

#EXXONKNEW: THE UNRAVELING OF AN ACTIVIST CAMPAIGN

MAY 1, 2012
Steve Coll, who later becomes Dean of the Rockefeller-funded Columbia School of Journalism, publishes book on ExxonMobil. Coll's book, *Private Empire: ExxonMobil and American Power*, leaves "a trail of evidentiary breadcrumbs that would eventually be used" by InsideClimate News (ICN) and the Columbia School of Journalism for their #ExxonKnew series. As ICN publisher David Sassoon explains, "We consulted his excellent book as we worked on the project..."



JUNE 14-15, 2012
Rockefeller-funded organizations hold conference in La Jolla, California to brainstorm how they could use racketeering laws against ExxonMobil. The Union of Concerned Scientists and the Climate Accountability Institute organize a **conference** for activists such as Naomi Oreskes (author of *Merchants of Doubt*), Peter Frumhoff of the Union of Concerned Scientists, and Matt Pawa, who served on the board of the Climate Accountability Institute, to discuss ways to link Big Tobacco to ExxonMobil.³



MAY 29, 2015
Sen. Sheldon Whitehouse (D-RI) publishes an op-ed in the Washington Post calling for a RICO investigation of fossil fuel industry. Emails later reveal that Whitehouse was working behind the scenes to coordinate RICO efforts with activists.⁵



SUMMER 2015
Naomi Oreskes briefs New York Attorney General Eric Schneiderman. At a forum hosted June 22, 2016 by the Congressional Progressive Caucus, activist Naomi Oreskes admits, "I was invited about a year or so ago to New York to speak to the staff of the New York Attorney Generals' office..."⁶



SUMMER 2015
Peter Frumhoff of the Union of Concerned Scientists starts working with Democratic AGs. Emails from Peter Frumhoff show that activists were already pursuing investigations via state AGs long before the InsideClimate News and Columbia School of Journalism series on Exxon hit. As Frumhoff says in a July 21, 2015 email, "we're also in the process of exploring other state-based approaches to holding fossil fuel companies legally accountable - we think there'll likely be a strong basis for encouraging state (e.g. AG) action forward, and in that context, opportunities for climate scientists to weigh in."⁷



SEPTEMBER 1, 2015
GMU professors send letter asking the Department of Justice to investigate climate skeptics under RICO laws. George Mason University professors Jagadish Shukla and Edward Maibach, who spearheaded the RICO20 letter to the Department of Justice asking for climate skeptics to be prosecuted, later reached out to Michael Mann and folks from the Rockefeller-funded PR firm, Climate Nexus, for help dealing with the backlash from their letter. Philip Newell of Climate Nexus basically assures them help is on the way in the form of InsideClimate's upcoming series attacking ExxonMobil.⁹



SEPTEMBER/OCTOBER 2015
InsideClimate News and Columbia School of Journalism publish #ExxonKnew series; Columbia fails to disclose Rockefeller funding. InsideClimate News publishes the first article¹⁰ in its #ExxonKnew series on September 16, 2015. Only a few weeks later, on October 9, 2015, the Columbia School of Journalism follows up with its first Exxon article¹¹ in the LA Times. The LA Times did not initially disclose¹² that the Columbia School of Journalism is funded by the Rockefeller Brothers Fund (RBF). Likewise, the website of the Columbia Energy and Environment Reporting Fellowship¹³ did not originally disclose¹⁴ its Rockefeller funding. EID's video shows how both InsideClimate News and Columbia School of Journalism cherry-picked the documents and left out the facts to push a predetermined narrative.¹⁵



OCTOBER 12, 2015
Rockefeller-funded Yale School of Forestry and Environmental Studies releases report suggesting Exxon funds climate denial. The Yale School of Forestry and Environmental Studies, which produced a report¹⁶ suggesting that "corporate funding" to "climate counter movement" institutions is responsible for skepticism about climate science, is funded by the Rockefeller¹⁷ and other groups bankrolling the #ExxonKnew campaign.



NOVEMBER 2015
Friends of the Earth President Eric Pica emails Maryland AG's office. Pica emails¹⁸ Maryland Attorney General Brian Frosh's office, offering to brief the AG on "the potential consumer related complaints and other authorities re: ExxonMobil." Just days after the meeting, Frosh announces he is considering an investigation into Exxon.¹⁹



NOVEMBER 4, 2015
New York Attorney General Eric Schneiderman announces subpoena of ExxonMobil. InsideClimate News reports that this announcement followed a "year-long probe" by the AG's office.²¹



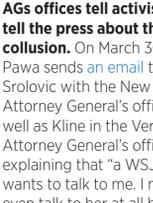
JANUARY 8, 2016
#ExxonKnew activists meet behind closed doors at the Rockefeller Family Fund. A leaked memo²² reveals that a coalition of activists including Bill McKibben of 350.org and Matt Pawa gathered for a secret, closed-door meeting at the Rockefeller Family Fund (RFF) offices. According to the memo, the coalition's goals were to establish "in the public's mind that Exxon is a corrupt institution."²³



MARCH 15, 2016
Virgin Islands Attorney General subpoenas ExxonMobil and the Competitive Enterprise Institute, uses law firm linked to #ExxonKnew activists. The subpoenas served by Virgin Islands Attorney General Claude Walker were issued through a Washington, D.C. law firm, Cohen, Milstein, Hausfeld & Toll, where Matt Pawa, who briefed the AGs ahead of their March 29th press conference with Al Gore, used to work.²⁵ Pawa previously partnered²⁶ with several Democratic AGs on lawsuits against Exxon and other companies. The Cohen Milstein lawyer who actually signed the subpoenas is Linda Singer, who recently received \$15 million in contingency fees when she partnered²⁷ with Virgin Islands Attorney General Claude Walker in a lawsuit against Hess Oil Company.



MARCH 24, 2016
Rockefellers admit to funding #ExxonKnew campaign. Lee Wasserman of the Rockefeller Family Fund tells Reuters that funding the #ExxonKnew campaign is part of "our push to drive better public understanding and better climate policy."²⁸



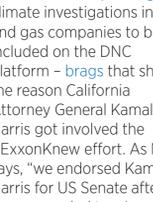
MARCH 28, 2016
AGs draft common interest agreement to avoid transparency with the public. In an email to Lem Srolovic with the New York Attorney General's office, Vermont Assistant Attorney General Scot Kline expresses concerns about sharing documents related to the meeting, as they could be revealed to the public via a records request. Kline says "our office is okay with refusing to disclose covered documents." The New York Attorney General's²⁹ office then requests a "Common Interest Agreement" be signed to avoid having the public find out about their meetings.



MARCH 29, 2016
#ExxonKnew activists brief AGs ahead of press conference with Al Gore. Reuters reports on emails between the offices of the state AGs, which reveal that Peter Frumhoff of the Union of Concerned Scientists and Matt Pawa, then on the board of the Climate Accountability Institute, briefed the AGs ahead of their March 29 press conference with Al Gore.³⁰ Later Frumhoff is forced to admit his attendance: "I was invited to brief the attorneys general that gathered on March 29 on my work, and that is what I did."³¹



MARCH 30, 2016
AGs offices tell activist not to tell the press about their collusion. On March 30, Matt Pawa sends an email to Srolovic with the New York Attorney General's office, as well as Kline in the Vermont Attorney General's office, explaining that "a WSJ reporter wants to talk to me. I may not even talk to her at all but if I do I obviously will have no comment on anything discussed at the meeting." Pawa then asks, "What should I say if she asks if I attended? No comment? Let me know." Srolovic responds that Pawa should effectively stonewall the WSJ reporter. "My ask is if you speak to the reporter," Srolovic writes, "to not confirm that you attended or not otherwise discuss the event."³²



APRIL 13, 2016
AGs sign Common Interest Agreement to keep investigations secret. New emails confirm that Gregory Schultz of the Rhode Island Attorney General's office signed on to a Common Interest Agreement that was distributed to all the AGs' offices involved by the New York Attorney General's office.³³



MAY 23, 2016
Virgin Islands Attorney General withdraws his subpoena of the Competitive Enterprise Institute. The withdrawal comes after editorial boards across the country strongly push back on the #ExxonKnew campaign. For instance, the Financial Times says, "the legal basis for these actions seems flimsy...Beyond that, the implications of the investigations for free speech on public policy issues are alarming."³⁵

MAY 26, 2016
Activists brag about getting California AG involved in #ExxonKnew campaign. RL Miller of Climate Hawks Vote - who has been pushing³⁶ for climate investigations into oil and gas companies to be included on the DNC platform - brags that she is the reason California Attorney General Kamala Harris got involved the #ExxonKnew effort. As Miller says, "we endorsed Kamala Harris for US Senate after she responded to a Los Angeles County Democratic Party resolution - which I wrote - to investigate Exxon."³⁷



JUNE 15, 2016
Thirteen state AGs call Exxon investigation "a grave mistake." The AGs of thirteen states send a letter³⁸ to the attorneys general launching climate investigations warning that their efforts raise "substantial First Amendment concerns." They ask the AGs to "stop policing viewpoints."³⁹



JUNE 22, 2016
Congressional Progressive Caucus holds #ExxonKnew forum on Capitol Hill. The Congressional Progressive Caucus holds a forum,³⁹ which includes key players from the Climate Accountability Institute and the Union of Concerned Scientists, as well as many other #ExxonKnew activists. At the forum Naomi Oreskes admits, "I was invited about a year or so ago to New York to speak to the staff of the New York Attorney Generals' office." Kathy Mulvey of the Union of Concerned Scientists also admits, "Yes, UCS has also been involved in providing information to attorneys general who are moving into the issue on whether these companies violated any state laws in providing this information to shareholders and the public...our chief scientist Peter Frumhoff who's actually here with me as well and he has briefed a number of the AGs..."⁴⁰

JUNE 22, 2016
Massachusetts Attorney General Maura Healy puts subpoena of ExxonMobil on hold. As E&E News reports, "the Massachusetts subpoena is on hold, according to a joint document filed on June 22 and obtained by E&E Daily. In the filing, Healy agreed to not enforce the subpoena until the U.S. District Court for the Northern District of Texas rules on Exxon's challenges to the subpoena and any related appeals. That process could take years."⁴¹



JUNE 29, 2016
Virgin Islands Attorney General withdraws subpoena of ExxonMobil. This withdrawal comes as legal experts across the country criticized the #ExxonKnew campaign for being legally unsound. For instance, Harvey Silverglate of the ACLU says the Exxon investigation is "pure harassment."⁴² Columbia Law Professor Merritt B. Fox notes that the investigations are "unlikely" to "be a winner."⁴⁴

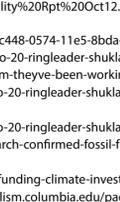


JULY 13, 2016
House Science Chairman Lamar Smith subpoenas New York and Massachusetts AGs and eight activist groups in relation to their work on the #ExxonKnew campaign. Chairman Smith explains in the press release, "The Committee has a responsibility to protect First Amendment rights of companies, academic institutions, scientists, and nonprofit organizations. That is why the Committee is obligated to ask for information from the attorneys general and others."⁴⁶

JULY 23, 2016
The Hill reports that Linda Singer of Cohen Milstein law firm would get large retainer for working with U.S. Virgin Islands Attorney General's office on Exxon probe. As The Hill explains, "Singer's firm, an established outfit with a reputation as an aggressive plaintiffs' advocate, stands to take in as much as 27 percent of any monetary damages, plus certain costs, under a retainer agreement obtained by The Hill"⁴⁶ through a public records request.⁴⁷



AUGUST 4, 2016
Common Interest Agreement signed by 17 attorneys general's offices is made public. As Reuters reports, the agreement, which was finalized in May 2016, "sought to keep prosecutors' deliberations confidential and was broadly written so they could provide other fossil fuel companies."⁴⁸ E&E Legal, which obtained the document through public records requests, explains that Common Interest Agreements are required to be focused on specific legal actions, but this agreement is overly broad and "appears to be more of an effort to obtain a 'Get Out of FOIA Free card,' rather than a suit or any discrete or formal project."⁴⁹



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