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KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE #: 23-2-25215-2 SEA

Honorable Judge James Rogers
Noted for December 12, 2025

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

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.

Case No. 23-2-25215-2 SEA
Case No. 23-2-25216-1 SEA

**[PROPOSED] ORDER DENYING
DEFENDANTS' JOINT MOTIONS TO
DISMISS FOR LACK OF PERSONAL
JURISDICTION [12(b)(2)]**

MAKAH 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.

**[PROPOSED] ORDER DENYING
DEFENDANTS' JOINT MOTIONS TO
DISMISS [12(b)(2)]**

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San Francisco, CA 94104
Tel. 628-231-2500; Fax 628-231-2929

1 This matter came before the Court on Defendants' Joint Motions to Dismiss for Lack of
2 Personal Jurisdiction [12(b)(2)] (the "Motions"). The Court having been fully informed hereby
3 holds that it has specific personal jurisdiction over Defendants. Defendants do not challenge the
4 Makah Indian Tribe's and Shoalwater Bay Indian Tribe's allegations that each Defendant
5 purposefully availed itself of the benefits and protections of the law of Washington, including by
6 operating fossil fuel processing and distribution facilities in Washington and marketing and selling
7 their fossil fuel products in Washington. The Court further finds that the Makah Indian Tribe's and
8 Shoalwater Bay Indian Tribe's claims are related to Defendants' Washington contacts. *See Ford*
9 *Motor Co. v. Mont. Eighth Jud. Dist. Ct.*, 592 U.S. 351 (2021). Additionally, Defendants have
10 failed to make the requisite compelling showing that this Court's exercise of jurisdiction would be
11 constitutionally unreasonable.

12 IT IS HEREBY ORDERED that Defendants' Joint Motions to Dismiss for Lack of
13 Personal Jurisdiction under CR 12(b)(2) are DENIED.

14 *The Conoco Phillips motion is addressed*
15 Dated 29 day of April, 2025 *by Superior*
16 *order.*

17 _____
18 The Honorable Judge James Rogers
19 King County Superior Court Judge
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1 Presented by:

SHER EDLING LLP

2 */s/ Corrie Yackulic*

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