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The National Association of Manufacturers,
American Fuel & Petrochemical Manufacturers,
and American Petroleum Institute

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION

KELSEY CASCADIA ROSE JULIANA, et
al.,

Case No. 6:15-cv-01517-TC

Plaintiffs,

MOTION TO INTERVENE

v.

Request for Oral Argument

UNITED STATES OF AMERICA, et al.,

Defendants.

MOTION TO INTERVENE

Pursuant to Fed. R. Civ. P. 24(a), Proposed Intervenor-Defendants move the Court for an order allowing them to intervene as defendants in this case as of right with full rights as parties. In the alternative, Proposed Intervenor-Defendants move the Court for an order allowing them to intervene permissively pursuant to Fed. R. Civ. P. 24(b) with the same rights as parties. Pursuant to Local Rule 7-1, the Proposed Intervenor-Defendants have conferred with counsel for both Defendants and Plaintiffs and have been unable to resolve their dispute. Defendants do not object to intervention by the Proposed Intervenor-Defendants. Counsel for Plaintiffs object to intervention by the Proposed Intervenor-Defendants.

In support of this motion, Proposed Intervenor-Defendants respectfully refer the Court to the accompanying memorandum of law and supporting declarations, filed contemporaneously herewith. Proposed Intervenor-Defendants have also contemporaneously filed a motion to dismiss and supporting memorandum of law in line with Fed. R. Civ. P. 24(c). Proposed Intervenor-Defendant the National Association of Manufacturers (NAM) represents small and large manufacturers in every industrial sector and in all 50 states. Proposed Intervenor-Defendant American Fuel & Petrochemical Manufacturers (AFPM) is a national trade association whose members include virtually all United States refiners and petrochemical manufacturers. Proposed Intervenor-Defendant American Petroleum Institute (API) is a national trade association whose members include over 625 oil and natural gas companies representing all facets of the oil and natural gas industry and who collectively provide most of the nation's energy.

Plaintiffs seek to require that greenhouse gas (GHG) emissions be swiftly phased out under a national remedial plan that will require a global reduction in GHG emissions of at least

6% per year. If Plaintiffs succeed, each of the Proposed Intervenor-Defendants' members will be harmed in various ways. For example, each Proposed Intervenor-Defendants' member that produces, refines, uses, or sells conventional fossil fuels will be harmed, as Plaintiffs' suit seeks the virtual elimination of use of such fuels in the United States. More generally, the dramatic reduction in U.S. GHG emissions that Plaintiffs seek would increase production and transportation costs for all of the Proposed Intervenor-Defendants, decreasing their global competitiveness and driving jobs and businesses abroad. Because the Proposed Intervenor-Defendants have significantly protectable interests at stake in this litigation, they should be permitted to intervene as of right. In the alternative, the Proposed Intervenor-Defendants request that they be granted permissive intervention.

WHEREFORE, Proposed Intervenor-Defendants respectfully request that their motion to intervene be granted.

DATED this 12th day of November, 2015.

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I hereby certify that I served the foregoing Motion to Intervene on:

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by the following indicated method or methods on the date set forth below:

- ☒ **CM/ECF system transmission.**
- ☐ **E-mail.** As required by Local Rule 5.2, any interrogatories, requests for production, or requests for admission were e-mailed in Word or WordPerfect format, not in PDF, unless otherwise agreed to by the parties.
- ☐ **Facsimile communication device.**
- ☐ **First-class mail, postage prepaid.**
- ☐ **Hand-delivery.**

DATED this 12th day of November, 2015.

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