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Climate Change Nuisance Suit to Remain in Federal Court.

In a [February 27 2018 order](#), the US District Court for the Northern District of California denied a motion by Oakland and San Francisco to remand their climate change nuisance suit back to state court.

Background

In 2017 the two municipalities had filed a suit in the California Superior Court against a group of multinational oil and gas producers. They claimed that the defendants' products caused a public nuisance, as their use would allegedly contribute to climate change and therefore result in loss of life and damage to public and private property, due to storm surge and sea level rises. The defendants removed the case to federal court and the court upheld removal, finding that the suit was "necessarily governed by federal common law".

Decision

According to the court, based on the allegations, "the scope of the worldwide predicament demands the most comprehensive view available, which in our American court system means our federal courts" as opposed to a "patchwork" of state court rulings. The court allowed the cities to appeal the decision immediately. The judge also invited lawyers for both sides to conduct a four-hour tutorial on climate change science, covering the "history of scientific study of climate change", as well as the "best science now available on global warming" and other climate change effects.

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