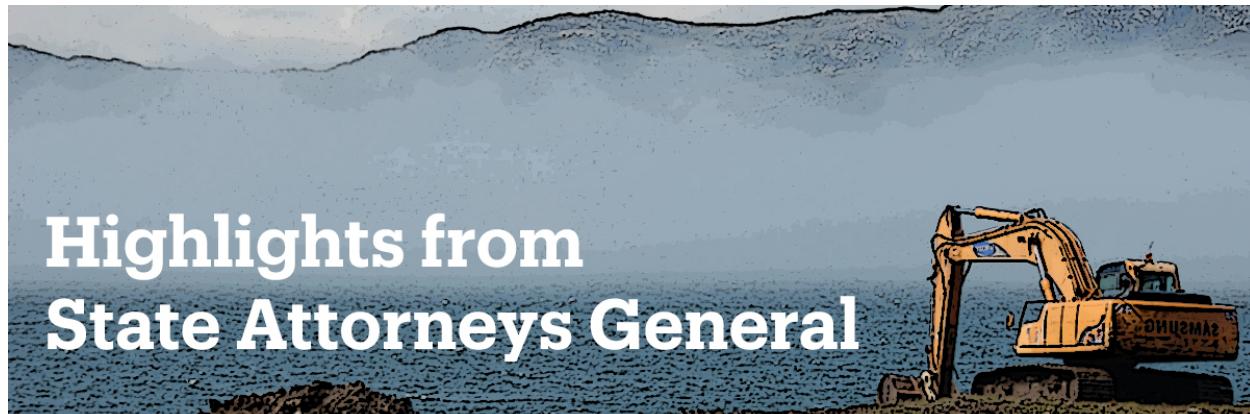




Legally Speaking

*From the State Energy & Environmental Impact Center
at NYU School of Law — March 19, 2020*



2. Baltimore's Climate Liability Suit Should be Heard in State Court

In a ruling that may impact other climate liability cases across the country, the U.S. Court of Appeals for the Fourth Circuit on March 6 [affirmed](#) a federal district court's decision to remand the City of Baltimore's climate liability lawsuit against oil companies to a Maryland state court. In rejecting the oil companies' request to remove the case to federal court, the court of appeals concluded that the oil companies failed to establish that they were "acting under" the instructions of "federal officers" when engaging in their oil and gas business — a necessary prerequisite for invoking the so-called "federal officer" doctrine, the only ground for removal that was open on appeal.



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