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10
11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

14 THE PEOPLE OF THE STATE OF
15 CALIFORNIA,

16 Plaintiff,

17 v.

18 B.P. P.L.C., *et al.*,

19 Defendants.

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

Hearing Date: March 21, 2018 at 8:00 a.m.

**RESPONSE OF WILLIAM HAPPER,
STEVEN E. KOONIN, AND RICHARD S.
LINDZEN TO REQUEST FOR
INFORMATION RE AMICUS CURIAE
MATERIALS**

The Honorable William H. Alsup

20 The Court has asked Professors William Happer, Steven E. Koonin, and Richard S. Lindzen
21 three questions. The responses are as follows:

- 22 1. The source of any funding received by amici in connection with the general research
23 described in their submissions. This should include a clear statement regarding whether
24 (and the extent to which) amici have received funding from individuals or entities on either
25 side of the climate change debate (e.g., from any environmental or industry group).

26 Professor Happer is retired from Princeton University. He receives no funds from any
27 organization or person to support his climate science research. In 2017 he received an honorarium of
28 \$1,000.00 for a speech on climate science at the Heritage Foundation. Best Schools donated \$15,000

1 on his behalf to the University of North Carolina for his participation in Focused Civil Dialogue on
2 Global Warming in 2016 organized by Best Schools. Peabody Coal donated a comparable amount (he
3 believes it was around \$10,000 to \$15,000, though he does not recall the precise number) to the CO2
4 Coalition on his behalf, earned in connection with testimony given in a Proceeding of the Minnesota
5 Public Utilities Commission in September 2015.

6 Professor Koonin receives no funds from any organization or person to support his climate
7 science research. His salary from New York University does not constrain what research he does.
8 Since 2014, he has been compensated by the National Academies for assisting in the oversight of its
9 study activities. In 2016, Professor Koonin participated for 2.5 days in Exxon's Core Technical
10 Capabilities Assessment, for which he received \$8,000. The focus at that event was on biological and
11 environmental sciences research; he estimates that about 10% of the presentations dealt with responses
12 to a changing climate (but not with climate science itself).

13 Professor Lindzen is retired from the Massachusetts Institute of Technology. He has, since
14 2013, received \$25,000 per year as a Distinguished Visiting Scholar at the Cato Institute, which he
15 believes has had scholars taking positions on both sides of the climate change debate. This is his last
16 year serving in that role. He earned approximately \$30,000 from Peabody Coal in connection with
17 testimony given in a Proceeding of the Minnesota Public Utilities Commissions in September 2015.
18 He received \$1,500 from the Texas Public Policy Foundation for a climate science lecture in 2017.

19 2. Whether amici are in any way affiliated (directly or indirectly) with any party to the above-
20 entitled actions.

21 Professor Happer has no affiliation with any parties to the above-entitled actions.

22 Professor Koonin has no affiliation with any parties to the above-entitled actions, except for
23 some money vested in a BP pension plan arising from his employment that ended nine years ago.
24 During his subsequent service for President Obama, that pension plan interest was reviewed by the
25 government and deemed not to be a conflict of interest.

26 Professor Lindzen has no affiliation with any parties to the above-entitled actions.

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1 3. Why amici waited until shortly before the tutorial to file their proposed submissions such
2 that the parties only have limited time to react.

3 Amici apologize to the Court for the timing of their submission.

4 Amici became aware of the Court's questions on or about March 9 and started to organize their
5 writing on March 10. There was a considerable amount of work required (and each of the professors
6 had other work to attend to). Amici did not finalize their work on their submission until the Sunday
7 before it was filed, so their work was done in that 9-day period. The intent of Amici was not to hinder
8 the parties' ability to respond, but rather to provide information that was as helpful as possible to the
9 Court.

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11 DATED: March 20, 2018

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12
13 By: /s/ Eugene Illovsky
14 Eugene Illovsky

15 Attorneys for *Amicus Curiae*
16 William Happer, Steven E. Koonin,
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