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11 Exxon Mobil Corporation

12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**

14 EXXON MOBIL CORPORATION,

15 Petitioner and
16 Plaintiff,

17 v.

18 SANTA BARBARA COUNTY
19 BOARD OF SUPERVISORS,

20 Respondent and
21 Defendant,

22 and

23 ENVIRONMENTAL DEFENSE
24 CENTER, GET OIL OUT!,
SANTA BARBARA COUNTY
25 ACTION NETWORK, SIERRA
CLUB, SURFRIDER FOUNDATION,
26 CENTER FOR BIOLOGICAL
DIVERSITY, and WISHTOYO
27 FOUNDATION,

28 **Intervenors.**

Case No. 2:22-cv-03225-DMG (MRWx)

**NOTICE OF INTENT TO DISMISS
ACTION**

Judge: Hon. Dolly M. Gee
Courtroom: 8C

1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 Petitioner and Plaintiff Exxon Mobil Corporation (“ExxonMobil”) filed this
3 action on May 11, 2022, bringing claims for *inter alia* declaratory relief and/or
4 damages for (a) takings in violation of the U.S. Constitution and the California
5 Constitution; (b) violations of the Commerce Clause of the U.S. Constitution; (c)
6 violations of the implied commerce clause of the California Constitution; and (d)
7 illegal exercise of police power under the California Constitution (the
8 “Complaint”). These claims arose from the Santa Barbara County Board of
9 Supervisors’ (the “Board”) decision on March 8, 2022 to deny ExxonMobil’s
10 permit application for the Interim Trucking for Santa Ynez Unit Phased Restart
11 Project, Case No. 17RVP-00000-00081 (the “Permit Application”). The Permit
12 Application sought authorization to amend the development plan for Exxon Mobil’s
13 Santa Ynez Unit (“SYU”) to allow ExxonMobil to temporarily truck SYU’s crude
14 oil first to the Phillips 66 Santa Maria Pump Station until it closed and then to the
15 Plains Pentland Terminal for up to seven years or until a pipeline became available,
16 whichever is shorter.

17 On January 19, 2024, ExxonMobil, the Board, and Intervenors
18 Environmental Defense Center, Get Oil Out!, Santa Barbara County Action
19 Network, Sierra Club, Surfrider Foundation, Center for Biological Diversity, and
20 Wishtoyo Foundation (“Intervenors,” collectively the “Parties”) entered a
21 stipulation, which *inter alia* authorized ExxonMobil to amend the Complaint on or
22 before February 15, 2024 (the “Stipulation”) [Dkt. No. 60]. On January 23, 2024,
23 the Court entered an order [Dkt. No. 61] approving the Parties’ Stipulation.

24 On February 14, 2024, ExxonMobil sold SYU to Sable Offshore Corp. In
25 light of this sale, ExxonMobil will not amend the Complaint and, instead, intends to
26 dismiss this action. ExxonMobil requires time to meet and confer with the Board
27 and Intervenors regarding a stipulation to dismiss this action and related issues.

28 On or before March 15, 2024, ExxonMobil will file a stipulation to dismiss

1 this action or, to the extent the parties are unable to agree on the terms of dismissal,
2 provide further notice to the Court.

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Respectfully submitted,

Dated: February 15, 2024

O'MELVENY & MYERS LLP

By: Dawn Sestito
Dawn Sestito

Attorneys for Petitioner and Plaintiff
Exxon Mobil Corporation