



For Immediate Release:

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## **Trial on Hold for *Juliana v. United States* as Ninth Circuit Reviews the Government's Mandamus Petition, But Discovery and Pre-Trial Preparations Can Continue**

San Francisco, CA - Today, a panel of the Ninth Circuit Court of Appeals granted, in part, the Trump administration's motion for a temporary stay of District Court proceedings in *Juliana v. United States*, the landmark constitutional climate lawsuit brought by 21 young Americans and supported by Our Children's Trust.

The Ninth Circuit panel placed a stay on trial pending its consideration of the petition for writ of mandamus that the Trump administration filed on Monday, November 5. The Court only placed a stay on trial - trial preparations will continue for the youth plaintiffs and the federal government defendants. A status conference between the parties and U.S. District Court Judge Ann Aiken will take place today at 3:30 pm PST.

This is the fourth time that the Trump administration has gone to the Ninth Circuit in this case before a final judgment has been entered, when the U.S. Circuit Court of Appeals would ordinarily have jurisdiction.

The Ninth Circuit panel also ordered a short briefing schedule. The youth plaintiffs, and the District Court if it wishes, must file a response to the Government's petition within 15 days, and the Government can respond five days later. The panel also ordered the parties to file a joint report on the status of discovery and any relevant pretrial matters in 15 days.

**Philip Gregory**, of Gregory Law Group and co-counsel for the youth plaintiffs said:

“Given the urgency of climate change, we hope the Ninth Circuit will recognize the importance to these young Americans of having a prompt trial date. We will continue to move the case forward

by completing discovery and responding to the various petitions filed by the Trump administration. We are pleased this stay is only temporary. We want to commence presenting the climate science in court as soon as possible.”

Read the full order from the Ninth Circuit [here](#).

*Juliana v. United States* is not about the government’s failure to act on climate. Instead, these 21 young plaintiffs between the ages of 11 and 22, assert that the U.S. government, through its *affirmative actions* in creating a national energy system that causes climate change, is depriving them of their constitutional rights to life, liberty, and property. The case is one of many related legal actions brought by youth in several states and countries, all supported by Our Children’s Trust, and all seeking science-based action by governments to stabilize the climate system.

*Counsel for Plaintiffs are Julia Olson, Esq. of Eugene, OR, Philip L. Gregory, Esq. of Gregory Law Group of Redwood City, CA, and Andrea Rodgers, Esq. of Seattle, WA.*

***Our Children’s Trust** is a nonprofit organization, leading a coordinated global human rights and environmental justice campaign to implement enforceable science-based Climate Recovery Plans that will return atmospheric carbon dioxide concentrations to below 350 ppm by the year 2100. We elevate the voice of youth, those with most to lose in the climate crisis, to secure the legal right to a healthy atmosphere and stable climate on behalf of all present and future generations. [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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