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United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

v.

BP P.L.C., *et al.*,

Defendants.


No. C 17-06011 WHA
No. C 17-06012 WHA

REQUEST FOR SUPPLEMENTAL BRIEFING

The Court notes that neither side has addressed the “navigable waters of the United States” as that concept relates to the removal jurisdiction issue in this case. The question arises because a necessary and critical element of the hydrological damage caused by defendants’ alleged conduct is the rising sea level along the Pacific coast and in the San Francisco Bay, both of which are navigable waters of the United States. By **FRIDAY AT NOON**, each side shall please submit up to a double-spaced 10-page brief (with no footnotes or appendices) addressing this issue. All plaintiffs must file one joint brief and all defendants must file one joint brief. By **MONDAY AT NOON**, each side may file a five-page reply.

IT IS SO ORDERED.

Dated: February 12, 2018.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE