



For immediate release:
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Ninth Circuit to Hear Oral Argument in landmark climate case *Juliana v. United States* on December 11 in San Francisco

San Francisco - On Monday, December 11, at 10:00 a.m. PST, the youth plaintiffs in *Juliana v. United States* will join their attorneys at the Ninth Circuit Court of Appeals, where a three-judge panel will hear oral arguments over whether President Trump and his administration can evade a constitutional climate change trial. The three-judge panel will be: Chief Judge Sidney Thomas, and Circuit Judges Alex Kozinski and Marsha Berzon.

Julia Olson, Executive Director of Our Children's Trust, will argue on behalf of plaintiffs. Arguing on behalf of President Trump and the federal government defendants will be [Deputy Assistant Attorney General Eric Grant](#), recently appointed head of the appellate division at U.S. Department of Justice Environment and Natural Resources Division.

In June 2017, the Trump administration filed a “drastic and extraordinary”¹ petition for writ of mandamus, asking the Ninth Circuit to direct the U.S. District Court for the District of Oregon to dismiss the youth plaintiffs’ case. The Trump administration’s mandamus petition seeks early review of U.S. District Court Judge Ann Aiken’s [2016 denial of motions to dismiss](#) the youth-brought climate case. In their petition, the federal government claims irreparable harm for having to participate in the ordinary pre-trial discovery process and having to go to trial. Trial is currently scheduled for February 5, 2018. The ordinary path for a constitutional lawsuit would be

¹ Justice Anthony Kennedy, writing for the Supreme Court's majority in *Cheney v. U.S.*, explained in 2004 that mandamus is a “drastic and extraordinary remedy” reserved for “only exceptional circumstances.”

for the District Court first to conduct a trial of the youth plaintiffs' legal arguments and scientific evidence, and then to later appeal an adverse ruling after a final judgment in the case.

WHAT: [Oral argument](#) before the Ninth Circuit Court of Appeals in the landmark climate case, *Juliana v. United States*, Ninth Circuit Case No. 17-71692.

WHO: 18 of the 21 [youth plaintiffs](#) and their attorneys will be in attendance.

WHEN: Monday, December 11, 2017
10 a.m. PST - Hearing begins.
The courthouse opens at 8:30. It is advisable to arrive early to secure a seat in the courthouse.
Immediately following oral argument, at approximately 11:00 a.m. PST, there will be a press conference at the [Federal Building Plaza](#) across the street from the Ninth Circuit Courthouse on 7th and Mission St.

WHERE: United States Court of Appeals for the Ninth Circuit, Courtroom One. The Court is making an overflow room available.
95 7th St, San Francisco, CA 94103

The Court will be livestreaming the arguments:

http://www.ca9.uscourts.gov/media/live_oral_arguments.php

If you wish to take video or photography inside the courtroom, you must immediately [submit this application](#) with the Court. The Court needs to receive your application at least 2 business days before the proceeding for consideration.

Facebook event: <https://www.facebook.com/events/401656076918607/>

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. #youthvgov

Counsel for Plaintiffs are Julia Olson, Esq. of Eugene, OR and Philip L. Gregory, Esq. of Cotchett, Pitre & McCarthy of Burlingame, CA

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/

***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*

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