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THE HONORABLE JAMAL N. WHITEHEAD

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

SHOALWATER BAY INDIAN TRIBE,

Plaintiff,

v.

EXXON MOBIL CORPORATION,  
EXXONMOBIL OIL CORPORATION, BP  
P.L.C., BP AMERICA INC., CHEVRON  
CORPORATION, CHEVRON USA, INC.,  
SHELL PLC, SHELL OIL COMPANY,  
CONOCOPHILLIPS, CONOCOPHILLIPS  
COMPANY, PHILLIPS 66, and PHILLIPS 66  
COMPANY,

Defendants.

No. 2:24-cv-00158-JNW

**STIPULATED MOTION AND  
ORDER REGARDING  
CONSOLIDATED BRIEFING ON  
MOTION FOR REMAND**

Noted for March 15, 2024

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STIPULATED MOTION

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**RECITALS**

Plaintiff, the Shoalwater Bay Indian Tribe (“Plaintiff”), and Defendants B.P. p.l.c., BP America Inc., Chevron Corporation, Chevron U.S.A. Inc., Exxon Mobil Corp., ExxonMobil Oil Corporation, Shell plc, Shell USA, Inc. (f/k/a Shell Oil Company), ConocoPhillips, ConocoPhillips Company, Phillips 66, and Phillips 66 Company (collectively, “Defendants”) (Plaintiff and Defendants are collectively referred to herein as “the Parties”), hereby stipulate and agree to the following motion to consolidate briefing with respect to the Plaintiffs’ motion to remand in this matter and in the matter of *Makah Indian Tribe v. Exxon Mobil Corporation et. al.*, 2:24-CV-0157-JNW.

**WHEREAS**, on December 20, 2023, Plaintiff filed a complaint against the Defendants in the Superior Court of the State of Washington in and for the County of King, No. 23-2-25215-2 SEA, and the Makah Indian Tribe separately filed a substantially similar complaint against the Defendants in the Superior Court of the State of Washington in and for the County of King, No. 23-2-25216-1-SEA (the “Makah action”).

**WHEREAS**, on February 6, 2024, Defendants Chevron Corporation and Chevron U.S.A., Inc., with the consent of all properly named and served Defendants, removed this action and the Makah action from the Superior Court to this Court;

**WHEREAS**, Defendants’ removal notices in this action and the Makah action are substantially similar with the sole exception that, in the Makah action, the Defendants raise a treaty rights argument for removal and do not make a similar argument in their removal notice in this action;



1           2.       The Plaintiffs' motion and brief and the Defendants' opposition brief shall not  
2 exceed 10,000 words. The Plaintiffs' reply brief shall not exceed 5,000 words.

3           Counsel certifies that this memorandum contains 517 words, in compliance with the  
4 Local Civil Rules.

5           Dated: March 15, 2024

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**ORDER**

For the reasons above, and finding good cause, the Court hereby grants the Parties' stipulated motion. It is so ordered.

Dated this 19th day of March, 2024.



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Jamal N. Whitehead  
United States District Judge