protect our future. Why should the industry bother spending millions on a legal defense when they have a vicious advocate in the White House already fighting for their interests?”

**Julia Olson**, co-lead counsel for plaintiffs and executive director of [Our Children’s Trust](#), said:

“Over 18 months ago, these fossil fuel associations went to incredible lengths to become defendants so that they could shut down this case. They failed, and youth prevailed. Now these youth and the top climate experts on the planet can go to trial against the Trump Administration.”

**Philip L. Gregory**, co-lead counsel for plaintiffs and partner with [Cotchett, Pitre & McCarthy](#), said:

“On February 5, 2018, science, not alternative facts, will be presented to the court to establish that our nation’s children and grandchildren are being victimized by climate change. Given our excellent panel of experts, and the ongoing problems created by the Trump Administration, we believe the court will use the constitution and the public trust doctrine to protect our climate from further serious damage.”

The order also released three fossil fuel industry trade associations, the National Association of Manufacturers (“NAM”), the American Petroleum Institute (“API”), and the American Fuel and Petrochemical Manufacturers (“AFPM”), as defendants in the case, without placing any conditions on their withdrawal.

When youth plaintiffs filed their lawsuit in 2015, they did not name NAM, API, or AFPM as defendants. The associations joined together to [intervene](#) in November 2015 on the side of the U.S. government defendants, but last month, all three industry groups submitted motions seeking the court’s permission to withdraw from the case.

Linda Kelly, NAM General Counsel [recently said](#) that because of the shift in administrations, NAM “no longer feel[s] that [its] participation in this case is needed to safeguard industry and [its] workers.”

On June 9, 2017, the Trump administration [filed a petition for writ of mandamus](#) with the Ninth Circuit Court of Appeals, seeking an extraordinarily rare review of a November 10, 2016 decision by U.S. District Court Judge Ann Aiken to deny its motion to dismiss the case. The Ninth Circuit has not requested the parties to submit briefs on the government’s petition, and could deny it without doing so.

*Juliana v. United States* was brought by 21 young plaintiffs, and Earth Guardians, who argue that their constitutional and public trust rights are being violated by the government’s creation of climate danger. The case is one of many related legal actions brought by youth in several states and countries, all supported by Our Children’s Trust, seeking science-based action by governments to stabilize the climate system.

**Counsel for Plaintiffs** include Philip L. Gregory, Esq. of Cotchett, Pitre & McCarthy of Burlingame, CA, Daniel M. Galpern Esq. and Julia Olson, Esq. of Eugene, OR.

**Our Children's Trust** is a nonprofit organization, elevating the voice of youth, those with most to lose, to secure the legal right to a healthy atmosphere and stable climate on behalf of present and future generations. We lead a coordinated global human rights and environmental justice campaign to implement enforceable science-based Climate Recovery Plans that will return atmospheric carbon dioxide concentration to below 350 ppm by the year 2100. [www.ourchildrenstrust.org/](http://www.ourchildrenstrust.org/)

**Earth Guardians** is a Colorado-based nonprofit organization with youth chapters on five continents, and multiple groups in the United States with thousands of members working together to protect the Earth, the water, the air, and the atmosphere, creating healthy sustainable communities globally. We inspire and empower young leaders, families, schools, organizations, cities, and government officials to make positive change locally, nationally, and globally to address the critical state of the Earth. [www.earthguardians.org](http://www.earthguardians.org)

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