

# Chapter Two:

## The Complex Web of Philanthropies, Researchers and Nonprofits Supporting Litigation

The campaign to impose legal liability on energy manufacturers for the impact of climate change is global, well-funded and multi-faceted. It is more than just a few law firms representing counties, cities and states. Far from a David-versus-Goliath endeavor, this effort is being waged by a coordinated network of individuals, nonprofit organizations and academics, and is backed by some of the most powerful private funders in the United States. The next two chapters of “Beyond the Courtroom” explore some of the behind-the-scenes players who are driving this sophisticated campaign.

The law firms representing the plaintiffs, which were discussed in Chapter One, are relying on this extensive outside network. Academics, foundations and nonprofits are assisting them with the legal research needed for their lawsuits, helping to generate media attention for the underlying issues, and attempting to bring “outside” credibility to this liability campaign—all the while trying to maintain the façade of an organic, grassroots movement.

### Introducing the “Billionaire’s Club” Funding Climate Litigation

The financial engine generating climate litigation against energy manufacturers has been well-documented. In 2014, the minority staff for the United States Senate Committee on Environment and Public Works released a report detailing how a few powerful people—who they termed the “Billionaire’s Club”—and the foundations they fund are driving “the environmental movement” and have spread money around to create multiple sources of seemingly independent support for their climate agenda.<sup>1</sup>

The report summarizes these efforts as follows:

*“[T]heir tax-deductible contributions secretly flow to a select group of [environmental activists] who are complicit and eager to participate in the fee-for-service arrangement to promote shared political goals... Through these arrangements, the Billionaire’s Club gains access to a close-knit network of likeminded funders, environmental activists, and government bureaucrats who specialize in manufacturing phony ‘grassroots’ movements.”<sup>2</sup>*

The report identified several foundations known to fund these efforts including: the Children’s Investment Fund Foundation, Energy Foundation, MacArthur Foundation, Oak Foundation Rockefeller Brothers Fund (RBF), Rockefeller Family Foundation (RFF), Sustainable Markets Foundation, Tides Foundation, Wallace Global Fund, and William and Flora Hewlett Foundation. To be sure, these

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organizations also fund many other types of activities, from arts and culture, to economic and social justice programs. They also fund important innovations that, unlike litigation, can drive the technological and public policy solutions needed to mitigate climate change. This “Beyond the Courtroom” report focuses on the efforts of these groups to fund the climate liability campaign.

The funders can generally be divided into two types of foundations – private and public. Private foundations are often established with funds from a single source or small group of identified sources, such as a family, and have significant discretion over how the funds are to be distributed and used.<sup>3</sup> The 2014 minority staff report found that these foundations, “employ a ‘prescriptive grantmaking’ technique wherein they seek beneficiaries whose actions and work fit the agenda of the foundation and its donors.”<sup>4</sup>

Public foundations are not required to disclose their donors, making calls for funding transparency at the business community highly ironic. One such foundation, Tides, has been described by the Capital Research Center as “the leading platform for laundering away ties between wealthy donors and the radical causes they fund—while generating hundreds of new organizations along the way.”<sup>5</sup>

As discussed below, the lawyers filing these lawsuits are receiving funding and other support from these organizations to recruit plaintiff localities to wage climate litigation. These arrangements raise serious questions: Should the plaintiffs’ attorneys disclose these payments to the courts? If the lawyers are being paid to bring the lawsuits, why do they also need huge contingency fees at the expense of the solutions they are purportedly seeking? Also, what do we know about any ulterior business or other motives these funders—many of whom remain anonymous—might have in trying to undercut the specific companies named in this litigation?<sup>6</sup> Shouldn’t the public know whose interests their leaders are advancing by signing up for these lawsuits?

## The Long-Standing Effort to Fund Climate Liability Litigation

Each nonprofit is required to submit a Form 990 to the Internal Revenue Service (IRS) to retain their tax-exempt status. In addition, many philanthropic organizations maintain online grant databases of their own. Analysis of these sources reveal large and conveniently timed financial contributions to the organizations representing the plaintiffs in many climate liability lawsuits. The organizations discussed in Chapter 1 – namely the Global Warming Legal Action Project (GWLAP), Niskanen Center, EarthRights International (ERI) and the Conservation Law Foundation (CLF) — have received millions of dollars from these large philanthropies.<sup>7</sup>

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During its tenure, GWLAP received nearly \$900,000 from organizations including the Wallace Global Fund, the Rockefeller Brothers Fund (RBF), the Nathan Cummings Foundation, the Energy Foundation, and the Tides Foundation.<sup>8, 9, 10, 11</sup> Readers will recall from Chapter 1 that Matt Pawa, an early advocate for climate liability litigation, founded GWLAP, enabling his private law firm to pursue cases with resources backed by these private donations. These donations coincided with each of Pawa’s major climate liability cases. Readers will recall from Chapter 1 that Matt Pawa, an early advocate for climate liability litigation, founded GWLAP, enabling his private law firm to pursue cases with resources backed by these private donations. These donations coincided with each of Pawa’s major climate liability cases.<sup>12</sup>

Specifically, in 2004 when Pawa filed the first climate change liability lawsuit – *AEP v Connecticut* – GWLAP received at least \$175,000 from RBF and the Enylst Fund, a Tides Foundation-affiliate.<sup>13</sup> Between 2010-2011, GWLAP received over \$500,000 from the Nathan Cummings Foundation, RBF, Tides Foundation and Energy Foundation, while Pawa was working on *Kivalina v. ExxonMobil Corp.*<sup>14</sup> Most recently, GWLAP took in at least \$150,000 from RBF and the Wallace Global Fund in 2016 for “support for work holding liable the corporations most responsible for the rapidly changing climate and its impacts on people and property.”<sup>15, 16</sup> Just one year later, Pawa filed climate lawsuits on behalf of the cities of Oakland and San Francisco, and New York City.<sup>17</sup>

Matt Pawa isn’t the only plaintiff’s attorney who has received monetary support from powerful foundations. The Niskanen Center has received at least \$3.37 million from the William and Flora Hewlett Foundation, RBF, and Energy Foundation since 2015.<sup>18, 19, 20, 21</sup> These donations included a \$300,000 contribution from the Hewl-

ett Foundation in 2017 for Niskanen’s “climate policy and litigation program,” and a \$200,000 contribution from RBF for its “climate program.” The latter donation came just two months before Boulder County, the City of Boulder and San Miguel County filed their climate lawsuit, on which the Niskanen Center’s David Bookbinder is listed as counsel.<sup>22, 23</sup>

ERI also receives these gifts. Since March 2016, the William and Flora Hewlett Foundation has donated \$1.5 million to ERI.<sup>24</sup> Additionally, ERI has received more than \$1.4 million from a foreign nonprofit called the Oak Foundation, a Swiss philanthropy that has committed \$100 million to its climate justice initiative and is bound by little to no American oversight.<sup>25, 26</sup> Both organizations are listed among ERI’s “institutional funders,” alongside RBF, the MacArthur Foundation, the Tides Foundation, the Wallace Global Fund, and the Open Society Foundation.<sup>27</sup>

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CLF also receives similar support. The William and Flora Hewlett Foundation, RBF, and Oak Foundation have donated more than \$1.4 million to CLF since 2011.<sup>28, 29, 30</sup> In 2018, CLF received an additional \$2.4 million from the Barr Foundation.<sup>31</sup> Despite receiving millions of dollars from these large funders, CLF features only local individuals on its donor page.<sup>32</sup>

## Direct Coordination Between the Litigation and Activists Supporting the Lawsuits

Some nonprofits are more public about the support they provide to the climate litigation campaign. For example, the Wallace Global Fund dedicates an entire section of its website to promoting climate lawsuits against manufacturers, calling the legal grounds for fossil fuel industry liability “compelling.”<sup>33</sup> In addition to contributing at least \$420,000 to EarthRights International and \$120,000 to GWLAP since 2013, Wallace Global Fund highlights its grants to Climate Accountability Institute (CAI), Union of Concerned Scientists (UCS), Center for International Environmental Law (CIEL), Greenpeace and *InsideClimate News*.<sup>34, 35, 36</sup> Each of these organizations are involved in the broader climate litigation movement, providing research, public relations support, and strategic counsel to help recruit support for the litigation.

In January 2016, the Rockefeller Family Fund and the Rockefeller Brothers Fund (RBF) hosted a strategy session in their shared New York City office to discuss the “Goals of the Exxon Campaign.”<sup>37</sup> Attendees included Matt Pawa; representatives from the Conservation Law Foundation and the Energy Foundation; Sharon Eubanks,

former head counsel for the U.S. Department of Justice in the tobacco litigation; and Carroll Muffett, President and CEO of CIEL.”<sup>38</sup>

According to a memo obtained by the *Washington Free Beacon*, the strategy session focused on coordinating tactics for various groups to target “industry associations,” as well as how to coordinate their campaigns targeting state attorneys general and the U.S. Department of Justice.<sup>39</sup> They also discussed “a rapid response and coordination structure to react to new research, revelations and legal developments as they happen,” including a “war room, joint social media, and coordinate organizing and media pushes” from various organizations.

The 2016 strategy session was not the first such meeting of its kind. In 2012, UCS and CAI convened a group of environmental activists, lawyers – including Matt Pawa – and nonprofit organizations in La Jolla, California.

Both UCS and CAI support the climate liability campaign through promotional events and research. For this work, they have also received generous donations from the major funders discussed above. UCS has received more than \$11 million from the MacArthur Foundation, Wallace Global Fund, William and Flora Hewlett Foundation, Oak Foundation, and the “Rockefeller Funds” since 2002.<sup>40</sup> Similarly, CAI has received at least \$327,000 from RBF and the Wallace Global Fund since 2013.<sup>41</sup>

The La Jolla conference provided a roadmap for the strategies and arguments this interconnected network of philanthropists, academics, activists, and lawyers would put forth in their effort to target energy manufacturers in the courts. Its primary objective was to see if they could “use the lessons from tobacco-related education, laws, and litigation to address climate change.”<sup>42</sup> For example, they discussed strategies for obtaining internal fossil fuel company documents that “demonstrate companies’ knowledge that the use of their products damages human health and well-being by contributing to dangerous anthropogenic interference with the climate system.”<sup>43</sup> Attendees also discussed the utility of identifying a sympathetic state attorney general who could subpoena these internal company documents and “weighed the merits of legal strategies that target major carbon emitters, such as utilities, versus those that target carbon producers.”<sup>44</sup>

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Since this meeting, many of these efforts have come to fruition: state attorneys general have launched investigations and subpoenaed documents from energy manufacturers, congressional hearings have been scheduled and the media has regularly compared this litigation to the tobacco litigation in the 1990s.

## Academic Support Supplied by Similar Private Funding Resources

Academics are also assisting in the climate liability campaign by commissioning research, providing legal and consulting assistance, generating publicity, and filing amicus briefs. Many of these academics are affiliated with some of the most prestigious universities in the nation. Although they may seek to leverage their schools’ prestige and their presumed independence, they are often tied to the litigation’s participants, as well as some of its main funders.

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## The School of Journalism and Sabin Center for Climate Change Law at Columbia University

Academics associated with Columbia University have contributed both research and media support to the climate liability campaign through the school’s law and journalism programs. In 2015, graduate fellows in the Columbia University School of Journalism’s Energy and Environment Reporting Project wrote a series of articles on ExxonMobil published in the *Los Angeles Times*.<sup>45</sup> The pieces examined documents relating to the company’s climate science research. It was later disclosed that this project was funded by the Rockefeller Brothers Fund (RBF), Rockefeller Family Fund (RFF), Energy Foundation, and Open Society Foundation.<sup>46, 47, 48</sup>

This project also coincided with a series of articles by *InsideClimate News*, which were also funded by RFF.<sup>49</sup> These coordinated efforts laid the foundation for a social media campaign that became known as “#ExxonKnew” and were the catalyst for then-New York Attorney General Eric Schneiderman and current Massachusetts Attorney General Maura Healey to launch investigations into ExxonMobil.<sup>50, 51, 52</sup>

The Sabin Center for Climate Change Law, which is housed at Columbia, is funded by environmentalist Andrew Sabin and run by Michael Gerrard and Michael Burger.<sup>53, 54, 55</sup> Gerrard is a vocal proponent of the climate lawsuits targeting manufacturers. A few weeks before the School of Journalism released its series, Gerrard proposed that “the attorney general of New York could subpoena the oil companies for what they know deep down about climate change and the perils to their business and hiring phony scientists and all kinds of things including emails.”<sup>56</sup>

Emails obtained through a public records request reveal that Gerrard was asked to help generate ideas for state and federal RICO lawsuits against fossil fuel companies.<sup>57</sup> He publicly praised Schneiderman’s decision to investigate ExxonMobil, saying it could

“yield a great deal of info that would be pertinent to whether the federal government” could pursue a RICO investigation.<sup>58</sup> Days later, records show that Gerrard coordinated with Schneiderman’s office, asking Lem Srolovic, Bureau Chief of the Environmental Protection Bureau in the NY AG’s office, about documents related to the inquiry.<sup>59</sup>

Burger is also a vocal supporter of climate litigation. He has argued that the “legal underpinning” exists for the theories in the litigation, but has also acknowledged that the “lawsuits are, without question, pushing the envelope of nuisance law and tort law.”<sup>60, 61</sup> In November 2018, the Sabin Center filed an amicus brief in support of New York City’s climate lawsuit.<sup>62</sup>

## The Emmett Environmental Law and Policy Clinic at Harvard University

Harvard University’s law clinic has also provided multiple levels of support for climate liability litigation; it has helped connect climate change liability activists to sympathetic state attorneys general, supplied amicus briefs in support of the litigation, and produced research to give credence to the “Exxon Knew” narrative. Harvard’s Emmett Environmental Law Clinic was created by a \$5 million grant from Dan Emmett, a real estate developer and environmentalist.<sup>63</sup>

The Clinic provides a forum for staff of state attorneys general, academics and private attorneys to “convene and learn” about various aspects of climate liability litigation.<sup>64</sup> It also hosts workshops and works closely with NGOs on this effort.<sup>65</sup>

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In May 2016, the Clinic partnered with the Union of Concerned Scientists (UCS) on a climate workshop that included La Jolla alumni such as Harvard University professor Naomi Oreskes, UCS Director of Climate and Policy Peter Frumhoff, and former chief counsel for the U.S. Department of Justice in the tobacco litigation, Sharon Eubanks, among others.<sup>66</sup> This workshop offered a unique opportunity to connect “climate science colleagues,” “prospective funders,” and “senior staff from attorney’s general offices” in an off-the-record meeting to discuss climate liability.<sup>67</sup>

In a blog post describing the event, UCS noted, “the meeting provided senior staff from state attorneys general offices in nearly a dozen states with an opportunity to hear from leading climate scientists, legal scholars, historians, and other experts on topics including climate attribution research, lessons from tobacco litigation, and the potential role of state consumer protection laws.”<sup>68</sup> This blog was posted only after attendees received open-records requests inquiring about the meeting.<sup>69</sup>

Harvard University professor Naomi Oreskes and postdoctoral researcher Geoffrey Supran are two of the of the most consequential academics involved in the climate liability campaign. Oreskes has primarily focused on developing a narrative that manufacturers should be liable for climate change because they tried to mislead the public on climate issues, comparing the actions of energy producers to those of tobacco companies. In 2010, she authored the book *Merchants of Doubt: How a Handful of Scientists Obscured the Truth on Issues from Tobacco Smoke to Global Warming*.<sup>70</sup> Oreskes later shared this research at the La Jolla conference, which she helped to organize through her involvement with the Climate Accountability Institute (CAI).<sup>71</sup> Angela Anderson of UCS said the research “could potentially be useful as part of a coordinated campaign” to associate culpability with the production of energy.<sup>72</sup> Matt Pawa “thought the information could prove quite useful in helping to establish joint and several liability in tort cases.”<sup>73</sup>

Since then, Oreskes also worked with Richard Heede, Co-Founder and Director of CAI, to publish academic papers that “placed the responsibility for climate change at the feet of major fossil fuel companies.”<sup>74</sup> In 2015, she also met with staff from the NY Attorney General’s office alongside Sharon Eubanks to discuss potential RICO lawsuits against energy manufacturers.<sup>75, 76</sup>

In 2017, Oreskes and Supran published a study alleging that ExxonMobil misled the public on climate change.<sup>77</sup> The Oreskes-Supran study received criticism for manipulating data and cherry-picking materials to promote their pre-determined narrative against the company.<sup>78</sup> Their study included “a variety of fundamental errors” and was “unreliable, invalid, biased, not generalizable, and not replicable,” according to Dr. Kimberly Neuendorf, a professor at Cleveland State University, whose research method was utilized in their study.<sup>79</sup> The Oreskes-Supran study was funded in part by the Rockefeller Family Fund.<sup>80</sup>

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In January 2019, Oreskes and Supran, along with other climate scientists, filed an amicus brief supporting the climate liability lawsuits brought by municipalities in California against several energy manufactures.<sup>81</sup> Other signers on this brief include: Ben Franta, a Stanford Law and PhD student studying “the history of climate science and fossil fuel producers,”<sup>82</sup> and the Center for Climate Integrity, which launched in 2017 to support “climate cases aimed at holding fossil fuel companies and other climate polluters liable.”<sup>83</sup> The counsel listed on the brief is the law firm Keller Rohrback, a law firm hired by the City of Seattle to investigate the possibility of filing a climate liability lawsuit of its own.<sup>84</sup>



Supran has also worked internationally to advance climate litigation. In August 2017, he served as an expert witness for a climate change inquiry conducted by the Philippines Commission on Human Rights, which is investigating whether major energy producers could be found guilty of human rights violations for their contributions to climate change.<sup>85</sup> He has also provided testimony to the European Parliament on climate change and climate science in an effort to convince policymakers to take actions against energy manufacturers.<sup>86</sup>

## The Emmett Institute on Climate Change and the Environment at UCLA

In addition to funding Harvard's Environmental Law Clinic, Dan Emmett also provided a \$5 million gift to UCLA's Law School to establish the Emmett Institute on Climate Change and the Environment, and continues to donate millions of dollars to fund its operations.<sup>87</sup> <sup>88</sup> The Institute is working to advance climate litigation through two of UCLA Law's environmental programs: the Environmental Law Specialization and Frank G. Wells Environmental Law Clinic, which is described as "a vital training ground for environmental lawyering."<sup>89</sup>

Through the work of UCLA law professors Sean Hecht, Cara Horowitz and Ann Carlson, the Emmett Institute has emerged as a vocal proponent of climate change litigation. Horowitz attended the aforementioned 2016 Harvard meeting, which convened staff of state attorneys general and environmental activists on behalf of the Institute.<sup>90</sup> Additionally, the Institute hosted a talk with Vic Sher, founding partner at Sher Edling titled, "Suing Over Climate Change Damages: The First Wave of Climate Lawsuits."<sup>91</sup> Ann Carlson, who moderated the discussion, also works as a consultant for Sher Edling, advising the law firm on some of its climate liability cases.<sup>92</sup>

In 2018, Horowitz and Carlson partnered with the Union of Concerned Scientists (UCS) to organize a discussion about the viability

“ In 2017, Naomi Oreskes and Geoffrey Supran, a postdoctoral researcher at MIT and Harvard, published a study alleging that ExxonMobil misled the public on climate change via advertorials the company published in the *New York Times* ... Their study later received criticism for manipulating data and cherry-picking advertorials to promote their pre-determined narrative against the company.”

of locality climate suits, featuring Serge Dedina, mayor of one of the first plaintiff cities, Imperial Beach; UCS Director Peter Frumhoff; and environmentalist Bill McKibben, whose organization 350.org launched the #ExxonKnew social media campaign.<sup>93, 94</sup>

## The Center for Environmental Law and Policy at Yale University

In 1994, the Yale University's Law School and School of Forestry & Environmental Studies pursued a joint initiative to open the Yale Center for Environmental Law and Policy. Today, professors and advisors from all three centers are active in the climate litigation campaign, and some of their initiatives are being funded by some of the same donors supporting climate litigation.<sup>95</sup>

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For example, in 2017, the MacArthur Foundation donated \$850,000 to Yale's environmental and climate change communication initiatives.<sup>96</sup>

In 2006, the Law School partnered with the San Francisco City Attorney's office to establish the San Francisco Affirmative Litigation Project (SFALP), which provides legal research assistance to help the Deputy City Attorney "conceive, develop, and litigate some of the most innovative public-interest lawsuits in the country—lawsuits that tackle problems with local dimensions but national effects."<sup>97</sup> In 2013, SFALP helped the city pursue a \$1.1 billion public nuisance judgment against the former lead paint industry, which "broke new legal ground."<sup>98</sup> Advocates of climate litigation claim this case laid the foundation for the application of public nuisance theory in the climate liability lawsuits.

Today, SFALP is helping the city with its climate liability lawsuit. According to SFALP's website, Yale students are putting in "hundreds of research hours" and "have proven invaluable to the attorneys" on the city's climate case:<sup>99, 100</sup>

*"SFALP students have been involved since before the case was filed, and are playing a central role in researching the legal theories with which the court and litigants will have to grapple to pursue this case."*<sup>101</sup>

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In addition, the Law School's Rule of Law Clinic has filed amicus briefs in both major climate change lawsuits to reach the U.S. Court of Appeals. On November 18, 2018, the Clinic filed an amicus brief in support of New York City's climate lawsuit in the U.S. Court of

Appeals for the Second Circuit.<sup>102</sup> On March 20, 2019, the Clinic filed an amicus brief, this time on behalf of former U.S. diplomats and government officials in the San Francisco’s lawsuit, which was on appeal to the U.S. Court of Appeals for the Ninth Circuit and had been merged with Oakland’s lawsuit.<sup>103</sup>

One of the Yale faculty members who signed these briefs is Harold Hongju Koh, an international law professor and lead instructor for the Rule of Law Clinic. Before expressing support in these two cases, Koh convinced then-Rhode Island Attorney General Peter Kilmartin to file a climate liability suit seeking monetary damages from oil companies for climate change injuries in the Ocean state.<sup>104</sup> Koh was reportedly directed to Kilmartin by Governor Gina Raimondo, Koh’s former law student.<sup>105</sup>

Justin Farrell, an Associate Professor of Sociology at Yale’s School of Forestry & Environmental Studies, has been involved in climate change cases for several years.<sup>106</sup> In 2015, following the publishing of the “Exxon Knew” stories from *InsideClimate News* and Columbia University’s School of Journalism, Farrell released a report suggesting that “corporate funding” to “climate counter movement” institutions was largely responsible for skepticism about climate science.<sup>107</sup> In 2019, he released a report alleging a large-scale misinformation campaign surrounding climate science by energy manufacturers and joined an amicus brief with Harvard’s Naomi Oreskes and Geoffrey Supran supporting the plaintiffs in *County of San Mateo v. Chevron Corporation*.<sup>108, 109</sup> Today, his arguments are being used as a ground for targeting these same manufacturers through litigation.

## Private Research Groups Aiding Climate Litigation

University professors like Justin Farrell, Naomi Oreskes, and Ann Carlson are only a few of the academics creating research to support the climate litigation campaign.

In 2014, Roland C. “Kert” Davies established the Climate Investigations Center (CIC) to “monitor the individuals, corporations, trade associations, political organizations and front groups who work to delay the implementation of sound energy and environmental policies that are necessary in the face of ongoing climate crisis.”<sup>110</sup> In his capacity with the CIC, Davies requests and obtains documents from a number of organizations in an effort to paint them as climate deniers and houses these documents on a “Climate Files” web database.<sup>111</sup>

According to CIC, “Climate Files” was created in 2016 to help reporters cover the topic of climate liability.<sup>112</sup> The database received its initial funding from a grant provided by the Knight Foundation, which has given a significant amount of money to *InsideClimate News*.<sup>113, 114, 115</sup> This research is also being used in the litigation; “Climate Files” is cited by plaintiffs in *County of San Mateo v. Chevron Corporation*.<sup>116</sup>

Davies has long targeted the energy industry. In 2002, he established the “PolluterWatch” database for Greenpeace, from which Naomi Oreskes and Geoffrey Supran pulled the *New York Times* advertorials cited in their 2017 study.<sup>117, 118</sup> In 2004, Davies estab-

lished “ExxonSecrets,” a Greenpeace project designed to “explain the complex web of organizations, pundits, lobbyists and skeptic scientists running Exxon’s campaign to deny and undermine the scientific evidence on global warming.”<sup>119, 120</sup>

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Richard Wiles, who worked with Davies at the Environmental Working Group in the 1990’s, is also conducting research for climate litigation. In 2008, Wiles founded Climate Central, an organization that researches and reports on the impacts of climate change.<sup>121</sup> The organization was inspired by a series of meetings sponsored by the Yale School of Forestry and Environmental Studies and was established with a seed grant by the Flora Family Foundation.<sup>122</sup> A representative from the organization attended the La Jolla conference in 2012 and key studies—conducted under Wiles—have since been cited in climate lawsuits filed by Sher Edling.<sup>123, 124</sup>

## CONCLUSION

The climate litigation campaign is a sophisticated, well-resourced and multi-pronged effort supported by a cadre of large funding organizations, academics and a number of nonprofits that seek to target manufacturers with litigation for the effects of climate change. The strategies discussed at the La Jolla conference in 2012 and again, four years later, at the Rockefeller Family Fund and Rockefeller Brothers Fund headquarters in New York City have materialized into the numerous lawsuits and outreach efforts seen today.

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In addition, these coordinated efforts have resulted in a number of amicus briefs in support of the litigation, countless materials cited in the lawsuits, databases that store documents as resources for litigation, and outreach efforts seeking to convince public officials to investigate or sue energy manufacturers. The next chapter of “Beyond the Courtroom” will detail how nonprofit organizations, media outlets, and public affairs teams – funded by the same large donors detailed throughout this chapter—are helping to coordinate messaging with the shared goal of enhancing climate liability litigation.

## Endnotes

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